



Howard Planning and Zoning Minutes



MINUTES

HOWARD COUNTY PLANNING & ZONING

May 19, 2021

A meeting of the Howard County Planning and Zoning Commission was convened in Open and Public Session on the 19th of May, 2021.

Chairman Terry Spilinek called the meeting to order at 8:00 PM and the Open Meetings Act was recognized. Administrator Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's Office. Roll call showed 6 members present: Daryl Anderson, Jeff Christensen, Kenneth Kozisek, Jack Reimers, Dave Sack, and Terry Spilinek. Absent: Randy Kauk, Ron Kulwicki and Chris Kosmicki. Also present were Cherri Klinginsmith Planning & Zoning Administrator and Jennifer Ostendorf Planning Zoning Secretary. Members of the public present were: Wendy Johnson, Steve Hornady and George Jensen.

The agenda and minutes were mailed to the board members prior to the meeting. A motion was made by Jack Reimers and seconded by Jeff Christensen to approve the minutes of the April 21, 2021 meeting. The motion was carried on a unanimous voice vote.

Old Business: Administrator Klinginsmith informed the board that the updated open meetings act is posted. LB83 was passed stating that we can still have virtual meetings, however if a board member is not present in person for meeting, they cannot vote. The only exception is extenuating circumstances.

At 8:05 PM a Public Hearing was opened for a single lot subdivision located N ½ NW ¼ Section 11-15-11 owned by Todd & Wendy Johnson. Wendy Johnson was present to represent the request. Wendy states that the property has always had 2 houses on it. The Johnson's had obtained a building permit when they moved back to renovate the house they are living in now and now are wanting to renovate the other existing home on the property. There was no testimony in favor or in opposition. With no further discussion a motion was made by Jeff Christensen and seconded by Dave Sack to approve the Lou-Jean Acres single lot subdivision located on N ½ NW ¼ Section 11-15-10. Motion carried 6-0 Roll Call Vote. A Finding of Fact was completed and is attached.

At 8:15 PM a Public Hearing was opened for a Conditional Use Permit for George Jensen located on NW ¼ Section 5-16-10 in Howard County. George Jensen was present to represent the request. George states that he already has the C.U.P from 2019 that excludes the manure being applied in the buffer zone. George would like to take out the buffer zone and apply the manure on the entire field. There was no testimony in favor or in opposition. With no further discussion a motion was made by Dave Sack and seconded by Ken Kozisek to approve the C.U.P for George Jensen on the NW ¼ Section 5-16-10 in Howard County for liquid manure through a pivot. Motion carried 6-0 Roll Call Vote. A Finding of Fact was completed and is attached.

Next discussion item was:

Feedlot confinements and timeframes: Administrator Klinginsmith reported that after the last meeting she called Brad Edeal with the NDEE. He stated that all animals are confined in some way. He stated that anywhere that animals are confined, if the area is de-vegetated to the point you cannot tell if it is a pasture or crop ground then they would be in violation. Basically, if you can look and see corn stalks standing in some parts of the field they are confined in, this is okay. Of course, it will be de-vegetated near water and feeding areas. NDEE also states they need to be de-vegetating in area for 45 days in a 12-month period and manure can not be draining directly into waters of the state. The Zoning Board decided to keep our definition as-is for farm & commercial feedlots



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Discussion of Hornady Testing and Training Location: Steve Hornady was present to represent for the proposed testing and training location S ½ Section 30-15-9 in Howard County. After discussion the board did approve that it was ok to move forward with applying for a Conditional use Permit.

Discussion on Multi-Lot Subdivision approved with less than 3 acres in 1979 located in the NE ¼ Section 16-14-10: Administrator Kliningsmith informed the board that Arvilla Jacobs called and said that she thought that there was a subdivision on the land. Her Grandson is possibly wanting to do something with the land. After some research Administrator Kliningsmith found that there was a subdivision passed for this property in 1979. This was approved prior to subdivision regulations. Administrator Kliningsmith mentioned to the board that there would be stipulations if family moved forward with application. Daryl Anderson asked Administrator Kliningsmith to see if the subdivision was ever vacated. Administrator Kliningsmith will do the research and report back to the board.

With no further discussion Jeff Christensen moved to adjourn the meeting and Dave Sack seconded the motion. Motion was passed with a voice vote. The next meeting is tentatively set for June 16, 2021 at 8PM.

Jennifer Ostendorf
Planning and Zoning Secretary