

Howard County Planning & Zoning
March 20, 2024

AGENDA

1. **Call to order** – recognize Open Meeting Law – read the published notice of the meeting.
2. **Roll Call** – Approval of minutes of the February 21, 2024 Meeting.
3. **Minutes**
4. **Old Business-**
5. **Administrator / Board Comments:**
6. **Public Comment**
7. **Public hearing to vacate Nelson Loup Hwy 11 Subdivision, by Linda K & Andrew W Woitaszewski- NW ¼ part of Govt Lot 4 of Section 29-T13N-R11W**
8. **Public hearing on a Conditional Use Permit Application for a small wind turbine by Mark Serbousek – SW ¼ SW ¼ Section 13-T14N-R10W**
9. **Public hearing on a Conditional Use Permit Application by John Ropp for a Class I Feedlot named Kimball Kalf Ranch and the Nuisance Easement Waiver since their own residence is within the Class I Odor Footprint - NW ¼ of Section 8-T13N-R10W**
10. **Discussion & Possible Action – review odor footprint – Section 6-T14N-R11W**

Adjournment

MINUTES

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 20th day of March 2024.

Chairman Terry Spilinek called the meeting to order at 8:00 P.M. and the Open Meeting 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 9 members present: Daryl Anderson, Dave Sack, Jack Reimers, Jeff Christensen, Chris Kosmicki and Terry Spilinek, Randy Kauk, Ron Kulwicki, and Kenneth Kozisek. Also, present were Cherri Klinginsmith, Planning & Zoning Administrator and Jennifer Ostendorf, Planning and Zoning Secretary. Dave Schroeder, County Attorney was absent. Members of the public were: John Ropp, Kyle Ropp, Bob Bogus, Tylor Robinson, Audrie Robinson, Cody Buhrman, Mary Jo Serbousek, Mark Serbousek, John Webb, Judith Puncochar, Rebecca Puncochar, Shane Griess, Pam Griess, Dustin Selden, Noah Johnson, Amanda Weber, Joel Leo, Rona Jacobsen, Jared Jacobsen, Linda Lauritsen, Terry Elge, Mike J Swanson, Michael P Swanson, and Dan Leo.

The agenda and minutes were E-mailed and mailed to the board members prior to the meeting. A motion was made by Daryl Anderson and seconded by Chris Kosmicki to approve the minutes from the February 21, 2024 meeting. Motion carried by unanimous a voice vote.

Old Business: Administrator Klinginsmith informed the board that on Feb. 27, 2024 the commissioners approved the Subdivision for John Ropp along with approving the Conditional Use Permit for a school, church, hall and cemetery within the subdivision.

Administrator/Board Comment: Administrator Klinginsmith handed out a packet of information that she received from the NPZA Conference earlier in the month. Jeff Christensen attended one day of the conference and told the board there was a lot of useful information. He reported that they participated in a roundtable discussion and hopes that Cherri will receive copies of that to share with the board, as he thought there was a lot of great ideas and conversations that would be useful to the board.

Public comment: None

Public hearing to vacate Nelson Loup Hwy 11 Subdivision, by Linda K & Andrew W Woitaszewski- NW ¼ part of Govt Lot 4 of Section 29-T13N-R11W: Administrator Klinginsmith explained to the board that the Woitaszewski's have purchased more land from family and would like to combine all the land into one parcel. In order to do that they must vacate this subdivision first and then they will split off 16 acres total and file that plat with the Clerks Office.

Chairman Spilinek opened the public hearing. With no testimony in favor or against the public hearing is closed. With no further discussion among the board Dave Sack made a motion to approve the vacation of Nelson Loup Hwy 11 Subdivision by Linda K & Andrew W Woitaszewski. Chris Kosmicki seconded the motion. Motion was passed with a 9-0 roll call vote. Yes - Daryl Anderson, Jeff Christensen, Randy Kauk, Chris Kosmicki, Ken Kozisek, Ron Kulwicki, Jack Reimers, Dave Sack and Terry Spilinek.

