

SALINE COUNTY PLANNING & ZONING MEETING

The Saline County Planning & Zoning Board Meeting was called to order at 7:00 p.m. on February 20, 2024 by Chairman John Barta. He stated that the Open Meeting Act applied to this meeting and the Act is posted on the East wall of the Assembly Room of the Saline County Courthouse in Wilber, Nebraska. Chairman Barta asked Lyle Weber, Planning & Zoning Administrator to call the roll: Present were Dave Hermsmeier, Gerald Brown, Mary Jo Weber, John Barta, Troy Steuer and Keith Muller. Absent were Joel Weber, Ron Fink and Mark Due. Marvin Kohout was present and representing the commissioners at this meeting.

Approval of the Agenda for this meeting was moved by Brown and seconded by MJ Weber. Voting in affirmative on Approval of the Agenda were Hermsmeier, Brown, MJ Weber, Barta, Steuer and Muller.

Minutes of the January 16, 2024 meeting were moved as amended (third line of Citizens Forum, third to last word should be **is not if**) for approval without reading. Motion to approve without reading made by MJ Weber, and seconded by Brown. Roll call vote: Muller, Hermsmeier, Steuer, Brown, Barta and MJ Weber. Minutes approved and submitted to be filed.

Citizens Forum Chairman Barta asked if anyone present wanted to speak at this time. He stated that Kay Kottas, Western, and Chuck McKay had asked to be on the agenda and will speak at that time.

Duane Wollenburg, DeWitt, made comment that he heard other states have 300' setbacks and could be more. Stated CO2 pipeline is useful for ethanol plants and good for Nebraska economy if done right.

Carol Flora, County Road UU, stated she was representing the Franklin family, because they own land and wanted to find out what the information was on the pipeline, and had concerns about possible regulations on the pipeline.

Gary Veprovsky, voiced concern about the citizens forum and could it be after the Business for Action.

Ray Ward, Kearney, landowner by Western stated that CO2 is 425 per million and .04%, while oxygen is 21%, and photosynthesis makes plants grow from CO2.

Citizens Forum closed without any other speakers.

Business for action

Agenda Item 1: Select P&Z member to serve on Board of Adjustments. Discussion between members present. Hermsmeier stated he would volunteer to complete the three-year term. Nomination made by MJ Weber to designate Hersmeier to serve on the BOA, second by Steuer. Voting in favor on roll call: Muller, Steuer, Barta, MJ Weber, Brown and Hermsmeier.

Agenda Item 2: Kay Kottas, Western, gave a handout she has completed on CO2 pipeline background information and concerns to each of the board members present and shared the information verbally with those in attendance. Confirmed to the group that there is

currently no state legislation that governs CO2 pipelines. Concerns on location, setbacks, routes, training with local emergency management and possible pipe rupture scenarios.

Agenda Item 3: Chuck McKay, stated that the push for the pipeline seems to most of the public to be secretive. What is the hurry to get something done. Concerned that this wouldn't be the only pipeline. Could go anywhere and any direction.

Agenda Item 4: Discuss/approve CO2 pipeline regulations to go to public hearing.

The county attorney, David Solheim, was present to assist in the discussion of this item. He stated that two commissioners, two P&Z members and himself had discussed concerns and he had a draft handout of the proposed regulations on CO2 pipelines in Saline County, which he shared with the board and others. Background information provided included: Holt County regulated pipelines two years ago. Iowa has regulations on pipelines, and those counties attempting to make regulations were overturned. Nebraska, outside of legislative action, has no Public Service Commission regulations on CO2. Discussion about the proposed regulations brought forward. There are Conditional Use Permits required for pipeline above ground projects only. He suggested requiring CUP for all pipelines. No action was taken and members are to study the proposed regulations and give feedback next meeting.

Commissioners Report Commissioner Kohout informed the board that the state legislature has been discussing the following:

1. Legislation on Inheritance Tax. County currently uses this tax fund to assist the department of roads. It is used as a cash flow account.
2. Broadband contract that 93 counties could use.
3. A bill on valuation protests that would require the county to buy the land if not in agreement with land owner.

Muller asked to give recognition to Jeff Koll for his three years of service to the P&Z.

Adjournment Motion made by MJ Weber, second by Brown, to adjourn the meeting at 8:50 p.m., carried on a voice vote, with no opposition.

Respectfully Submitted, Keith Muller, Secretary