

Vice-Chairman Charity Henry called the Monday, March 23, 2026, meeting of the Nemaha County Planning Commission to order at 6:00 p.m. in the meeting room of the Pioneer Building. Those present were Planning Commission members Galen Ackerman, Brent Alverson, Freda Dobbins, Marya Haverkamp, Charity Henry, Todd Rokey, Bob Ruddick and Michael Schmelzle and Secretary Nancy Gafford. Planning Commission member Martin Schmelzle was present by Zoom. James Dobbins was present from the public.

There were no open forum speakers.

Todd Rokey moved and Galen Ackerman seconded the motion to approve the agenda as presented.

Charity Henry moved and Freda Dobbins seconded the motion to approve the Monday, January 26, 2026, minutes with the following corrections: Page 1—Remove “and to include Chairman Alverson’s email as (5d).” and Page 2—Comment about Mr. Ackerman’s new well could be removed. Motion carried.

OLD BUSINESS was a continuation of clarifications and changes to the proposed Land Development Code for Nemaha County.

Mr. Ackerman stated that a main concern is water/especially water drilling, not electricity, in data center operations. The PC spent quite a time in discussion and in formulating a definition of this to go between definitions 27 & 28 on Page 7 of the LDC.

Todd Rokey moved and Freda Dobbins seconded the motion to present the PC’s definition for High Demand Industrial and Technological Facilities to Mr. Austin Parker for confirmation. If Mr. Parker approves the definition it will become part of the LDC. Motion carried.

The definition as submitted to Mr. Parker is as follows:

28. HIGH DEMAND INDUSTRIAL AND TECHNOLOGICAL FACILITIES: Facilities or operations, whether primary or accessory, that require substantial consumption of electricity and/or water, whether continuous or intermittent, or peak-demand, at levels exceeding those of agricultural, residential, or light commercial uses and that rely on such utilities as a core component of their function. Includes (but is not limited to): Data centers, server farms, cryptocurrency mining operations, large-scale cloud computing facilities, and similar high-density digital or industrial processing sites.

Brent Alverson joined the meeting at this point.

There was discussion on whether the references to wind farms should all specifically be named Soldier Creek Wind Farms Pages 40 and 41 of the LDC. Galen Ackerman moved and Brent Alverson seconded the motion to add proper name “Soldier Creek” to wind farms in four (4) locations and that it become part of the LDC. Motion carried.

Once again there was much discussion of the Sabetha and Seneca Extraterritorial Jurisdiction. The maps of the respective ETJ's requested by the PC in September had finally been received from both cities. There was continued discussion about whether the ETJ's were legal as created and whether or not there is a law stating the procedure for setting out the existing ETJ's in the LDC since they no longer exist if the LDC is adopted as is. Some possible answers to this question were cited by various PC members in KSA12-2904, KSA12-1929-1937 and KSA12-715d. It was once again emphasized that the job of the PC is to make recommendations and not decisions. The question as to the legality of the ETJ's can be answered by the Kansas Attorney General.

Galen Ackerman moved and Marya Haverkamp seconded the motion to accept 1-103 as written in the LDC document and as presented in the public hearing. Motion passed with dissenting votes cast by Freda Dobbins, Martin Schmelzle and Michael Schmelzle.

Chairman Alverson apologized for forgetting the change of the meeting time when Daylight Savings time took effect so the March meeting time was 6:00 p.m. with approval from the PC members since it had been published on the County website. The April meeting will be April 27, 2026, at 7:00 p.m.

Brent Alverson moved and Bob Ruddick seconded the motion to adjourn.

Meeting adjourned at 8:00 p.m.

Respectfully submitted by

---

Nancy Gafford, Secretary

---

Brent Alverson, Chairman

---

Date