

MINUTES

Madison County Joint Planning Commission

Norfolk, Nebraska

The July 17, 2025, Meeting of the Madison County Joint Planning Commission was called to order by Chairman Acklie at 6:00 p.m. in the Madison County Planning Department Conference Room, 1112 Bonita Drive, Norfolk, Nebraska.

Call To Order/Roll Call- Consideration and/or action on:

Present: Acklie, Amen, Brown, Abler, Oswald, Flood, Griffith, Westerman and Milander

Absent:

Also Present: Todd Pfeil, Llynn Pfeil, Kevin Lingenfelter, Karson Lingenfelter, Klayton Lingenfelter, Zane Morfeld, Max Morfeld, Legin Beel, Doug Huttman, Stacie Huttman, Ginger Huttman, Dasie Huttman, Margaret Drott, Keith Drott, Jeff Prauner, Scott Long, Julie Filipi, Michelle Prauner, Mike Filipi Amy Bethards, Tim Carlisle, Stephanie Bates, Caidence Bethards, Bob Huntley, Landry Waddingham, Amanda Tomasek, Carson Tomasek, Cooper Tomasek, Shelby Gilsdorf, Keelie Gilsdorf, Chad Gilsdorf, Renee Gilsdorf, Nick Kahny, Tracee Larson, Emily Matteo, Kory Hildebraund, Charles Hildebrunz, Thad Murren, Jarrett Carlisle, Craig Gubbels, Jacqui Gubbels, Kyler Schapmann, Noah Gubbels, Mathew Anderson, Mike Holdorf, Charles Bethards, Adam Bethards, Zayden Jensen, Nathan Filipi, Shawn Beaudette, Tyson Andreasen, Ron Schmidt, Michell Schlect, Walt Aschoff, Nick Utecht, Zoning Administrator Heather McWhorter, and Zoning Office Assistant Jennie Martinez

Open Meetings Act: Acklie stated that the Open Meetings Act will be followed.

Proof of Publication: Acklie stated the Proof of Publication Notice was published in the Norfolk Daily News.

Minutes-June 26, 2025: The minutes of June 26, 2025, Madison County Joint Planning Commission meeting were presented.

Motion made by Griffith to approve the minutes and seconded by Milander.

Vote taken. Acklie, Brown, Abler, Griffith, Oswald, Flood, Amen, Westerman and Milander vote "Aye" none vote "Nay". Motion carried.

Acklie reads the first Public Hearing.

The purpose of this hearing is to receive public comments concerning the Conditional Use Permit Renewal application of Brent Weitfeld to spread bio-solids on pasture ground from the City of Norfolk Wastewater Treatment Plant located in the NW ¼ of Section 23, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska. The property is located south of the City of Norfolk at 83660 556th Ave. Parcel id# 590159690.

Heather states that this is a renewal of a CUP approved in 2020. No complaints have been received. She states that the original CUP resolution was included in the packets previously mailed to the Planning Commission and approval will be based on the same facts and conditions.

Heather states that she received a letter from Don Svitak in opposition and has provided the Planning Commission with a copy. She gives them a chance to read it.

6:04 p.m. Acklie opens the Public Hearing.

Acklie asks if there is anyone who would like to speak in favor.

Bob Huntley: City of Norfolk speaks in favor. He states that they have been spreading on this property for the last 5 years and it has had great results on this pasture. He states that it is heavily regulated by the EPA. He states that there is a lot of testing that is done including but not limited to toxicity levels and soil samples. He states that they would like to continue spreading on this ground.

Acklie asks if there is anyone else in favor.

No one speaks.

Acklie asks if there is anyone opposed.

Michelle Prauner speaks and states that she lives very close to the property and has concerns regarding the well water. She states that she grows vegetables. She also has concerns with air quality.

Huntley states that this is not what everyone thinks it is. He states that it is not raw and it is broke down. He states that it is very restrictive, they don't spread anywhere near wells and only spread for a limited time. He states that there is not much odor, kind of musty smell and that they reach out to neighbors prior to spreading.

Michelle Prauner asks, "Why there?"

Huntley states that the purpose is that they don't want to use chemical fertilizer. He states that it is very beneficial for the area because it is organic. He states that they bring the PH levels up to help control flies. He states that he could be doing a lot of other things without a permit that could cause contamination.

