

Corrected Minutes of the Monday, August 4, 2025, Planning Commission meeting.

Chairman Brent Alverson called the Monday, August 4, 2025, meeting of the Nemaha County Planning Commission to order at 7:00 p.m. in the Pioneer Building with Planning Commission members Galen Ackerman, Brent Alverson, Freda Dobbins, Charity Henry, Todd Rokey, Bob Ruddick, Martin Schmelzle and Michael Schmelzle and Nancy Gafford, Secretary present. County Counselor Austin Parker was present by Zoom. Maya Haverkamp had an excused absence. Doug Allen, Steve Brooks, Jim Dobbins, Mary Fund, Steve Macke, Luke Sunderland and Heidi Wolfgang were present from the public.

Steve Macke spoke during the public forum. He stated he is anti-zoning and his main concern is the Extra-Territorial Jurisdiction (ETJ) of Seneca and effect on his property. (If the proposed Land Development Code is adopted, the ETJs of Sabetha and Seneca would cease to exist and all land would be zoned agricultural, according to Mr. Parker.) Mr. Macke's concern was taking back control of his land from the City of Seneca. Mr. Parker stated that under the proposed Land Development Code (LDP) all land not zoned will be considered agricultural and everything agricultural is allowed except slaughtering which requires a special use permit which it is up to the County to approve or disapprove. If the proposed LDP is adopted all areas of the County that do not have a zoning code will be covered and will be zoned agricultural.

Charity Henry moved and Martin Schmelzle seconded the motion to approve the agenda as presented. Motion carried.

Freda Dobbins moved and Todd Rokey seconded the motion to approve the Monday, June 23, 2025, minutes as emailed with the addition of a statement about attaching a copy of the Draft Land Development Code to the minutes. Motion carried.

Doug Allen, Sabetha City Administrator, Steve Brooks, Seneca City Administrator and Luke Sunderland, Legal Counsel for both cities presented a letter to the Planning Commission members (Copy attached) regarding concerns about countywide zoning and how it might affect each city's Extra-Territorial Jurisdiction (ETJ). The letter expressed their questions and reasons for concern. Mr. Brooks expressed concern about the protection and location of Maxwell Springs, the city's water wells and development of the city's air strip while Mr. Allen said Sabetha was concerned about its boundaries. Mr. Parker assured them that if the proposed LDC is adopted all land in Nemaha County will be agricultural and everything agriculturally related except slaughtering. This requires a special use permit. The County will decide if the special use permit is approved. Following discussion, it was emphasized that both cities request that the Planning Commission exempt the ETJ of both cities from the LDC currently being developed.

Questions regarding administration of the Land Development Code (LDC) arose. Mr. Parker said either the Chairman of the Board of Nemaha County Commissioners or the County

Administrator would be the zoning administrator and there should be no cost for administering the code. Mr. Parker once again emphasized that there will be no cost for administering this code and money is being spent to run this code, it is WRONG

Mr. Parker also clarified that Land Development Code and Zoning code are synonymous and this plan covers all areas of the County that do not have a zoning code.

At this point Mr. Parker left the meeting.

Much discussion about the Draft Land Development Plan ensued. In order to be accurate about the changes and revisions made to this document, a copy of the revised Draft Land Development Plan is attached. This Draft LDP document was created by Mr. Parker with edits and revisions made by Mr. Galen Ackerman, Nemaha County Planning Commission member, approved by the Planning commission at the August 4, 2025, Planning Commission meeting and does a far better and more accurate job of covering what was discussed than the secretary could write.

Michael Schmelzle moved to adjourn at 10:15 p.m. with the next meeting scheduled for Monday, August 25, 2025, at 7:00 p.m.

Respectfully submitted by

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Nancy M. Gafford, Secretary

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Brent Alverson, Chairman

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Date