

BUTLER COUNTY PLANNING COMMISSION

February 25, 2026

An open meeting of the Planning Commission of Butler County, Nebraska, was held on the 25th day of February 2026 at the Butler County Highway Building in David City, Nebraska, at 7:00 p.m. Present were the following: Roger Topil, Kevin Hotovy, Devin Jakub, Will Reiter, John Kobza, Jesse Hough, Steve Barlean.

Notice of the meeting was given in advance thereof by publication, a designated method for giving notice, as shown by the Proof of Publication attached to the minutes. Notice of this meeting was given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice and in the notice to all members of the Planning Commission of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

The Pledge of Allegiance was recited by all present. Chairman Roger Topil opened the public hearing and announced that a complete copy of the Open Meetings Act is posted in the meeting room. Moved by Reiter, seconded by Hotovy, to approve the minutes from the last meeting. All ayes; motion carried.

Chairman Topil referred to an email from Tim Keelan, Hanna:Keelan, forwarded to Planning Commission members regarding Keelan's recommendations for land uses to include in a moratorium. Moved by Hough, seconded by Kobza, to vote on the land uses individually. All aye; motion carried.

Discussion was held about grandfathering specific projects. County Attorney Julie Reiter advised that if they want projects to be excluded, it must be spelled out in the resolution. Will Reiter suggested that physical construction, not just planning or engineering, should be the standard for determining if a project has begun. Moved by Reiter, seconded by Barlean, to exclude projects in which physical construction has already commenced from the moratorium. Upon roll call vote the following voted:

Aye: Reiter, Hough, Barlean, Hotovy, Jakub, Topil.

Nay: Kobza.

Motion carried.

Moved by Reiter, seconded by Hotovy, to impose a moratorium on Commercial Wind Farms Energy Systems. Upon roll call vote the following voted:

Aye: Reiter, Jakub, Hotovy, Barlean, Topil.

Nay: Hough, Kobza.

Motion carried.

Moved by Reiter, seconded by Barlean, to impose a moratorium on Commercial Solar Farms Energy Systems. Upon roll call vote the following voted:

Aye: Reiter, Barlean, Hotovy, Jakub, Topil.

Nay: Kobza, Hough.

Motion carried.

Moved by Hotovy, seconded by Reiter, to impose a moratorium on Battery Energy Storage Systems. Upon roll call vote the following voted:

Aye: Hotovy, Jakub, Reiter, Barlean, Topil.

Nay: Kobza, Hough.

Motion carried.

Moved by Reiter, seconded by Hotovy, to impose a moratorium on Data Processing Centers. Upon roll call vote the following voted:

Aye: Reiter, Jakub, Hotovy, Barlean, Topil.

Nay: Hough, Kobza.

Motion carried.

Moved by Reiter, seconded by Barlean, to impose a moratorium on Landfill. Upon roll call vote the following voted:

Aye: Reiter, Barlean, Hotovy, Jakub, Topil.

Nay: Kobza, Hough.

Motion carried.

Moved by Barlean, seconded by Reiter, to impose a moratorium on Agricultural Use – Chicken/Bird Confinement. Barlean cited the survey results, noting that many comments in the survey dealt with concerns about poultry barns. Hotovy expressed concern that restricting family farms from building poultry barns on their own land could prevent the next generation from returning home to farm. Barlean pointed out that of all the poultry barns in Butler County, only one was built on the quarter section where the owner lives. Upon roll call vote the following voted:

Aye: Barlean, Reiter, Topil.

Nay: Hotovy, Jakub, Kobza, Hough.

Motion failed.

Moved by Hotovy, seconded by Reiter, to forego imposing a moratorium on the remaining land uses being considered (Heavy Industrial Uses, Hog Confinement, Cattle Confinement, Planned Rural Residential Subdivisions, Individual Residential Acreage Developments). All aye; motion carried.

County Attorney Reiter presented a draft resolution outlining the Planning Commission's findings and recommendations. Moved by Hough, seconded by Reiter, to add language about excluding projects where physical construction had already begun. All aye; motion carried.

Moved by Reiter, seconded by Hotovy, to add language about findings regarding the public outreach process and the County's lack of existing zoning regulations. All aye; motion carried.

Moved by Barlean, seconded by Reiter, to adopt Resolution 2026-04 with the approved changes. Upon roll call vote the following voted:

Aye: Barlean, Hotovy, Jakub, Reiter, Topil.

Nay: Kobza, Hough.

Motion carried.

County Clerk Lori Aschoff will print the resolution with the approved changes for Chairman Topil to sign. Chairman Topil will present Resolution 2026-04 to the County Board at their next meeting on March 2, 2026.

Adjourn

There being no further business to come before the Planning Commission, Chairman Topil adjourned the meeting at 7:54 p.m. The next meeting of the Planning Commission will be March 11, 2026, at 6:00 p.m.

Note: Subsequent to adjournment, the Chairman rescheduled the next meeting date to March 18, 2026.

Lori Aschoff
County Clerk

Roger Topil
Planning Commission Chairman

