

**Howard County
Planning & Zoning Minutes
November 15, 2023**

- 1.) Public hearing regarding vacated plat : Freedom Acres by Wade & Melinda Kroeger- E1/2 of the SW ¼ 6-13-11**
- 2.) Public hearing regarding Rolling Hills Estates multi-lot subdivision – final hearing by Dan Vech – SE ¼ 14-14-10**
- 3.) Discussion & Possible Action: Wind generator regulation updates**
- 4.) Discussion & Possible Action: Windmill feeders CUP renewal**

Minutes

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 15th day of November 2023.

Chairman Spilinek called the meeting to order at 7:00 P.M. and the Open Meeting Act was recognized. Administrator Klinginsmith read the Notice of Meeting. Proof of publication is filed at the Howard County Clerk's Office. Roll call showed 8 members present: Daryl Anderson, Kenneth Kozisek, Jeff Christensen, Chris Kosmicki, Jack Reimers, Ron Kulwicki, Dave Sack and Terry Spilinek. Absent members: Randy Kauk & Dave Schroeder, County Attorney. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Jennifer Ostendorf, Planning & Zoning Secretary. Members of the public were: Dan Vech, Melinda Kroeger and Wade Kroeger.

The agenda and minutes were mailed to the board members prior to the meeting. A motion was made by Chris Kosmicki and seconded by Dave Sack to approve the minutes from the October 18, 2023 meeting. Motion carried by unanimous voice vote.

Old Business: Administrator Klinginsmith informed the board that Jeff Christensen, Chris Kosmicki and Dave Sack terms are ending this year. All have agreed to sign up for another term on board. This information will be passed on to the commissioners and they will reappoint them in January of 2024. Administrator Klinginsmith also informed the board that 308 Cattle LLC by Travis Casperson Conditional Use Permit was approved by Commissioners. DA Squared Wine Manufacturing by Wendy Johnson was approved by the Elba Village board.

Administrator/Board Comment: Administrator Klinginsmith invited the board to attend the NACO Conference on December 13-15 in Kearney. If they would like to attend the cost is covered by the Zoning Budget and would need to RSVP by November 22, 2023.

Administrator Klinginsmith also provided the board with a letter that she could send out to the landowners with odor footprints. This brought up discussion among the board. After much discussion the board decided that they would have Administrator Klinginsmith discuss with County Attorney, Dave Schroeder some of what was discussed and report back at later date.

Public hearing regarding vacated plat: Freedom Acres by Wade & Melinda Kroeger- E1/2 of the SW ¼ 6-13-11 Administrator Klinginsmith let the board know that Wade and Melinda Kroeger originally created this subdivision for mortgage purposes. Since then, they have taken care of the mortgage and would like to return their property to one parcel. With no testimony in favor or against, the public hearing was closed. Dave Sack made a motion to approve to vacate plat: Freedom Acres by Wade & Melinda Kroeger. Ron Kulwicki seconded the motion. Motion was passed with a 8-0 roll call vote. Daryl Anderson – yes Jeff Christensen – yes Chris Kosmicki – yes Kenneth Kozisek – yes Ron Kulwicki – yes Jack Reimers – yes Dave Sack – yes Terry Spilinek – yes Finding of Fact is attached.

Public hearing regarding Rolling Hills Estates multi-lot subdivision – Final Hearing by Dan Vech – SE ¼ 14-14-10 Dan Vech was present to present his request. Dan informed the board that since the last meeting he has done the second walk through with Scott from Howard Greeley RPPD. Also, Cherri came out and he showed her all of the roads and where lots are located. He started the process of covenants but told the board they are a work in progress and still have a few things they would like to go over and possibly change. The Nebraska Department of Roads have agreed to open the old access on west side of property off of 281, if zoning approves the subdivision. With no testimony in favor or against, the public hearing was closed. Chris Kosmicki asks Administrator Klinginsmith if all of the requirements on back of the application were met? Administrator Klinginsmith stated that they had all been met, along with noting that the county will not be maintaining the roads within the subdivision. With no further discussion Dave Sack Made a motion to approve Rolling Hills Estates multi-lot subdivision – final hearing by Dan Vech. Ron Kulwicki seconded the motion. Motion was passed with an 8-0 roll call vote. Daryl Anderson – yes Jeff Christensen – yes Chris Kosmicki – yes Kenneth Kozisek – yes Ron Kulwicki – yes Jack Reimers – yes Dave Sack – yes Terry Spilinek – yes. Finding of Fact is attached.

Discussion & Possible Action: Wind Generator regulation updates - Administrator Klinginsmith asked the board if they would like her to change the regulation per the vote in August 2023 meeting? The board agreed to have Administrator Klinginsmith add this as public hearing next month so that can get regulations updated.

Discussion & Possible Action: Windmill feeders CUP renewal – Administrator Klinginsmith brought to the board’s attention that the Windmill Feeders CUP is up for renewal. The board passed the CUP for a 1-year period and if there were no complaints or problems they would go ahead and renew the CUP for another 5 years. Administrator Klinginsmith told the board she has been in touch with Jim Olson at Windmill Feeders, and he said the number of cattle has remained at 11,000 – 12,500 head, but do plan to expand pens to allow more cattle (up to the 15,000 head maximum) with in the next year or so. Administrator Klinginsmith stated that there have been no complaints and recommends approving for 5 years. With no further discussion, Dave Sack moved to approve the renewal of Conditional Use Permit for Windmill Feeders for 15,000 head capacity for 5 years. Ron Kulwicki seconded the motion. Motion was passed with

an 8-0 roll call vote. Daryl Anderson – yes Jeff Christensen – yes Chris Kosmicki – yes Kenneth Kozisek – yes Ron Kulwicki – yes Jack Reimers – yes Dave Sack – yes Terry Spilinek – yes.

With no further items on agenda Ron Kulwicki moved to adjourn the meeting with Ken Kozisek seconding the motion. Motion passed with a unanimous vote. Next Howard County Planning & Zoning Meeting will be held on December 20, 2023, at 7PM.

Jennifer Ostendorf
Planning & Zoning Secretary.