

HITCHCOCK COUNTY PLANNING COMMISSION

July 23, 2025
Trenton, Nebraska

The Hitchcock County Planning Commission met on July 23, 2025 commencing at 1:00 p.m. in the Community Room, Hitchcock County Courthouse, 229 East D Street, Trenton, Nebraska. Notice of the meeting was given in advance thereof by publication on July 10, 2025 in *Scoop Media News*, the designated method for giving notice. Board agendas are posted on the County's website www.hitchcockcounty.ne.gov. Notice of this meeting was given to the Chair and all members of the Board. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chair Dustin Ladenburger advised all in attendance, that a current copy of the Nebraska Open Meetings Act was available for review, indicated the location of such copy in the room where the meeting was being held and offered the following statement: *It is the policy of the board that the formation of public policy is public business and may not be conducted in secret. The board conducts its business in accordance with the open meetings act.*

Chair Ladenburger informed those in attendance that the public meeting and public hearing were being recorded and asked that those in attendance speak one at a time so as to maintain a clear record of these proceedings. Jason Frederick of *Scoop Media News* was present and recorded the proceedings at the request of the Commission.

Chair Ladenburger called the meeting to order at 1:00 p.m. and the roll was called. Those present were Aaron Kolbet, Tom Monnahan, Wayne Merrill, Dustin Ladenburger, Austin Jensen and Dustin Webb. Chair declared a quorum. Also present, Zoning Administrator Mike Erickson, County Attorney D. Eugene Garner and Recording Secretary Margaret Pollmann.

The minutes of the June 11th, 2025 meeting were previously reviewed by the board. Chair inquired as to any additions or corrections. Member Monnahan moved to waive the reading of said minutes, and accept and approve the June 11th, 2025 meeting minutes. Member Webb seconded the motion and the following members voted in favor of the motion: Merrill, Kolbet, Monnahan, Ladenburger, Jensen and Webb. Motion carried.

Attorney Garner advised as to the letter received from Roger Benjamin requesting a continuance of conditional use proceedings relating to the application for conditional use, as amended submitted by Shane Rippen.

Member Jensen moved to deny the request/motion of Roger Benjamin for a continuance and to keep moving forward on the Amended Application for Conditional use filed by Shane Rippen. Member Webb seconded the motion and after consideration, the following members voted in favor of the motion: Webb, Jensen, Ladenburger, Monnahan and Merrill, Aye. Member Kolbet voted Nay. Motion carried.

Chair Ladenburger recessed the regular meeting at 1:08 p.m. and opened the public hearing for the purpose to hear the applicant and all comments thereon from the public in attendance and to receive evidence regarding the Amended Application for Conditional Use submitted by Shane Rippen for an open feedlot confined animal feeding operation with aerobic waste handling facility, Category A Class III in Part of the W½ of the SE¼ Section 4, Township 3 North, Range 31 West, Hitchcock County, Nebraska.

Chair received the following exhibits and the same were marked accordingly:

- Exhibit "A" Hitchcock County Clerk's *Certificate of Service* dated July 7th, 2025 relating to Notice of Public Hearing mailed to the applicant, adjacent land owners, public entity and public utility.
- Exhibit "B" Zoning Administrator Mike Erickson's *Staff Report*
- Exhibit "C" Shane Rippen's Amended Application for Conditional Use
- Exhibit "D" Zoning Administrator Mike Erickson's *Supplemental Zoning Administrator's Report* dated July 3rd, 2025.

Travis Casperson, Engineer for Settje Agri-Service and Engineering, Inc. offered a power point presentation and responded to questions posed by members of the Commission.

Attorney Steve Mossman, appeared on behalf of the applicant, Shane Rippen, and addressed the Commission as to legalities relating to the conditional use at issue and informed the Commission that the building permit issued by the Village of Culbertson was subsequent to the original application for conditional use submitted by Mr. Rippen and that the setback requirements should relate to the date of original filing, that being April 10th, 2025.

Chair Ladenburger asked if there were any comments from the proponents of the application. There were none.