Huntley states that they spread according to states standards for nitrogen. He emphasizes that this is very heavily regulated by the EPA. He states that they do more testing than they have to. He states that they test 6 times a year. He says that he spreads it on his own property.

Michelle Prauner says she has concerns about any medications that may be in it.

Huntley states that the bacteria breaks down pretty much everything

Acklie asks if there is anyone else that would like to speak. No one speaks

6:09 p.m. Acklie closes the Public Hearing.

Abler asks Prauner how long she has lived at the residence.

Michelle Prauner states that they have lived there since 2021.

Abler states that the city has been doing this for decades.

Flood asks how long the city has been doing this.

Huntley states from the time the plan was in operation approximately since 1968.

Heather states that on this particular ground it's been 5 years.

Flood makes a motion to recommend approval based on the Recommended Conditions. Abler seconds the motion.

Vote taken. Acklie, Oswald, Flood, Abler, Amen, Brown, Milander, Westerman and Griffith vote "Aye" none vote "Nay". Motion carried.

Acklie reads the next public Hearing.

The purpose of this hearing is to receive public comments concerning the Conditional Use Permit Renewal application of Brent Weitfeld to spread bio-solids on pasture ground from the City of Norfolk Wastewater Treatment Plant located in the E ½ of the E ½ of Section 24, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska. The property is located south of the City of Norfolk at the intersection of 837th Road and 558th Avenue. Parcel id# 590159747

Heather states that this is a renewal of a CUP approved in 2020. No complaints have been received. She states that the original CUP resolution was included in the packets previously mailed to the Planning Commission and approval will be based on the same facts and conditions.

6:12 p.m. Acklie opens the Public Hearing.

Acklie asks if there is anyone who would like to speak in favor.

Bob Huntley; City of Norfolk speaks in favor. He states that this is a sandy piece of property and that this has been a great opportunity for both parties.

Acklie asks if there is anyone else in favor.

No one speaks.

Acklie asks if there is anyone in opposition.

No one speaks.

6:13 p.m. Acklie closes the Public Hearing.

Abler verifies that in the last 5 years there haven't been any complaints.

Heather states that is correct, no complaints. She states that the City does send reports of the testing once a year to keep the County informed.

Milander makes a motion to recommend approval based on the above Recommended Conditions. Westerman seconds the motion.

Vote taken. Acklie, Oswald, Flood, Abler, Amen, Brown, Milander, Westerman and Griffith vote "Aye" none vote "Nay". Motion carried.

Acklie reads the next Public Hearing.

The purpose of this hearing is to receive public comments concerning the Conditional Use Permit Renewal application of Elkhorn Valley Sportsman Club to operate a trap and skeet shooting range on property described as the W ½ of the NE ¼ of Section 33, Township 22 North, Range 1 West of the 6th P.M., Madison County, Nebraska. This property is located at 55454 829th Rd. Parcel id# 590139789.

Heather states that this is a renewal of a CUP approved in 2020. No complaints have been received. She states that the resolution of the original CUP resolution was included with the packets sent to the Planning Commission prior to this meeting.

Heather states that she received one letter in favor of and a copy has been provided to the Planning Commission.

Heather reads the Statement of the Finding of Facts and Proposed Conditions that were voted on in 2020.

Statement of Finding of Facts:

1. The application is consistent with the Madison County Comprehensive Plan.
2. The application is consistent with the Madison County Zoning and Subdivision Regulations.
3. The Elkhorn Valley Sportsman Club has been in operation since 1982 and began operating at the current location in 2020 with no complaints received.
4. The club will be for members only and provides youth and school programs.
5. Will consist of only shotguns.
6. This is an Ag Transitional zoning district and is an allowable use with a Conditional Use Permit.
7. A compliance letter from the appropriate agency has been provided to the Zoning Administrator verifying gun range site follows existing standards.

Proposed Conditions:

1. This is a Conditional Use Permit to operate a Trap and Skeet Shooting Range.
2. Hours of operation will be Monday through Thursday from 8:00 A.M. until 10:00 P.M. and Saturday and Sunday from 12:00 P.M. until 6:00 P.M.
3. This permit is subject to the Madison County Zoning and Subdivision Regulations, the laws of Nebraska, and the U.S. Government.
4. A current schedule of league hours must be posted on the club website.
5. This permit is to allow shotguns only.

