

**OTOE COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
APRIL 16, 2020**

**TELECONFERENCE  
7:00 P.M.**

Meeting called to order by Chairman Daniel Hodges. All hearings were published in the Nebraska City News Press. Meeting commenced at 7:02 P.M. by teleconference call due to the Syracuse Library being closed because of the Covid-19 virus. Answering to roll call were Richard Warner, Stephanie Shrader, William Umland, Howard Bebout, Cheri Wirthle and Daniel Hodges. Absent was Chuck Cole. Other attendees of the conference call were David Schmitz, zoning administrator and Chuck Hassebrook with Sandhills Solar.

Chairman Hodges asked for a motion to approve the February 20, 2020 minutes, with Shrader making the motion, seconded by Umland, with Richard Warner, Stephanie Shrader, William Umland, Howard Bebout, and Daniel Hodges voting aye. Cheri Wirthle abstained.

Hodges then asked for a motion to approve the minutes of the March 19, 2020 meeting, with Shrader making a motion to change the meeting description to include the mention of the Covid-19 virus, seconded by Bebout, with Richard Warner, Stephanie Shrader, William Umland, Howard Bebout, and Daniel Hodges voting aye. Wirthle abstained.

A Public Hearing to approve the subdivision plat of R. Steinhoff Subdivision, a 4.71+- acre tract of land located in the S.E.  $\frac{1}{4}$  of the S.W.  $\frac{1}{4}$  of Section 21, T.9N, R.11E as requested by Ronda K. Steinhoff. Site is located @ 2889 E Road.

Schmitz represented Mrs. Steinhoff and explained that this tract is an existing farmstead that was originally platted as a bigger subdivision and then vacated. Bebout had stated at a previous meeting that as long as she changed the name and the acreage size that the Board should approve it. All buildings are located on plat. After some more discussion, Chairman Hodges asked for a motion to approve, motion made by Bebout, seconded by Warner, with Umland, Warner, Bebout, Shrader, Wirthle and Hodges voting aye. Subdivision plat approved.

The subdivision plat will now go to the County Commissioners for approval on the April 28, 2020, meeting commencing at 8:30 A.M at the Otoe County Courthouse County Courtroom.

**Old Business:** Schmitz stated that he had not received any preliminary Airbnb regulation from Keith Marvin, zoning consultant.

2nd item discussed was a clarification of a Section of the Solar Energy zoning regulations, namely (Section 8.13.3 where it states Customer owned on-site power lines shall be buried except where connecting to existing power lines. This requirement shall not apply to fiber optic connections.) Keith Marvin, zoning consultant, replied to Schmitz's request to give an opinion on this regulation. Marvin sent an email to Schmitz that said: THIS REQUIRES THEM TO BE UNDERGROUND ONLY UNTIL THEY CONNECT TO A UTILITY POLE. AFTER THAT, IF POWER IS OVERHEAD THEN THEY CAN STAY OVERHEAD. THIS IS ON-SITE ONLY FROM INVERTOR TO UTILITY POLES. Schmitz understood from this that the transmission lines and power line to sites could remain overhead as long as they got easements from landowners or Otoe County in their right-of-way. Two of the board members thought that they should bury the service lines to the different sites instead of overhead poles. Schmitz thought that the zoning consultant's opinion was to allow overhead service poles to the sites. The problem that may arise is that a landowner who has not signed up for a lease which is normally 25 years, may not want to give an easement for power poles instead of it being buried as it passes by their property.

Hassebrook with Sandhills Solar stated burying of the service line to the sites could cost an additional \$200,000 to 250, 000. This would probably not cancel the project but would really add to the cost. Schmitz reiterated again that he believes that the regulation allows overhead power poles for the transmission lines and service poles. Of course, everything inside the sites would be buried. Shrader asked Chuck if he would send a rough draft of where the sites will be and which landowners signed easements. Chuck said he would. Schmitz will take this to the commissioners on the 28<sup>th</sup> to get their opinion.

**DISCUSSION:** Schmitz stated that a Windstream booster pole 1.8 miles south of the Nebraska City airport got put in state right-of-way and the local airport authority did not get contacted. Schmitz stated he has no control in state right-of-way. Schmitz also stated that next months meeting may have conditional use permit or permits and that ZOOM may be used instead of the present teleconference. The County techs are working on this and Shrader stated that maybe we could use the Rowe Complex in Nebraska City for part of our board members.

**ADJOURN:**

There being no further business, Chairman Hodges requested a motion to adjourn, with Wirthele making the motion, seconded by Shrader, with Warner, Bebout, Umland, Wirthele, Shrader and Hodges voting aye to adjourn.

Motion carried. Meeting adjourned at 7:44 P.M.

The next regularly scheduled meeting will be May 21, 2020.

Minutes taken by Zoning Administrator Schmitz