

BUTLER COUNTY PLANNING COMMISSION

April 29, 2026

An open meeting of the Planning Commission of Butler County, Nebraska, was held on the 29th day of April 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, 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.

Moved by Reiter, seconded by Hough, to approve the minutes from the last meeting. All aye. Motion carried.

Comprehensive Plan Progress Report & Statement #2

Chairman Topil turned the meeting over to Keith Carl from Hanna:Keelan. Carl referenced the handout provided to Planning Commission members. He stated that the next meeting is scheduled for June 17th at 6:00 p.m., at which time he and Tim Keelan will present a draft comprehensive plan, along with some potential zoning districts, with the goal of being enforceable but not too strict. He reviewed an existing and future land use capacity matrix and noted that the county is growing with evidence indicating that the county will continue to grow over the next ten years. As the county grows in residential and other land uses, there will be fewer land acres for agricultural, so he recommended designating areas for residential, so it does not encroach on agricultural areas. The handout will be posted on the county website.

Carl stated that the purpose of the comprehensive plan and zoning regulations is to control how and where development happens – what kind, how much, where, etc. He noted that the industrial growth conveyed in the handout includes the solar farm (roughly 900 acres). They did not forecast landfill expansion, but they did include some other industrial expansion. Tim Keelan noted that the matrix is a difficult puzzle, as there are only so many acres in the county. Traditional ag encompasses the bulk of the acres; however, expansion elsewhere will take away from agricultural acres. Carl noted that the numbers are preliminary in nature and can be adjusted as needed. John Kobza noted that the number of abandoned residential/yard sites is way too low; he suggested the number was closer to 2000 acres. Some of the properties can be rehabbed; however, absentee landlords own a lot of those sites and do not want to pay the cost to demolish a structure, so they simply leave it. Carl noted that they would revisit the map and update the numbers if needed.

Carl and Keelan reviewed the map, noting it is difficult to find any specific places for specific development. It is a busy map with a lot of development already. They reviewed potential conservation district, highway corridors, airport jurisdiction/overlay, flood hazard areas, residential density, public facilities, and the one- and six-year road plan. Steve Barlean provided a water map which was passed around; discussion was held about how far from waterways should development be limited in order to protect the waterways and surrounding ag land. Discussion was held about what other counties do and Keelan offered to provide examples for the Planning Commission to review and discuss. Carl and Keelan also reviewed potential planning, preservation, and development initiatives. They explained that the question is how to preserve existing conditions while also promoting development of different land uses, trying to create a balance between allowing for development but controlling it so it isn't the wild west. Once complete, the comprehensive plan will be a living document that can

be updated over time. Keelan noted that the development of a comprehensive plan is highly supported by the community survey results. It is a work in progress and as the Planning Commission members have questions, he asked that they funnel questions and/or desired changes to Hanna:Keelan through Chairman Topil. He noted the importance of comments and feedback from the Planning Commission as the plan is for the county.

Kobza suggested that the draft plan underestimates where the county will be in ten years. There has been a great deal of outside money coming in with no interest in agriculture, but in investment. The old way of farming doesn't work; the cost of farming is so high that no one is going to come back for traditional farming. He emphasized feed and fuel and said that by limiting industrial/commercial agriculture from coming in, there is no feed mill in Butler County to feed cattle, chicken, or pigs. A feed mill would bring that back to the county. Kobza also noted the tax revenue brought in by these industrial entities. They pay a huge amount in taxes, but no one wants to talk about that. Will Reiter noted that alternative energy is taxed differently than traditional ag and does not stay local.

Jesse Hough stated that in ag, every segment supports the other segments. If we create too many rules/restrictions so that no one wants to come in and invest in the county, we will be going backwards. We need to use common sense. Steve Barlean noted that the Planning Commission is not here to determine what is best for economic development. Reiter stated that he is not looking to restrict what comes in necessarily, but where things are placed. When asked his opinion, Kevin Hotovy stated that the future land use map seems aggressively conservative. Access off of a federal highway is not automatic and may not be practical. Hough noted that there is a difference of opinion among Planning Commission members regarding what is considered industrial agriculture. Devin Jakub noted that property taxes are an issue; large projects take away farmable acres and drive up property values. There needs to be a balance.