Acklie asks what the reason is that they are closed only on Friday's.

Heather states that she is not sure. She verifies the hours that the Count Board voted on in 2020. She states that if she remembers correctly the Club presented the hours that they wanted.

6:19 p.m. Acklie opens the Public Hearing.

Ron Schmidt explains why Fridays are closed. He states that there were a number of neighbors that were opposed to the gun range, and they liked to grill out and enjoy Friday nights; therefore, would like to have Friday free of noise so that they could enjoy being outside.

Acklie asks if there is anyone who would like to speak in favor.

Michell Schlect; Attorney speaks in favor. She states that this is the same application as 5 years ago with no changes; same club, same land and same use. She states that the club still operates under the same rules of etiquette and have to be signed and followed by any new applicant.

Schlect states that what the Sportsman Club has done over the last 5 years has been very significant for the community and has grown each year. She states that this is the 3rd season of the Spring youth club. She states when it started it had 40 participants and 90 currently. She states that it runs in the Spring every Saturday for 6 weeks. She states that it has expanded to 12 communities.

Schlect states that for many this is the only place that youth can go and practice in a safe environment where they are getting education and learning about competitive shooting.

Schlect states that in the Summer there is about 60 members that participate in a Summer league with Tuesday night being the primary night and occasionally 1 or 2 times a month for an event.

Schlect states that despite the growth it has been completely without incident with regard to concerns expressed 5 years ago. She states that there have been no violations. She states that it is not creating an issue in the area. She states that there has not been any involvement with law enforcement, no complaints of noise and no accidents or injuries. She states that there was one occasion when there was going to be an outdoor wedding by a neighbor and the club shut the range down for the day.

Schlect states that there were no requirements for soil sampling, however the club board has taken the steps to visit other sites and talk to them about strategies and plans. She states that this is a small range compared to many of them which does have an impact with regard to how many targets are thrown and steps that need to be addressed. She states that they have started consulting with the EPA which is not required.

Schlect states that the club is asking for the renewal of the Conditional Use Permit; however, they would like to modify the hours on weekends to 9a.m to 9p.m. She states that they are maxed out and want to be able to increase the number of members and they cannot do that with the current number of hours they are open.

Acklie asks if anyone else is in favor.

Julie Filipi; Coach and parent from Battle Creek speaks in favor. She states that not every kid is a football player or a star athlete. She states that she has 2 kids that found shooting sports. She states that both children have shown leadership skills learned from the club both of which are shy and shy away from most other things. She states that the club has given them a place to shine and be their own. She states that they are great community kids, they have learned great work ethic, teamwork, conservation efforts. She states that she has a ton of kids that fit that same shoe; not football players or track stars but are finding their place at the range. She states that as a coach she has delt with all 90 of the kids over the past year and it's awesome.

Acklie asks if there is anyone else in favor.

Amanda Tomasek; Stanton speaks in favor. She states that she has two boys. She states that you can pick a wrestling meet to go to they would say no but if you ask them to go shoot trap they will say let's go. She states that they have done charity shoots, State shoots and would not have the

experience and time if it wasn't for Madison. She states that the club has instilled safety and awareness in being gun safe.

Acklie asks if there is anyone else in favor.

Stephanie Bates: Norfolk Area Sports Council speaks in favor. She states that she wants to reiterate what everyone else has said. She states that in her office looking at numbers of growth and traffic at the range it has grown. In 2022-2023 the range had 500 visitors and in 2024-2025 813 visitors. She states that they come from all over. She states that not only is the club helping the youth but also helping the whole community. She states that currently there is no traffic on Fridays therefore the club is abiding by what was set in their Conditional Use Permit.

Acklie asks if there is anyone else in favor.

