



Wheeler County Board Minutes



Bartlett, Nebraska
October 28, 2020

The Wheeler County Commissioner's met in special session on this date at 7:00 PM. Notice of the meeting was published and posted according to law. Chairman Hoerle called the meeting to order and identified the location of the Nebraska Open Meetings Act poster on the South Wall of the Gymnasium by the door by the cafeteria and made reference to open law literature available for the public. Answering roll call were Commissioner's Hoerle, Heinz, and Pokorny. Clerk Snider, County Attorney Joe McNally and Sheriff's Deputy King were also present along with members of the public.

The Pledge of Allegiance was recited.

The public hearing was opened at 7:02 PM to take public comment on the recommended changes to the zoning ordinance by the Planning Commission.

Suggestions brought before the board by the public were to change the setback from a 1.1 times the total tower height (structure plus the vertical blade length) from a "dwelling" to 1.1 times the total tower height from a "property line". Another suggestion was to have the setbacks 1 ½ mile from a property line in addition to from a dwelling.

Heinz made a motion at 7:58 PM to close the public hearing, seconded by Pokorny. Voting aye: Pokorny, Hoerle and Heinz. Voting nay: none.

After discussion, Pokorny made a motion to prohibit any "Commercial/Utility Grade Wind Energy Systems" and repeal the sections in Chapter 16 of the current zoning regulations that permit and regulate them, seconded by Hoerle. Voting aye: Pokorny, Hoerle and Heinz. Voting nay: none. Small Wind Energy Systems are not affected and remain permitted.

Since Commercial/Utility Grade Wind Energy Systems were prohibited by the previous vote, it was unnecessary to discuss clustering issues, road use agreements or other wind tower setbacks as listed on the Agenda.

Heinz made a motion to implement a late fee for failing to obtain a building permit prior to commencement of construction with an amount to be set at a later date, seconded by Pokorny. Voting aye: Heinz, Pokorny, and Hoerle. Voting nay: none.

Hoerle made a motion to establish roadway and right-of-way setbacks for structures or other obstructions of 50 feet from the right-of-way plus 33 feet from the center of the road for a total of 83 feet; and for road intersections, establishing that at all roadway intersections, trees, grain bins, buildings or other structures or obstructions shall not be located within the triangular area formed by the intersecting right-of-way lines and a line connecting points on said right-of-way lines which are 70 feet 8 inches from the intersection of said right-of-way lines, seconded by Heinz. Voting aye: Hoerle, Heinz, and Pokorny. Voting nay: none.

With there being no other business to come before the board Chairman Hoerle adjourned the meeting at 8:11 PM.

The next scheduled regular meeting will be held on Wednesday November 25, 2020, at 8 a.m.

Cara Snider, County Clerk
Jim Hoerle, Board Chairman