Chair Ladenburger asked if there were any comments from opponents of the application. Those recognized and speaking: Sam Eldridge; Sherry Moorhous (presented a letter to the Commission along with an odor footprint tool handout); Robin Lomax; Joy Farr (presented a letter to the Commission), Francis Friehe (indicated he was not opposing the application); Ron Bauer; Deb Huss (presented a question for applicant); Vicki Bauer; Sonia Caldwell (presented a question for applicant).

Chair inquired if there were any comments from a neutral position. There were none.

Chair inquired if there were any further comments or documents offered for consideration. There were none.

Chair read written questions presented from the public.

Chair asked for applicant rebuttal and Travis Casperson addressed questions posed in writing from the public and from the Commission.

Chair closed the public hearing at 2:27 p.m. this date and the public meeting that was previously recessed was re-opened.

Chair inquired if any board member had a conflict of interest regarding the application as amended being considered. There were none.

Attorney Garner advised the Commission that it was necessary to make a finding whether the application as amended was consistent/compatible with the Hitchcock County Comprehensive plan.

Member Jensen moved to find that the conditional use application as amended is consistent with Hitchcock County's comprehensive plan. Member Webb seconded the motion and after consideration the following members voted in favor of the motion: Webb, Kolbet, Monnahan, Ladenburger Jensen and Merrill. Motion carried.

Attorney Garner advised the Commission that it was necessary to make a finding whether the application as amended meets the standards and requirements set forth in Section 501.06 of the regulations. Attorney Garner presented Exhibit A-1 that being a copy of said section.

Zoning Administrator Erickson presented a proposed condition to be considered by the Planning Commission which would require owner/operator to have periodic water table measurements conducted and results presented to the Culbertson Village Board. Discussion was had. It was the consensus not to make it a condition.

Member Jensen moved to find that the conditional use as amended meets the standards and requirements of paragraph(s) A through J and L through N of Section 501.06 of the Regulations as set out in Exhibit A-1. Member Webb seconded the motion and after consideration the following members voted in favor of the motion. Ladenburger, Webb, Merrill, Jensen, Kolbet, Monnahan. Motion carried.

Attorney Garner advised the Commission that the next step is to make a recommendation to the Hitchcock County Board of Commissioners.

Member Jensen moved to recommend approval to the Hitchcock County Board of Commissioners of the Amended Application for Conditional Use with the following conditions

1. Completion and submission to Hitchcock County Zoning Administrator the “Nebraska Animal Feeding Operation Matrix” found on the NDA website;
2. Certificate of Zoning Compliance must be submitted and approved before any livestock be allowed to populate the feedlot; and
3. Those conditions and requirements set forth in Exhibit A-1.

Discussion was had regarding the timing of the amendment to the conditional use application and the permit issued by the Village of Culbertson.

Member Webb seconded the motion and after consideration a roll call vote was had as follows: Jensen, Yes; Merrill, Yes; Ladenburger, Yes; Kolbet, No; Monnahan, No; Webb, Yes. Motion carried.

Member Jensen moved to authorize and direct the Chair of the Hitchcock County Planning Commission to execute the recommendation of the Planning Commission for and on behalf of the full body of the Planning Commission. The motion was seconded by Merrill and after discussion a roll call vote was had as follows: Webb, Yes; Kolbet, No; Monnahan, No; Ladenburger, Yes; Jensen, Yes; Merrill Yes. Motion carried.

Under old business, Zoning Administrator Erickson and Attorney Garner informed the Commission that representative from West Central Nebraska Development District would be meeting with Board of Commissioners on August 4th, 2025 to discuss updating the Comprehensive Plan and Zoning Regulations and possible grants available to assist in the funding.

Chair Ladenburger addressed those remaining in attendance and asked for participation in the updating of the comprehensive plan and zoning regulations by attending future published meetings and hearings.

New business None.

General Discussion - None

There being no further business before the Commission, Chair Ladenburger adjourned the meeting at 3:18 p.m. this date.

Dustin Ladenburger, Chair

Wayne Merrill, Secretary