

Chairman Brent Alverson called the Monday, September 22, 2025, meeting of the Nemaha County Planning Commission to order at 7:03 p.m. in the Pioneer Building meeting room with Planning Commission members Galen Ackerman, Brent Alverson, Freda Dobbins, Marya Haverkamp, Charity Henry, Todd Rokey, Bob Ruddick and Martin Schmelzle (Present by Zoom), Michael Schmelzle and Secretary Nancy Gafford present. Austin Parker and Martin Schmelzle were present by Zoom. Andrea Beyer, Steve Brooks, James Dobbins, Kris Enneking, Doug Gudenkauf, Joe Mitchell, Joe Schmelzle, Milinda Sperflage and Luke Sunderland were present from the public.

No one requested to speak during the open public forum.

Bob Ruddick moved and Charity Henry seconded the motion to approve the agenda with the addition of 5.A.1 Cities of Sabetha and Seneca representatives to speak. Motion carried.

Charity Henry moved and Marya Haverkamp seconded the motion to approve the August 25, 2025, minutes with changes made by Charity Henry being read. Motion carried. Freda Dobbins and Martin Schmelzle abstained from voting because they were not present at the meeting.

Under Old Business, Sabetha and Seneca City Attorney Luke Sunderland presented a map of the County showing the 3-mile ETJs of each City. Mr. Sunderland stressed that ETJs allow certainty in looking to future planning and development. Steve Brooks, Seneca City Administrator, added comments about the importance of maintaining Maxwell Springs and water wells as far as Kelly for water for the City of Seneca. The city also sells water to Rural Water District 3 (Baileyville) and would like to keep the ETJs intact. The purple areas on the map would be subject to city zoning. Seneca Mayor Joe Mitchell spoke on the importance of water quality and that the city had invested in having staff and measures in place to manage the current ETJ. Mr. Mitchell also said it may be necessary to place future water towers outside the city of Seneca.

Martin Schmelzle asked how many customers are served outside Seneca by the ETJ. Mr. Sunderland will provide these numbers. Some work has been done by annexation for sewer and water and the electric service will have to be worked out with Nemaha/Marshall Rural Electric Cooperative.

Freda Dobbins asked what KSA covered the ETJs if zoning is adopted. One option is the ETJ is done away with and everything is zoned agricultural.

Mr. Parker stated that there are four primary options on how to treat ETJs.

1. Allow current ETJs as requested by the cities (Current ETJ boundaries).
2. Allow cities to have smaller ETJ areas.
3. Don't allow ETJs
4. Don't allow any ETJs and promote that cities move to annexation of areas.

Martin Schmelzle stated some of his constituents in the current Seneca ETJ want to be part of the County and not included in the Seneca ETJ.

Galen Ackerman reminded Planning Commission members that the City of Sabetha has an island ETJ around the old Sabetha City Lake and asked if a city can have an ETJ if the County is zoned. Mr. Parker responded that they could if it is by prior agreement. Mr. Parker asked if an ETJ the size of four townships in the County was desired and if the city wants to go as far as the current ETJ. Bob Ruddick added that the reason the County wants zoning is to protect its citizens.

Galen Ackerman gave a brief history of the past five years of planning and shared that Brown County has a three-mile blanket in their zoning ordinance around any city in the County and Mr. Parker agreed it could be done this way.

Doug Gudenkauf, an area farmer living north of Seneca, commented that he has no concerns with being within the City ETJ and thinks many of his neighbors are also agreeable with being in the City ETJ.

Charity Henry shifted the discussion to the public hearing tentatively scheduled for October 27, 2025, in the Nemaha County Community Building. Brent Alverson said the Planning Commission would take the comments from this meeting and “go from there”.

Brent Alverson moved and Bob Ruddick seconded the motion to set the public hearing for October 27, 2025, to consider the LDC prepared by Mr. Parker with the public notice in both County newspapers. Motion carried with Freda Dobbins voting against the motion.

With advice from the Planning Commission, Mr. Parker made some final revisions to the Land Development Code document.

Freda Dobbins reminded the Planning Commission the word “Revised” on the cover of the LDC was incorrect and recommended changing it to “Approved”. Mr. Parker removed “Revised” from the cover.

Charity Henry mentioned a few minor grammar and formatting errors which Mr. Parker revised.

Freda Dobbins inquired about the number of votes required by the Planning Commission to recommend adoption of the LDC . Mr. Parker changed the LDC to require the majority of all Planning Commission members appointed to and serving on the Planning Commission to pass a vote.

Galen Ackerman stated that the details for the existing wind energy project (Soldier Creek Wind) should state “maximum 300-megawatt project”. Mr. Parker added details to clarify the scope of the project.

Galen Ackerman moved to adjourn at 9:57 p.m.

Respectfully submitted by

---

Nancy Gafford, Secretary

---

Brent Alverson, Chairman

---

Date