Carl and Keelan noted that at the June 17th meeting, the draft comprehensive plan will be done, and Planning Commission members will have time to review it ahead of the meeting. Sample zoning districts will be drawn up, and the group will be able to look through everything, discuss what they are willing to enforce and what they won't want in the county's zoning. They will provide ag district, ag residential, highway commercial, light industrial, conservation, and provide examples of permitted and special permitted uses for those districts. Keelan explained that not everything is going to be able to fit as a permitted, special-permitted, or conditional use. Battery storage, data centers, wind/solar need to be discussed at some point because they are going to come up. Reiter stated that he likes the livestock matrix and suggested using a residential matrix concept. He also noted that the group needs to have a discussion regarding what is traditional ag and what is not. Smaller operations should have fewer restrictions than larger operations. Hough stated that he prefers to be sensible and not create a governing body to govern everything. Keelan stated that with zoning there will be building/zoning permits, as well as a Board of Zoning Adjustment. Reiter said he is more concerned about site/land use than building permits. Keelan noted that there will be codes to follow.

Public Comment

John Csukpper stated that he liked the discussion, especially regarding the livestock matrix, as it is a point system and removes the emotion. He noted the good discussion and good progress made.

Laird Nygren stated that as a property owner, he has always been aware of the risk that something could come in right next door. He likes the idea of a matrix and also zoning districts, as the best place for different land uses should be considered. Water is everything; once it goes away, so does development. No one wants to be told how to do something, but the County needs to protect its land, water, and residents. Attention should be paid to the flood plain because floods cause industrial accidents/incidents.

Luke Meysenburg spoke about data centers. They consume vast amounts of water; temperatures increase 2-16 degrees in areas near data centers; and neighbors have to live with noise/sound pollution. A data center would

not benefit Butler County; it would only consume our resources. He asked what the County has in place to prevent a data center from coming to Butler County. Carl responded that there is currently a development moratorium in place, but ultimately, it will be up to the Planning Commission whether or not to allow that kind of development. If a land use is not designated as a permitted use, special permitted use, or conditional permitted use, then it is essentially prohibited. If a land use is not included in the zoning regulations, it is not allowed.

Laird Nygren followed up, referencing a decommissioned anhydrous facility located at Highway 15 and 31 Road, and asked if the County could just say we do not want that (a data center) here. Carl reiterated that the moratorium is in place to allow a comprehensive plan and zoning to be developed to either control such development or to prohibit it.

Eli Frassher urged Planning Commission members to keep in mind the expressed concerns of residents and not just focus on the potential money coming in from outside investment. He said that the Planning Commission members are here to navigate a path forward keeping in mind the desires of residents. The people who live here and have roots here also matter, so please keep them in mind as you move forward.

Joe Peterson noted that the bean plant (AGP) is located within the City's ETJ and Gary Meister conducts the inspections. He said Meister is not in favor of having building permits in rural Butler County. He also urged the Planning Commission to consider proximity to fire departments for light, heavy industrial, or heavy commercial development as minimum maintenance roads are challenging for fire departments to navigate.

County Surveyor Brian Foral clarified that a zoning permit has to do with where a building is sited; a building permit has to do with how it is built. You need to have a permit process in order to control what is happening. Every structure should have a permit. If there are no permits, there is no way for the County Assessor to know what is going on. He said he understands not wanting an inspection permitting process, but you still need to have permits.

Adjourn

There being no further business to come before the Planning Commission, Chairman Topil adjourned the meeting at 8:17 p.m. The next meeting of the Planning Commission will be June 17, 2026, at 6:00 p.m.

Lori Aschoff
County Clerk

Roger Topil
Planning Commission Chairman