Kory Hildbrand would like to express his support. He states that there is a lot of reasons to approve. He states that there are a lot of youth represented. He states that his son has found friends that he would never have had. He states that it doesn't matter how well you shoot there is always an adult to lend a helping hand with good leadership and mental support. He states when you are down they bring you back up. He states that in his opinion this is a safe sport in comparison to other contact sports when proper safety precautions are followed. He states that trap shooting demands mental focus, the ability to manage pressure, a great way to manage mental agility. He asks the Planning commission to recognize the positive impact the club has on our youth and future generations in exercising our 2nd amendment rights. He asks the Planning Commission to vote in favor of the Conditional Use Permit renewal.

Acklie asks if there is anyone else in favor.

Thad Murren; Norfolk speaks in favor. He states that he has been around a lot of these people. He states that the responsibilities placed upon the kids and adults in a public setting is something that sets forth for the future of this community and this County.

Acklie asks if anyone else would like to speak in favor.

Chad Gilsdorf states that his boy has been shooting for several years and would like to speak his opinion on the quality of the setting that they have. He states that it is a class act from top to bottom. He states that his son does play sports and does other activities, but this has been an absolute game changer for his son; the confidence that he has built is unbelievable, the friendships that he has made and the overall quality of people involved. He states that Scott Long has been outstanding. He states that it's a real challenge to find a setting like this. He asks the Planning Commission to think about what this means to all these kids when making a decision.

Acklie asks if there is anyone else in favor.

Stacie Huttman states that she is in favor. She states that this is a great opportunity for a community to come together and support something locally. She states that it is great that we are teaching our future citizens about our 2nd amendment rights. She states that it is important to teach core values and expand those values as much as we can.

Acklie asks if there is anyone else in favor.

Karson Tomasek states that this is his 8th or 10th year doing this. He states that it is a family, awesome with a shoulder always to lean on. He states that the coaches are awesome and will walk you through anything.

Acklie asks if there is anyone else in favor.

Zayden Jensen speaks in favor. He states that he has been shooting for a couple years, and it's been a great time out there. He states that he has made a lot of friends and met a lot of great people. He states that they grow together and help each other out.

Acklie asks if anyone else is in favor.

No one speaks.

Rhonda announces in the hallway and asks if there is anyone who would like to speak in favor.

No one speaks.

Acklie asks if there is anyone who is opposed.

No one speaks.

Rhonda announces in the hallway and asks if there is anyone who would like to speak in opposition.

No one speaks.

Joe Smith states that for the record it was announced very loudly in the hallway giving the public the opportunity to speak in favor or opposition.

6:42 p.m Acklie closes the Public Hearing.

Discussion amongst the board with Joe Smith regarding testing and Recommended Conditions.

Heather discusses the Conditions and the process for complaints and enforcement.

Oswald makes a motion to approve the renewal for 5 years with the above Recommended Conditions as written plus an additional Condition to require PH testing annually.

No second. Motion Failed.

Tim Andreason speaks on mining of lead.

Amen makes a motion to recommend approval based on the current above Recommended Conditions but changing #1 of the Recommended Conditions to read as follows This is a Conditional Use Permit to operate a Trap and Skeet Shooting Range for 5 years and will auto renew with no verifiable complaints #2 of the Recommend Conditions to read as follows; Hours of operation will be Monday through Thursday 8:00 A.M. until 10:00 P.M. and Saturday and Sunday from 9 A.M. until 6 P.M. and the addition of a Recommended Condition to and Require PH testing annually.

Milander seconds the motion.

Vote taken. Acklie, Oswald, Flood, Abler, Amen, Brown, Milander, Westerman and Griffith vote "Aye" none vote "Nay". Motion carried.

Jennie announces in the hallway that we are about to start the next Public Hearing and asks if there is anyone here for that hearing.

Acklie reads the next Public Hearing.

The purpose of this hearing is to receive public comments concerning the application of 26-7 County Line LLC dba Benchmark Capital LLC for a Conditional Use Permit for a convenience store with fuel sales on property located in Pioneer Townsite Cos Subdivision All of Lot 1 Part of Lots 2 & 3 & all of Lot 4, Block 29, City of Tilden, Madison County, Nebraska. The property is located at 100 East Hwy 275. Parcel id # 590031694.

Heather states that the applicant is requesting a Conditional Use Permit to operate a convenience store with fuel sales in a Highway Services District. This property was previously used as a gas station; the building will be replaced with a new structure and the underground fuel tanks will be new also. It is my understanding the applicant is in negotiations to purchase the current station located to the west of this property that is in use will be replaced with the new one at this location in the future. The intention is to hire the current employees to work at the new store.

