

BUTLER COUNTY PLANNING COMMISSION

June 17, 2026

An open meeting of the Planning Commission of Butler County, Nebraska, was held on the 17th day of June 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 Barlean, to approve the minutes from the last meeting. All aye; motion carried.

Draft Rural Community Comprehensive Plan

In attendance at the meeting were representatives from Hanna:Keelan. They covered some of the components of the Draft Rural Community Comprehensive Plan beginning with review of the Table of Contents which is divided into six sections:

- Section 1: Provides background information about the county and explains the importance of the comprehensive plan, including its components and applicable statutes.
- Section 2: Explains primary initiatives and goals for the next ten years.
- Section 3: Provides population statistics and citizen participation through the county-wide survey.
- Section 4: Current land use and land analysis for future land use recommendations.
- Section 5: Addresses public facilities and transportation. References County one- and six year and one- and five year road plans.
- Section 6: Explains energy usage, suggested conservation policies.

Tim Keelan stressed the importance of the initiatives and identifying future land use. This is the area of the plan to which additions or corrections may be added; he felt that a strong statement from the Planning Commission is needed, especially for future land use.

The three primary categories of Initiatives in the Butler County Rural Community were defined as:

1. Population, Plan Participation & Implementation
2. Preservation of Existing Conditions in the Butler County Rural Community
3. Future Development & Planning Practices

A map was shown to members of the Planning Commission and members of the public in attendance for future land use planning. Keelan noted that Butler is the highest density county that he has worked with so far; it is very tight, making it difficult to plan. Commission Chairman Topil questioned why Highway 15 didn't show more industrial planning. Keelan replied that they had highway usage information and could relook into that area. Member Barlean was concerned about high risk aquifer areas and felt that data centers needed greater focus. Keelan replied that they can put it on but don't know what other counties are doing. John Kobza felt that entities need to go to the NRD where it would be studied; questions arose whether the NRD can override County decisions. Jesse Hough felt it was not debatable now because we

don't know how technology will change and we don't want to be locked into a decision. Keelan said the comprehensive plan could always be changed. He also added that data centers are not in the comprehensive plan at this time and said you don't want things in at first where it would be hard to get out of, but zoning could be amended to include. Keelan again urged Planning Commission members to read through initiatives to get the wording correct and the way they want them to be.

Will Reiter asked County Attorney Julie Reiter whether they can prohibit certain things. She replied that it is now in the Supreme Court and there is very little guidance at this time. Butler County is attractive to all development now. She advised Planning Commission members to follow the comprehensive plan for now. Keelan stated that the key is to preserve agriculture. We don't have land available for some of the systems that want to come and they would crowd in. He indicated that they may come in with leases first and the Planning Commission may want to ban leases until the project is approved. Keelan noted that the comprehensive plan should be something the people can understand and will approve of.

Barlean brought up permitted use. Keelan reiterated that zoning defines what you can do. He again stressed that Planning Commission members should read and study the initiatives until there is a consensus for future land use and that then would roll over to zoning.

Will Reiter felt that additional housing is needed in the county. Keelan advised in favor of planned subdivisions. There is a development trend, and he anticipates new household growth along the Hwy 81 corridor and in the northwest area of the county. Presently there is nothing to regulate that construction. Hough felt the area between Roads 36 and 40 would also be impacted. Keelan advised looking at housing rehabilitation using existing acreage areas.

Keelan suggested a time frame for Planning Commission members to add suggestions to the initiatives and that they should individually send their suggestions to Chairman Topil, and he would then submit them to Keelan. He also suggested that the members might find it beneficial to meet with township board members as they should be aware of what the Planning Commission is planning; they might have rules that could be used by the county or vice versa.

Planning Commission members discussed the time frame to submit suggestions to Chairman Topil; it was decided to set a deadline of July 8th to get information to him.

Barlean questioned why there was no poultry listed on the UNL report. Keelan again advised Planning Commission members to speak up if they want to add to the initiatives.

Public Comment

Laird Nygren stated that data centers were his main concern. He is opposed to them, voiced many concerns, and noted that he is ethically opposed. He wondered why the County couldn't simply prohibit them. Another suggestion was to require them (data centers) to invest in the community, for example provide fiber optic in a ten-mile radius. He felt data centers do not provide improvement to the community. He also referred to concerns about water consumption at the data center in Lincoln. Tim Keelan responded that we do have a moratorium and questioned County Attorney Reiter whether it can be extended. She replied it needs to be addressed on a case-by-case basis, and they could request another one if they want. Nygren questioned why there is no development near railroads.

Paul Maxwell said he inherited his farm and it has been in the family for 90 years. He is not a farmer but a caretaker of the farm and wants to preserve it for future generations. He feels the planning process is good. He developed large scale power plants for a living and feels that they must be sensitive to the community and the impacts it has on the community. He feels it can be done, just takes time and money. Large industries have money. He advised that this is the opportune time to shape as they want and must be dealt with now and public input would be good.

Colleen Nygren questioned whether the public would have a chance to see the draft. Keelan said the next draft will be out after August meeting and advised the public to wait for a revised copy to come out. The Planning Commission also noted that there is a copy of this draft at the County Clerk's office and if anyone wants a copy or copies of certain parts they can submit a request in writing, and it will be provided for their regular copy charge of \$0.25/page.

Brian Foral stated that the usage of the previously discussed Highway 15 area for development would be a good idea; he questioned access and right-of-way and whether this would get rolled into zoning. Would this put more burden on the townships? He also suggested there should be input by the various county offices affected. County Attorney Reiter suggested that Foral make suggestions to the Planning Commission so they could be written into the initiatives.

Jennifer Frassher said that farmers are concerned that if incoming entities can pay high prices for the land that farmers will be priced out. She said that from all information she has seen, data centers ruin wildlife. She has also heard of reported health issues in areas within close proximity to these centers.

Keelan again questioned whether leases can be prohibited since this is how many things start. County Attorney Reiter responded that the use can be prohibited so you have to ask if the use is permitted.

The next meeting will be July 22, 2026, at 6:00 p.m. The August meeting will be August 19, 2026, at 6:00 p.m., all at the Butler County Highway Building in David City.

Chairman Topil adjourned the meeting at 7:28 p.m.

Sharon Woolsey, Deputy County Clerk

Roger Topil, Planning Commission Chairman