

November 7, 2022 1:30 pm MT

Location: Court Room, Courthouse Benkelman, Nebraska

1. Meeting called to order by Chairman Scott Olson – 1:30 p.m. MT, Reminder of Open Meeting law notice given.
2. Roll Call - Scott Olson present, Jerry Fries present, Richard Bartholomew present. Others present-Pam Reichert Zoning Administrator, Blackshirt Feeders representatives, few members of public.
3. Approval of Last Meeting Minutes-waived.
4. Approval of Meeting Agenda-only business is CUP consideration
5. Old Business-None
6. New Business
 - a. Consideration of Conditional Use Permit requested by Blackshirt Feeders LP-Eric Behlke Manager, listed mailing address 33668 Road 710 Benkelman, NE., to allow Conditional Use Permit to relocate methane digester of the previously permitted Feedlot in Dundy County. Proposed address of feedlot: SW ¼ Sec. 25, T2N, R42W, Dundy County, NE.
7. Chairman Verification Requests.
 - a. Zoning Administrator provided proof of public hearing notices: Benkelman Post and landowner/municipalities
 - b. Zoning Administrator provided proof of completed application for Conditional Use Permit as required by Dundy County Zoning Regulations.
 - c. Zoning Administrator provided proof of permit fees paid.
 - d. Chairman verified petitioner/authorized representative is present and desires to proceed with public hearing.
8. Chairman Olson opens the public hearing at 1:35 pm.
 - a. Blackshirt Feeders representative Dean Settje gives brief description of the CUP for relocating methane digester. Location will be better as it will decrease biosecurity and safety concerns, help with traffic congestion. All minimum setbacks will be met or exceeded and all Dundy County Zoning regulations will be met.
 - b. Pam Reichert reports she has received no written communications regarding CUP.
 - c. Questions by board. Scott asks for clarification of map. Dean clarifies the location of the holding ponds and methane digester tanks on map. Dean also explains Process of fresh manure being harvested and constantly fed into methane digester and no large piles will be present. Once manure goes into digester, moisture is added and them is essentially mechanically pressed to separate solid waste. Digesters (approx. 36) will be

20 feet inground and 10 feet out of ground. Traffic congestion will be greatly improved. All run off from pens will be on south side. Size of holding ponds north of digester will be greater than 2000 ft length and to remain aerobic, will be 6 ft or less. Piping will be used to transfer waste water from holding ponds to digester. Richard Bartholomew questions in Introduction paragraph that is has northern, not western. Dean acknowledges that was a typographical error. Richard also asks about NDEE and who decides about groundwater monitoring. Dean confirms that this decision will be determined by NDEE. Jerry Fries questions what % will be company owned. Erik Behlke reports they are open to custom feeding.

- d. No members of public offered testimony/comments in support of petition.
- e. Neutral of petition-Scott Olson asks if he will smell digester at his place. Dean acknowledges that he might smell it. Erik reports that there is much less odor after manure has been through digester, so spreadable product will have much less odor. Scott voices concern that odor may affect Haigler. Karen Harford expresses concern over the smell with large piles of manure. Dean explains there will be no large piles of manure. Manure will be continuously hauled to and fed into digester. Karen also expresses concern over light pollution. Blackshirt relates they have no plans on having digester with lighting. Karen concerned about all the lights at the feedlot. Dean reminds Karen that the feedlot is not part of this CUP.
- f. No members of public offered testimony/comments in opposition of petition.
- g. Aaron Keiser asks if NDEE has indicated yet if ground water monitoring is going to be indicated. Dean reports NDEE is still in evaluation process at this time.
- h. Blackshirt Feeders declines any rebuttal statement.

- 9. Chairman Olson declares the public hearing closed at 1:52 pm and asks for a motion.**
- a. Motion by Jerry Fries to approve Conditional Use Permit based on the fact that applicant has met all of the required regulations. Second by Richard Bartholomew. Roll call vote: Scott Olson-Yes, Richard Bartholomew-Yes, Jerry Fries-Yes. Vote was unanimous and motion carried.

10. No reports or recommendations.

11. No next meeting day is set.

12. Adjournment Olson declares meeting adjourned at 1:58pm

Respectively submitted for Dundy County Commissioners by Pam Reichert, Zoning Administrator

Additional Instructions:

This is not the official minutes and may be subject to correction.