Public hearing on a Conditional Use Permit Application for a small wind turbine by Mark Serbousek – SW ¼ SW ¼ Section 13-T14N-R10W Mark Serbousek and Cody Buhrman with American Wind Towers were present to represent his request. Mark explained to the board that the opportunity arose to have a personal wind turbine to power his home and shop. The total height of tower will be 75.9 feet located on top of the hill on the east side of his house and building. Chairman Spilinek opened the public hearing. Cody Buhrman raised his hand in favor of the tower. Judy & Rebecca Puncochar both spoke against the tower. Both were worried about the effect it would have on wildlife especially birds. Rebecca also mentioned that she is worried that this will hurt her bee keeping business as she believes this will highly disturb their flight pattern and their production will be greatly affected. Both Judy and Rebecca also mentioned that they did not like the aesthetic aspect of putting a wind turbine in the beautiful Bunker Hill Valley. With no further testimony in favor or against the public hearing is closed. After much discussion among the board Daryl Anderson made a motion to approve the Conditional Use Permit for a small wind turbine by Mark Serbousek. Ron Kulwicki seconded the motion. Motion was passed with an 8-1 roll call vote. Finding of fact attached Yes - Daryl Anderson, Jeff Christensen, Randy Kauk, Chris Kosmicki, Ken Kozisek, Ron Kulwicki, Jack Reimers, and Terry Spilinek - No – Dave Sack

Public hearing on a Conditional Use Permit Application by John Ropp for a Class I Feedlot named Kimball Kalf Ranch and the Nuisance Easement Waiver since their own residence is within the Class I Odor Footprint - NW ¼ of Section 8-T13N-R10W — John Ropp was present to present his request to the board. John and his family feed baby calves for a dairy in South Dakota. They start with 300 baby calves that they bottle feed for 2 months. After 2 months they move those calves to a dry lot where they feed them for another 2 months before they ship out at around 400 – 500 pounds. This process just repeats so they will have around 600 head of baby calves weighing no more than 500 pounds. Because they are planning to have over 500 head of cattle they applied for the Class 1 feedlot CUP. Before the public hearing was opened the board discussed wondering why he is applying for Class 1 when the calves were so little? Administrator Klinginsmith stated that when it was approved to make the acceptance/conditions for Windmill Feedlot that if the issue arose again that the board would have to look at the situation on a case-by-case basis. Chairman Spilinek opened the public hearing asking for testimony in favor. With no testimony in favor chairman Spilinek asked for testimony against. Several adjoining land owners voiced their concerns about the quality of the ground water if allowed to have the Class 1. They mentioned how low that land is and when we have wet years there is a creek that will fill and flow to the neighboring landowners. After hearing concerns from neighbors John Ropp stated that if he allowed to keep a farm feedlot with the exception for the weight of calves that is what he would like to do. It is what he wanted to do all along he states. After much discussion the public hearing is closed. After discussion among the board Ken Kozisek made a motion to approve a Conditional Use Permit for a Class 1 Feedlot by John Ropp, named Kimball Kalf Ranch located NW ¼ Section 8-T13N-R10W. Motion was seconded by Dave Sack. Motion failed by a 0-9 roll call vote. Finding of fact attached. No - Daryl Anderson, Jeff Christensen, Randy Kauk, Chris Kosmicki, Ken Kozisek, Ron Kulwicki, Jack Reimers, Dave Sack and Terry Spilinek.

Discussion & Possible Action – review odor footprint –Section 6-T14N-R11W – Administrator Klinginsmith asked the board to review the odor footprint for James Bogus before she approves it. The board unanimously agreed that it looked correct.

With no further discussion Dave Sack moved to adjourn the meeting. Randy Kauk seconded the motion. Motion was passed with an unanimously voice vote. The next Howard County Planning & Zoning Meeting is tentatively scheduled for April 17th at 8 PM.

Jennifer Ostendorf
Planning & Zoning Secretary

