



Howard Planning and Zoning Minutes



Howard County Planning & Zoning April 20, 2022

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 20th day of April 2022.

Chairman Terry Spilinek called the meeting to order at 8:00 P.M. 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 8 members present: Daryl Anderson, Jeff Christensen, Randy Kauk, Kenneth Kozisek, Ron Kulwicki, Jack Reimers, Dave Sack and Terry Spilinek. Chris Kosmicki and County Attorney Dave Schroeder were absent. Also present were Cherri Klinginsmith, Planning & Zoning Administrator and Jennifer Ostendorf, Planning & Zoning Secretary. Members of the public were: Heath Hadenfeldt, Jordan Robinson, Tylor Robinson, Bryan Robinson, Brant Bottolfson, Bill Hadenfeldt and Sherriff Deputy Sean Wysocki.

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 from the March 16, 2022 meeting. Motion carried by a unanimous voice vote.

Old Business: Administrator Cherri Klinginsmith informed the board that someone from Hornady had spoken with her about possibly reapplying for a Conditional Use Permit. She also let the board know that she did receive a phone call from a resident that it looked like there was trees being removed and dirt work being done.

Administrator/Board Comments: Administrator Klinginsmith let the board know that from this point on for any subdivision application received the roads department has asked that driveways are shown on the plat.

Administrator Klinginsmith informed the board that the NPZA workshops that were last month in Kearney are now available online and she will email the link to everyone. She encouraged them to watch the workshops if they weren't able to attend the workshop on-line last month.

Ron Kulwicki had spoke with the St Paul Volunteer Fire Department Board about their thoughts on wells in multi-lot subdivisions. He let the board know that the fire department board reviewed the electric irrigation wells close to the roads for accessibility incase of fires. They didn't ask that the Zoning board require multi-lot subdivisions to have a designated well. Administrator Klinginsmith will report this information to the County Commissioners.

Discussion and Possible Action- structure size and permitting in the country: County Assessor Neal Dethlefs asked why our office didn't require a building permit for structures on skids or smaller then 144 square feet. The board discussed this question and thought that any non-permanent structures or structures smaller than 144 square feet should be considered personal property and because it personal property there is no permit needed. Any structure that isn't on a permeant foundation has the possibility to move from one location to another. Example being calving sheds might be on one parcel for a couple months and then farmer has another group of cows calving on a different parcel so they move structure to use for second group of cows calving. The board decided to leave the regulations the same as they are currently.

Discussion and Possible Action – Odor Footprint form changes: Administrator Klinginsmith presented the board with some changes to the Odor Footprint Application Form. The board reviewed the form and agreed with the changes on the form. They did add a few changes as well. The Planning and Zoning Secretary will make the changes to the form and the office will start using the new form immediately.

Discussion and Possible Action – Does this odor footprint qualify for odor footprint: Administrator Klinginsmith presented the board with an odor footprint application from Bill Hadenfeldt. Bill is requesting an odor footprint for his cow calf operation. He states that with things the way they are this year it looks like he will have to dry lot his cows this year. He also states that in the future they may want to background cattle so he would like to have this in place so if in future their operation changes, they will be covered. After much discussion the board decided that if there is any chance that animals will be there for more then 6 months, there should be an odor foot print in place.

Discussion and Possible Action – Definitions of animal units: Administrator Klinginsmith let the board know that she had someone ask her if they have 500 lb. calves and grow them to 750 lbs. does that mean they are counted $\frac{3}{4}$ of an



Howard Planning and Zoning Minutes



animal unit? The board discussed this question and decided for ease of keeping everything correct they are going to leave the regulations as they are. (Cattle regardless of weight will equal one (1) animal unit).

Discussion and Possible Action – Hirschman odor footprint with County Surveyor measurements: Administrator Klinginsmith presented the odor footprint that G-works drew to the board. She explained to them that the County Surveyor, Tim Aikin and herself went out and measured the fence line that Kathy Hirschman had told her they would be using. Klinginsmith also gave the same measurements to G-Works so they could draw odor foot print with their program. Klinginsmith and Aikin took the odor footprint they came up with and compared it to the odor footprint that G-Works came up with. Both parties agreed upon the center point and the shape of the odor footprint. It was noted that the over all size of the odor footprint was smaller because the Hirschman's are using the fence line as the area for the pen (which is a smaller area then was previously being used). Tylor Robinson told the board that he is ok with the new odor footprint but did have discussion with the board on how the odor footprint was drawn according to the county regulations. After much discussion Dave Sack made a motion to approve the odor footprint dated 4-19-22 from G-works. Jack Reimers seconded the motion. The motion was passed by an 8-0 voice vote. Finding of Fact is attached.

Discussion and Possible Action – Approve/Deny request to co-locate on tower SE ¼ of the SW ¼ Section 12-16-12: Jeff Noseworthy from Industrial Tower and Wireless LLC contacted Cherri letting her know that T-Mobile proposed to co-locate on an existing tower site in Howard County. Randy Kauk made a motion to approve T-Mobile to co-locate on tower as long as it would fit on the existing tower without making it larger. Jack Reimers seconded the motion. The motion passed 8-0 voice vote. Finding of Fact attached.

Discussion and Possible Action – Zoning permits and landowners: Administrator Klinginsmith asked the board if they thought that landowner needed to sign the zoning permit if the land isn't owned by the same person who is applying for the permit? She stated she hasn't been making the landowners sign, as quite often the contractor will come in and apply for the permit to build the structure. Klinginsmith states we haven't had problems in the past but she did receive a phone call recently about a family member who built is now delinquent to debtors and so lien was put on landowner's land. After much discussion the board didn't think that Administrator Klinginsmith needed to change how she was conducting business. They noted that the bank should have things taken care of on their end when loaning the money.

Discussion and Possible Action - Landowner lost pasture and will be over animal units S ½ SE ¼ 30-14-9:

Alan Griebel contacted the Planning & Zoning Office to let them know that he lost his pasture and will be over animal units by 8-9 head. Administrator Klinginsmith represented for Alan at the meeting asking the board if they would grant an extension for Alan since we are having such a dry year. After much discussion Jeff Christensen moved to grant an extension to July 1st. Motion was seconded by Kenneth Kozisek. Motion was passed by 8-0 voice vote. Finding of Fact is attached.

Discussion and Possible Action – Order of events of odor footprint vs Jordan Robinson zoning permits E ½ of NE ¼ 5-13-9: Jordan Robinson presented to the board her concerns about the odor footprints online that were used when considering her zoning application. Robinson applied for a zoning permit on 80 acres that was inside of an odor footprint. After much discussion the board decided to table the discussion until the County Attorney, Dave Schroeder is in attendance. Dave Sack made a motion and Jack Reimers seconded the motion to table the discussion of zoning permit for Jordan Robinson until the May 18th Planning & Zoning Meeting. Motion was carried by 8-0 voice vote. Finding of Fact is attached.

With no further discussion Jeff Christensen made a motion to adjourn the meeting. Kenneth Kozisek seconded the motion. Motion was passed by a unanimous voice vote. The next Howard County Planning & Zoning Meeting will be held at 8 P.M. on May 18, 2022.

Jennifer Ostendorf
Planning & Zoning Secretary



Howard Planning and Zoning Minutes