Heather states that she received 1 letter from the owner of a vacant lot to the EAST in opposition which was provided to the Planning Commission.

Heather reads the Statement of Finding of Facts and the Recommended Conditions

Statement of Finding of Facts:

1. This application is consistent with the Tilden City Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.
2. The property is zoned C-3 Highway Services District.

Recommended Conditions:

1. This permit is for a convenience store with fuel sales.
2. This Conditional Use Permit is permanent and shall be registered against the lot deed with the Madison County Register of Deeds by the applicant once approved by the Tilden City Council.
3. No building may be built until first receiving a building permit from the City of Tilden.
4. When adjacent to any residential district, any construction shall provide a six foot (6') high permanent screen to minimize impacts on residentially zoned property pursuant to this ordinance.
5. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
6. Exterior lighting fixtures shall be shaded so no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
7. The owner, developer, or operator of the use shall install and maintain a landscaped buffer on his/her lot or site where the site adjoins a residential zoning district, with a width of 7 ½ feet along street property and 15 feet along interior lines. Landscaping or screening installed in any landscaped area shall not obstruct the view from or to any driveway approach, street, alley, or sidewalk. Upon installation of required landscape materials, each owner shall take appropriate actions to ensure their continued health and maintenance. The required landscaping that does not remain healthy shall be replaced.

7:18 p.m. Acklie opens the Public Hearing.

Acklie asks if there is anyone in favor.

Walter Aschoff; property and developer speaks in favor. He states that they are developing this site in Tilden. He states that they have acquired the current c-store so that they do not run the business out of town. He states that they will be keeping the current employees.

Aschoff states that this store will be very similar to the store in Pilger; maybe a little bigger.

Aschoff states that he is working with the City regarding drainage and street improvements.

Aschoff states that this will be a good thing for the town. He states that eventually they will remove the old store.

Acklie asks if there is anyone else in favor.

Nick Utecht states he is in favor.

Griffith asks questions about traffic going in and out.

Aschoff Shows the Planning Commission using the site plans where the entrances will be; Center Street and off of Highway 275. He states that they will be upgrading N Madison St. and will have an entrance there as well. He states that there will be no entrance from the North.

Griffith asks if this will be for truck traffic as well

Aschoff states that it is. He states that trucks will enter or exit off Highway 275 or off Center St.

Acklie asks the location of the diesel pumps.

Aschoff states that they will be on the west end.

Amen asks if they have any intentions of re-doing the road to the west.

Aschoff states that they do not.

Heather verifies that the entrances are going to be similar to what is already in use.

Flood verifies that it will be designed for semi traffic

Aschoff states that is correct.

Milander asks "Will there be a fence on the north side?"

Aschoff states that there will be a fence.

Heather states that because to the north is a residential district they are required to have screening on the north.

Griffith asks about the underground chambers.

Aschoff states that it is for water run-off. He explains that you put hollow boxes underground, water goes in there and then slowly drains out.

Flood asks if they will utilize the water.

Aschoff states that they will not. He states that they really don't have the room for anything above ground.

Heather states that since it's a commercial district they have limited space. She states that they are ok for now but not room for more stuff.

Griffith asks if Aschoff is the owner.

Aschoff states that he is. He states that before they are done they may have some local investors.

Heather verifies that they have had discussions with the City of Tilden.

Aschoff states that he has

Acklie asks if there is anyone else that would like to speak in favor.

No one speaks.

Acklie asks if anyone is opposed.

No one speaks.

7:27 p.m. Acklie closes the Public Hearing.

Oswald makes a motion to recommend approval. Abler seconds the motion.

Vote taken. Acklie, Oswald, Flood, Abler, Amen, Brown, Milander, Westerman and Griffith vote "Aye" none vote "Nay". Motion carried.

Other Business-Discussion and /or action

Citizens Comments:

Administrators report:

Zoning permits are discussed.

Oswald makes a motion to adjourn. Amen seconds the motion. All vote "Aye". None vote "Nay".

Meeting adjourned at 7:32 p.m.