

Cuming County Planning & Zoning

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Planning Commission Meeting Minutes June 21, 2021

A meeting of the Planning Commission of Cuming County in the State of Nebraska was convened in open and public session at 8:00 p.m. on Monday, June 21, 2021, in the Cuming County Courthouse lower-level meeting room.

The meeting was called to order by Vice-Chairman Mark Schweers and roll call was taken of the Planning Commission as follows:

Brester-present; Fullner-present; Schold-absent; Drieling-present; Zobel-present; Jahnke-present; Meyer-present; Hunke-absent; and Schweers-present.

With 7 members in attendance, quorum was met, action items may be addressed.

Vice-Chairman Schweers noted that Proof of Publication of the meeting was published in the June 9, 2021 edition of the West Point News, was posted on the County website, was put on the Courthouse community board and also posted outside the door of the Zoning office. He also stated that the Planning Commission operated under the rules stated in the Open Meetings Act and that a copy was posted on the wall of the meeting room.

Vice-Chairman Schweers asked for a motion to approve the agenda. A motion was made by Jahnke and seconded by Brester. A roll call vote was taken with the following voting yes – Fullner, Jahnke, Brester, Meyer, Zobel, Drieling, and Schweers. Voting no – none. Schold and Hunke were absent. The motion passed.

With no additions or corrections to the minutes, Vice-Chairman Schweers asked for a motion to approve. Motion was made by Brester to approve the minutes of February 15, 2021, second from Drieling. A roll call vote was taken with the following voting yes – Jahnke, Meyer, Drieling, Zobel, Brester, Fullner, and Schweers. Voting no – none. Schold and Hunke were absent. Motion passes.

Vice-Chairman Schweers started with the new business by reading the statement for the Public Hearing. A Public Hearing for the purpose of hearing testimony of support, opposition, criticism, suggestions, or observations for, and to discuss: An amendment to the Zoning Matrix to add Distillery as a Conditional Use in the AG-1, TA-1, RPC, C-1 and I-1 Land Use Districts.

He asked for a motion to open the Public Hearing. Drieling made the motion with Jahnke seconding. A roll call vote was taken with Meyer, Brester, Fullner, Drieling, Jahnke, Zobel, and Schweers all voting yes. Voting no – none. Schold and Hunke were absent.

Vice-Chairman Schweers asked the Zoning Administrator to give a brief explanation of the amendment. Becky Lerch, Zoning Administrator, explained that in the current Zoning Matrix we have Micro-brewery, brewery and winery but nothing stating Micro-Distillery. The definition of a Micro-Distillery is in are Zoning Regulations as follows: *A distillery located in Nebraska that is licensed to distill liquor on the premises of the distillery licensee and produces ten thousand or fewer gallons of liquor annually.* She just felt that the actual wording of 'Micro-distillery' should be in the matrix. She also stated that all the alcohol related items in the matrix will be grouped together.

With no questions or discussion, Vice-Chairman Schweers asked for a motion to close the public hearing. Motion was made by Fullner and second by Drieling to close the public hearing. A roll call vote was taken with Drieling, Meyer, Zobel, Fullner, Brester, Jahnke, and Schweers all voting yes. Voting no – none. Schold and Hunke were absent.

Schweers then asked for more discussion, if any, or what action the Planning Commission would like to take on this. There was no discussion but a motion by Meyer was made to recommend the amendment of adding the Micro-Distillery to the

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Zoning Matrix to the Board of Supervisors and was second by Brester. A roll call vote was taken with Meyer, Zobel, Brester, Jahnke, Drieling, Fullner and Schweers all voting yes. Voting no – none. Schold and Hunke were absent. The motion passes and Lerch will take to the Board of Supervisors on Monday, June 28, 2021 at 10:00 a.m.

Vice-Chairman Schweers then asked for a motion to open the next public hearing for *A Conditional Use Application by Joseph Knobbe to add a distilled spirits plant on property located at 1189 C Road, West Point containing 200 acres in Section 26, Township 21, Range 5E of the 6th P.M. (Principal Meridian) in Cuming County, State of Nebraska.* A motion to open the hearing was made by Meyer and second by Drieling. A roll call vote as taken with Brester, Fullner, Drieling, Jahnke, Zobel, Meyer, and Schweers all voting yes. Voting no – none. Schold and Hunke were absent. The motion passes.

Schweers asked the applicant, Joseph Knobbe, to explain what his intentions are. Knobbe explained that he was obtaining a current business, Flyover Whiskey, from a party in North Bend. The operation was started as a hobby for the North Bend individual and has really taken off. Unfortunately, he is heading to California for Grad School and can no longer take care of the business. Knobbe is purchasing the equipment and business from him to continue. He stated that all paperwork has been filed with he State for obtaining permits and licensing that is required. FDA approval is needed, and they will be making a visit soon, but he sees no issues. He also needs to have the State Fire Marshall and the State Patrol pay a visit to the sight. Knobbe said that this will be ‘direct to the consumer’ sales and there will not be a tasting room. The labels will be custom to each individual’s liking. The Planning Commission asked what the process was and Knobbe stated that a customer would bring or mail in 20 pounds of corn, it would be distilled, and the end product would produce (6) six 750 ml bottles of whiskey. The product can be shipped within the State of Nebraska. He also stated that the building that will be used is an old farrowing barn, they will be using onsite water and sanitary system.

With no other discussion or questions, Vice-Chairman Schweers asked for a motion to close the public hearing. Motion was made to close the public hearing by Zobel and second by Jahnke. A roll call vote was taken with Jahnke, Fullner, Drieling, Zobel, Brester, Meyer, and Schweers all voting yes. Voting no – none. Schold and Hunke were absent. The motion passes.

The Vice-Chairman asked for more discussion and / or action the Planning Commission wanted to take. Meyer entertained a motion to recommend approval of the Conditional Use application and to take to the Board of Supervisors for approval. A second was made by Zobel. A roll call vote was taken with Zobel, Meyer, Brester, Jahnke, Drieling, Fullner, and Schweers all voting yes. Voting no – none. Schold and Hunke were absent. The motion passes. Lerch will take to the Board of Supervisors on Monday, June 28, 2021 at 10:25 a.m.

Vice-Chairman Schweers then asked Judy Mutzenberger, Member of the Board of Supervisors, to go ahead with her discussion of the 30x30 Plan. Mutzenberger handed out some material and gave a brief description of the Executive Order #14008 that President Joe Biden issued on January 27, 2021 entitled ‘Tackling the Climate Crisis at Home and Abroad’. There was some discussion and thoughts about how to handle this. More research and communication are needed, discussion will continue in the future.

With no other business, Schweers adjourned the meeting at 8:53 p.m.

The next meeting of the Planning Commission will be ‘as needed’.

Respectfully submitted by

Becky Lerch, CFM Cuming County Zoning Administrator

June 22, 2021

Planning Commission Chairman

Date