

MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

December 9, 2025

Call to order: The December 9, 2025, meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:00 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

Announcement of Open Meeting Act: Chairman Wilken announced where the Open Meetings Act is posted.

Roll Call: Members present: Jim Kotrous, David Arens, Robert Ganz, Dean Wilken, Greg Kuhlman, Keith Nielsen, Doug DeShazer and Neil Clausen. Absent: Robert Larsen. Also present were Zoning Administrator Kelsy Jelinek and applicant Will Duggins of Westervelt.

Approve Agenda & Public Notice in the Knox County News and Crofton Journal

Jim Kotrous moved, Doug DeShazer seconded to approve the agenda and public notice which was published in the Knox County News and Crofton Journal. Roll call vote showed all present in favor Ayes: Jim Kotrous, David Arens, Robert Ganz, Dean Wilken, Greg Kuhlman, Keith Nielsen, Doug DeShazer and Neil Clausen. Absent: Robert Larsen.

Approve the Minutes from the October 14th, 2025 Meeting. Rob Ganz moved, Greg Kuhlman seconded to approve the minutes from October 14th regular meeting. Roll call vote showed all present in favor. Ayes: Jim Kotrous, David Arens, Robert Ganz, Dean Wilken, Greg Kuhlman, Keith Nielsen, Doug DeShazer and Neil Clausen. Absent: Robert Larsen.

Ex Parte Communications:

Old Business: None

New Business:

- 1. Public hearing is to receive public comments regarding the application for a conservation Easement for Westervelt Ecological Services, LLC in 16-33-7W, Knox County, Nebraska.**

Chairman Wilken opened the public hearing at 7:02 p.m. Administrator Jelinek gave a brief explanation of the application.

Westervelt is a nationwide mitigation company build out wetlands to help offset various developments. The purpose of the conservation easement is to offset impacts from the upcoming Highway 12 project. IN order for NDOT to get their

permit and raise the road base, they have to offset by putting in wetlands. The area is very wet and wetlands have been established. This past year was very wet, but this is very weather controlled and is very controlled by Ponca Creek. Westervelt initially met with NDOT, and they needed a mitigation solution for the highway, which prompted the project. Wetlands will be restored, several species exist and noxious weeds will be controlled to the best of their ability.

Planning Commission members asked questions regarding the easement. Throughout this process, Westervelt will be creating and funding an endowment to manage the land long term, including \$500K, accruing interest to manage the land. If a new land manager were to come in, the endowment would stay with the land. The construction project would include more dirt work. Permit runs concurrently with the road permit, which is held up right now. Managing the land includes a construction project, which includes some dirt work to impact wetlands. New native planting will include native seeds, and noxious species would be a big part of the project and hope to drown out some phragmites. Westervelt's home office is in Tuscaloosa, AL with more than 40 projects nationwide, none of which have failed.

The ground would typically stay private, not become public. Typically, when established, the Corp would make them remove any forested area. The easement's main purpose is to prevent commercial uses and buildings of any sort. They have typically built grazing plans for cattle, but that's not set up for this project currently. The area will be fenced off.

Rob Ganz made a motion to close the public hearing Keith Nielsen seconds. Roll call vote Ayes: Jim Kotrous, David Arens, Robert Ganz, Dean Wilken, Greg Kuhlman, Keith Nielsen, Doug DeShazer and Neil Clausen. Absent: Robert Larsen.

Rob Ganz made a motion to recommend approval of the Westervelt Conservation Easement to the Board of Supervisors and David Arens would second the motion. Roll call vote Ayes: Jim Kotrous, David Arens, Robert Ganz, Dean Wilken, Greg Kuhlman, Keith Nielsen, Doug DeShazer and Neil Clausen. Absent: Robert Larsen.

- 2. A public hearing will be held to receive public comments regarding a request for amendments to the Land Use Categories/Matrix Section 4.07 for all zoned areas. The request for change is to discuss and consider possible amendments to Category – "Warehousing and Storage" – Type – "Outdoor Storage Containers" and "Storage facilities similar to Portable On-demand storage facilities" in all zones. Category – "Accessory Use" – Type - "Portable on-demand storage containers" and "Storage building using multiple storage containers" will also be considered for amendments in all zones.**

Chairman Wilken opened the public hearing at 7:47 p.m. Keith Nielsen had brought the possible amendment, so he explained that he thought the Planning Commission should consider the use of storage/shipping containers in the AGT, AGP zoned areas. He said he doesn't see it being allowed in LAR, RAR, or CC. The board discussed

Doug DeShazer made a motion to close public hearing. Neil Clausen seconds. Roll call vote Ayes: Jim Kotrous, David Arens, Robert Ganz, Dean Wilken, Greg Kuhlman, Keith Nielsen, Doug DeShazer and Neil Clausen. Absent: Robert Larsen.

Keith Nielsen made a motion to change the Use Category of "Warehousing and Storage" Use Type "Outdoor storage containers" in AGP, AGT from "not permitted" to "permitted," leaving VAD as "Conditional Use" and to leave all other zones as "not permitted." In the same Use Category, his motion would also include the Use Type of "Storage facilities similar to Portable On-demand storage facilities" in AGP, AGT zones from "Temporary permit" to "Permitted," change VAD to "Conditional Use Permit" and all other zones will stay as "Temporary Use." Neil Clausen seconds. Roll call vote showed all present in favor. Ayes: Jim Kotrous, David Arens, Robert Ganz, Dean Wilken, Greg Kuhlman, Keith Nielsen, Doug DeShazer and Neil Clausen. Absent: Robert Larsen.

Jim Kotrous made a motion to change the Use Category of "Accessory Uses" Use Type "Portable on-demand storage containers" in AGP and AGT from "Temporary Use" to "Permitted Use" and leave all other zones as temporary, "Storage building using multiple storage containers" change AGP and AGT from "Conditional Use Permit" to "Permitted," leave VAD as "Conditional Use permit," and the other zones as "Not Permitted." Rob Ganz seconds. Roll call vote showed all present in favor. Ayes: Jim Kotrous, David Arens, Robert Ganz, Dean Wilken, Greg Kuhlman, Keith Nielsen, Doug DeShazer and Neil Clausen. Absent: Robert Larsen.

3. Discuss, consider & take all necessary action on the waiver of separate submission requirements for the Preliminary and Final Plats to expedite the subdivision review process for Riverpoint Bay Replat.

Planning Commission members discussed the process of the replat procedures. Jim Kotrous made a motion to waive the separate submission requirement of the preliminary plat to expedite the subdivision review process for Riverpoint Bay Replat. Doug DeShazer seconds. Roll call vote showed all present in favor. Ayes: Jim Kotrous, David Arens, Robert Ganz, Dean Wilken, Greg Kuhlman, Keith Nielsen, Doug DeShazer and Neil Clausen. Absent: Robert Larsen.

Public comments: None

The October and November permit reports were reviewed.

Next Meeting: January 13, 2026 at 8:35 p.m.

Adjournment: The meeting was adjourned at 8:30 p.m. by Chairman Wilken.

Kelsy Jelinek, Zoning Administrator

Approved by Planning Commission:

Placed on File with Board of Supervisors:

DRAFT