



Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING April 17, 2019

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 17th day of April, 2019 in the Assembly Room of the Howard County Courthouse, St. Paul NE.

Chairman Terry Spilinek called the meeting to order at 8:00 p.m. The Open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 8 members present: Daryl Anderson, Jeff Christensen, Jack Reimers, Terry Spilinek, Ron Kulwicki, Dave Sack, Chris Kosmicki and Ken Kozisek. Randy Kauk arrived at 8:10 p.m. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Nancy Usasz, Planning & Zoning Secretary, and members of the public including: Jim Pillen and Dave Harrington.

The agenda and Minutes were mailed to the Board Members prior to the meeting. A motion was made by Dave Sack and seconded by Ron Kulwicki to approve the minutes of March 20, 2019 meeting. The motion carried on unanimous voice vote.

Old business was discussed. Administrator Klinginsmith informed the board that she met with the Howard County Commissioners on April 9, 2019 and informed them that Kurt Kroeger was still in noncompliance and has not paid the \$200 fine and applied for an Administrative Conditional Use Permit. The Commissioners instructed Klinginsmith to refer his case to the Howard County Attorney. Klinginsmith sent a certified letter to Kroeger informing that since this matter had not been taken care of she was turning it over to the Howard County Attorney. Kroeger called the office after receiving the letter and stated that he thought Settje Agri-Services was taking care of the fine and fees and since that was not the case he stopped into the office, paid the fine and applied for the proper permits.

Solar Energy was discussed briefly. Klinginsmith stated that Jeff Berggren was not able to make it to the meeting to talk with the board so she would like them to review the regulations she drafted and we will have more discussion at the May meeting.

Discussion regarding confinement operations with pit buildings was discussed. Dave Harrington was in attendance to discuss this with the board. Harrington stated that he would like the board to reconsider the extra setback for confinement operations with pit buildings. The technology has greatly improved over the years reducing odor. The barns Harrington is proposing will be a 100' x 200' total confinement with a deep pit under the building to hold a year's worth of waste. The barns would hold 2450 hogs weighing between 12-275 pounds and would be a class I Feedlot. The manure would then be annually knifed into the ground minimizing harsh odors. Jim Pillen stated that the odor is noticeable for about 48 hours where they turn around at the end of the field. After much discussion the board stated that they will review the regulations and have a public hearing at the May 15, 2019 meeting.



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The next discussion was regarding a violation by Wolbach Foods in Howard County. Administrator Klinginsmith stated that back in May of 2018 Rick Fullner called and asked what is needed to run hog manure through an irrigation system. Klinginsmith told him that as long as the land is on their Nutrient Management Plan with Nebraska Department of Environmental Quality (NDEQ) no permit is needed but he will need permission from the Howard County Commissioners to bury pipe under the county roads. In April 2019 a concerned citizen called the Zoning Office inquiring about this procedure and wanted to know if they had a permit and wanted know why they couldn't do it. At that time Klinginsmith realized her error and asked Wolbach Foods to stop pumping until a permit was approved. Jim Pillen was in attendance to discuss this matter with the board. Pillen stated that they have spent about \$100,000 burring lines to pivot points to pump the liquid off their lagoons. Their intention is to be good neighbors and follow the regulations. They started the pumping process last fall and Klinginsmith did not have any complaints. Mr. Pillen confirmed with the board that the irrigation systems have check valves in place to insure that waste does not go back into the ground water and the process is monitored by NDEQ. The board agreed with Klinginsmith that even though she made an error we still need to properly complete the permitting process. Pillen stated that he will have Rick Fullner stop in to apply for the Conditional Use Permit to apply waste from a lagoon through an irrigation system.

With no further discussion Jeff Christensen made a motion to adjourn the meeting and Randy Kauk Seconded the motion. The next meeting is tentatively scheduled for May 15, 2019 at 8:00 p.m.

Nancy Usasz, Secretary