

## BUTLER COUNTY PLANNING COMMISSION

March 18, 2026

An open meeting of the Planning Commission of Butler County, Nebraska, was held on the 18th day of March 2026 at the Butler County Highway Building in David City, Nebraska, at 6:00 p.m. Present were the following: Roger Topil, Kevin Hotovy, Will Reiter, John Kobza, Jesse Hough, Steve Barlean. Absent: Devin Jakub.

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.

Hotovy expressed frustration that the exclusion for construction was struck from the moratorium resolution passed by the Board of Supervisors (Planning Commission Resolution 2026-04, County Board Resolution 2026-07). Kobza told Chairman Topil that he should have consulted the rest of the Planning Commission before speaking at the Board's public hearing on the moratorium, noting his opinion that it was very pertinent to the County Board's decision to strike that sentence. He stated that the gray area (what is started, what is not) was very important and talking to the Board, even on his own behalf (not on behalf of the Planning Commission), was inappropriate. Reiter noted that Supervisor Griess moved to strike the sentence and the planner agreed with it and stated that this discussion would be noted in the meeting minutes.

Moved by Reiter, seconded by Hotovy, to approve the minutes from the last meeting. All ayes: motion carried.

Chairman Topil noted that Resolution 2026-07, passed by the Board of Supervisors on March 16, 2026, was identical to Resolution 2026-04, passed by the Planning Commission, except for the exclusion of the following sentence: "To exclude projects already in physical construction, building started prior to the date of this resolution, with concrete evidence that construction has commenced;"

Discussion was held regarding an email from County Attorney Julie Reiter to Planning Commission members regarding unauthorized contact from solar and other businesses.

Tim Keelan, Hanna:Keelan, noted the next meeting Hanna:Keelan will attend is May 13th. Chairman Topil suggested the meeting date be changed to April 29th. Keelan stated that they are working on multiple projects and need time to pull information together, but that April 29th would work. Discussion was held about more frequent meetings. Barlean asked Keelan to discuss the planning process and the Planning Commission's role in that process. Hotovy asked what the planners thought about meetings; he said it was unfortunate that Chairman Topil second-guessed the resolution verbiage. Keelan explained that Chairman Topil was not representing the Planning Commission, just himself. Kobza stated that he did not speak because he did not feel it would be ethical. Hough suggested they table the issue, move on, and redirect back to the meeting agenda. Keelan reviewed the planning process, noting that an organizational meeting was held in December, followed by the community survey. He emphasized the importance of staying on schedule, aiming to complete the plan in nine months, which is faster than the typical planning process. He addressed concerns about the frequency of meetings, explaining that while more meetings were added to the scope, they are not necessary if/when the information is not ready.

Brian Foral asked when the comprehensive plan is finished, will that be it, or will zoning come separately? Keelan responded that the Planning Commission will hold a public hearing on the comprehensive plan and zoning in September after its completion; the Board of Supervisors will hold public hearing(s) on the comprehensive plan and zoning sometime after that.

An invoice from Hanna:Keelan was included in the meeting packets. There were no questions about the invoice; County Clerk Aschoff will submit a claim to the Board of Supervisors for payment.

Keith Carl, Hanna:Keelan, presented population data for Butler County, noting a decline in the rural community population from 3,634 in 2000 to 3,205 in 2020, with projections showing a slight increase to 3,264 by 2036. Discussion was held about potential population growth due to new housing developments along the Platte River. Kobza noted an increase in sandpit housing development with people migrating from Columbus. They also explored the possibility of implementing rural subdivision regulations and discussed establishing a Board of Appeals to handle appeals of zoning decisions.

Carl continued through demographic data collected, reviewing information in table format. Carl and Keelan discussed the process of implementing zoning regulations in a county with no existing regulations, emphasizing the need for a balanced approach to avoid overwhelming residents. Carl explained the roles of the Planning Commission and Board of Appeals, highlighting the importance of permit checks and inspections. Other data presented included employment, owner-occupied vs. rental housing, and housing conditions, touching on potential future programs for rural housing rehabilitation and the possibility of using tax increment financing (TIF) in rural areas. He reviewed housing occupancy and vacancy rates, noting that the rural county's vacancy rate of 5.8% was close to the desired range of 6-7%.

Carl presented agricultural and demographic trends, traffic volume analysis, and existing land use maps, and explained the methodology for calculating rural community acreage. Carl and Keelan discussed future land use considerations, including the possibility of designating development corridors along highway corridors for commercial/industrial development.

Discussion was held regarding rural housing density and agricultural zoning challenges, and the need to address the balance between residential development and animal agriculture, particularly regarding setbacks and corridors. Discussion was also held regarding ways to better control growth and/or keep non-traditional developments clustered together, as well as the protection of historical sites and cemeteries in rural areas, and the potential for Butler County to participate in the Livestock Friendly County program.

### **Public Comment/Questions**

Bob Kobza, Bellwood, noted that there are 345 cabins between Gans, Jarecke, Brandenburg, and Bellwood Lakes. Nearly all of them have well/septic systems that are not in compliance. They are all on leased land, cabins that have been turned into year-round homes, and the entire corridor needs to be fixed. It is no wonder we have high nitrates when they run septic into a barrel underground. Wells are also right next to septic systems. The map presented by Carl/Keelan does not adequately convey the number of homes in that area.

Brian Foral, Butler County Surveyor, noted that Seward County has had trouble finding water and issues with ground water and wells. He also noted the need to consider road maintenance; trying to sell lots without a platted subdivision is difficult.

Aaron Schmid stated that on the south side of Highway 81 all the way to Bellwood, water has gone down from phase three to phase two. New constructed homes at lakes are in compliance, but older ones where lots are leased are the problem. He lives in Adamy Subdivision, and he noted that covenants can take care of a lot of

things that zoning needs to do. Additionally, there are houses along the bluffs that a firetruck would never be able to get to in the event of a fire.

Brian Boerner, Sandhills Energy, asked if a Board of Adjustment is necessary to adopt zoning regulations or to impose a moratorium? Keelan stated that the answer is no.

**Adjourn**

There being no further business to come before the Planning Commission, Chairman Topil adjourned the meeting at 7:51 p.m. The next meeting of the Planning Commission will be April 29, 2026, at 6:00 p.m.

Lori Aschoff  
County Clerk

Roger Topil  
Planning Commission Chairman