



# Howard Planning and Zoning Minutes



## MINUTES HOWARD COUNTY PLANNING AND ZONING February 19, 2020

A meeting of the Howard County Planning & Zoning Commission was convened in open and public session on the 19<sup>th</sup> day of February, 2020, in the Assembly Room, Howard County Courthouse, St. Paul NE.

Chairman Terry Spilinek called the meeting to order at 7:09 PM when quorum was met. Klinginsmith read the notice of meeting, a proof of publication is filed with the Howard County Clerk's office. Roll call showed 5 members present: Daryl Anderson, Jeff Christensen, Ken Kozisek, Jack Reimers, and Terry Spilinek. Randy Kauk, Chris Kosmicki, Ron Kulwicki and Dave Sack were absent. Also present was Cherri Klinginsmith Zoning Administrator and Nancy Usasz, Planning and Zoning Secretary. Members of the Public present included: Marcia Ward, Bob Bogus and Niki & Shayne Bader.

The Agenda and Minutes were mailed to the board members prior to the meeting. A motion was made by Jeff Christensen and seconded by Jack Reimers to approve the minutes of the January 15, 2020 meeting. Motion carried 5-0 voice vote.

Other Business: Klinginsmith asked the board if they would like her to pursue changing the zoning district within a half a mile of all highways in Howard County. This would include Highway 281 North of St. Paul and Highway 92 East & West. The board will think about it and we will discuss it again in the future. Klinginsmith informed the board of a survey they can complete regarding "Manure: Waste or resource" at <https://cropwatch.unl.edu/2020/manure-waste-or-valuable-agricultural-resource>. NPZA conference is being held in Kearney on March 4-6. We will have 2 members attending. Janet Thomsen and Ron Kulwicki for one day only. If you plan to attend let Cherri know by next week.

At 7:14 PM a Preliminary Public Hearing was opened to discuss an update to the Solar Energy Regulations. Klinginsmith read the notice of meeting. Hearing was put on hold to open the next public hearing.

At 7:15 PM a public Hearing was opened for a single lot subdivision application by Suzanne K. Kuszak in the SW ¼ of Section 7, Township 13N, Range 10W in Howard County.

Discussion continued for the Preliminary Public Hearing on the Solar Energy Regulations Update. Administrator Klinginsmith presented a Decommissioning statement to the board that she would like to add to the regulations. Chairman Spilinek asked for testimony in favor or opposition. There was none. The public hearing was closed. Discussion was had by the board. After a short discussion to correct some wording in the Decommissioning Statement, a motion was made by Ken Kozisek to approve moving forward to a final hearing. Jeff Christensen seconded the motion. Motion carried 5-0 roll call vote. A finding of fact was completed and it is attached.

Discussion continued for the Single Lot Subdivision application. Marcia Ward was in attendance to represent the request. Klinginsmith stated that this is a 3 acre lot with a building. It is in the flood plain so therefore a residence would not be allowed to be built. There was no testimony in favor or opposition. The public hearing was closed and discussion was had by the board. After a short discussion Jeff Christensen made a motion to approve the Single Lot Subdivision application by Susanne K. Kuszak in the SW ¼ of Section 7, Township 13N, Range 10W in Howard County and to be named JK's Hideout.

Jack Reimers seconded the motion. Motion Carried 5-0 roll call vote. A finding of fact was completed and is attached.

Discussion was had on a violation of Conditional Use Permit 2017-6. The Zoning Office received a verbal complaint of activity in the S ½ of Section 31, Township 15N, Range 9W. Mr. Bader was given until October 24, 2019 to clean up and spread the existing stock pile of Commercial Biodegradable Waste. He did not meet that deadline so he was charged \$400 for being out of compliance and Klinginsmith will allow them to finish spreading the existing stockpile. They are not



# Howard Planning and Zoning Minutes



hauling it on any County Roads. It is being hauled through their pasture to be spread in the SE ¼ Section 32, Township 15N, Range 9W. They were 75% completed at the time of the visit. They will complete it as soon as weather will allow. The board agreed with Klinginsmith that the existing pile needs to be cleaned up and spread as soon as weather will allow.

The final discussion was regarding a second renewal of Administrative Commercial Biodegradable Waste Permit 2018-11. Shayne stated that with the weather in 2019 they were not able to get as much waste hauled as they planned and they applied for too much land at one time. They would like to renew this permit so they can stay in compliance. There is an existing stock pile that will need to be spread and if weather allows they will haul more in. After much discussion the board agreed that the permit can be renewed for another 6 months. There are no residences within ¼ mile of the site. Note: Shayne Bader's contract with JBS expires March 15, 2020.

With no further business to discuss Daryl Anderson made a motion to adjourn the meeting. Ken Kozisek seconded the motion. Motion carried 5-0 voice vote.

---

Nancy Usasz, Secretary