

McPherson County Zoning Board and Board of Adjustment
Minutes of Proceedings
November 29th, 2023

The McPherson County Zoning Board was called to order by Chairman Jeff Neuharth at 9:00 A.M. in the Commissioner's Chambers. Members present included Richard Kolb, George Hulscher, Dan Mettler, and Alvin Kallas. Also present was Hunter Heinrich, Zoning Administrator, Austin Hoffman, McPherson County States Attorney, and numerous citizens from the public including Alex Lange from Summit Carbon Solutions.

Dan moved and Richard seconded to approve the agenda with the addition of direct deposit forms for Zoning Board members. Motion carried. George moved and Alvin seconded to approve the September 15th, 2023 meeting minutes as published. Motion carried.

A conflict of interest was discussed. Richard Kolb and Hunter Heinrich had met with Summit Carbon Solutions representative Alex Lange at the Courthouse. The representative asked questions pertaining to the McPherson County zoning ordinance concerning hazardous pipelines. No other conflicts of interest were mentioned.

Richard made a motion and George seconded to move into the Board of Adjustment. Motion carried.

Spring Creek Colony violation was discussed. Spring Creek Colony failed to get the necessary building permits from the county before constructing several buildings and moving in several trailer houses. A recommendation from the commissioners on what to set the fine at was discussed. Because the shop and Church were destroyed by fire, only a building permit was required without penalty. After further discussion, Richard made a motion and George seconded for Spring Creek Colony to pay \$25.00 for a permit for the Church, \$25.00 for a permit for the shop, \$25.00 for a permit plus a \$250.00 fine for the kitchen, and \$25.00 for a permit plus a \$250.00 fine for the trailer houses for a total of \$600.00. Motion carried.

Deerfield Colony manure hauling violation was discussed. Deerfield Colony hauled manure into McPherson County beyond 5 miles from origin of the manure. Glenn Spitzer, highway superintendent, was present to discuss the situation. Ryan Wurtz was present to represent Deerfield Colony. 30 loads of manure were hauled onto land they own in McPherson County before being stopped. Glenn said there was no damage to the road other than blading which is normal. Dan made a motion and Alvin seconded to charge 30 loads of manure at \$50 per load plus a \$500 fee from the Highway Department for a haul permit for a total of \$2,000. Motion carried.

A possible manure hauling violation was discussed. After reviewing and discussing the manure ordinance, a decision was made that a permit was not necessary.

George made a motion and Richard seconded to move out of the Board of Adjustment. Motion carried.

Alex Lange from Summit Carbon Solutions was present to give an update on the project. He also asked numerous questions pertaining to the Hazardous Material Pipeline ordinance that McPherson County has in place. He says they are working forward to submitting an application. Jeff opened the meeting up

for public comments at 10:38 A.M. Several people discussed their concerns and questions with the project.

Austin is working on emailing the partially completed zoning book to NECOG.

Richard made a motion and George seconded to add a date approved to each pipeline permit application form. Motion carried.

Trisha Erdmann from the Auditor's Office came in and explained the direct deposit sheets to the Zoning board members.

Building Permits 23-35 – 24-03 were mentioned. Building permits were:

23-35 – Dalton Ellefson – Feed line fence

23-36 – BTO Farms – 2 grain bins

23-37 – Nick and Sam Kallas – Chicken coop/storage building

23-38 – Sean and Nicole Frerk – Move house from Eureka to farm, new foundation, 2 egress windows

23-39 – Aaron and April Mehlhoff – Fix ceiling on old shop

23-40 – Doug Hatlewick – Replace roof on pole barn

23-41 – Jim Schauer – New siding

23-42 – Leroy Neifer – House door and garage door

24-01 – Jordan and Heather Mehlhaff – New barn

24-02 – Doug Hatlewick – Replace siding and tin on roof on house and shop

24-03 – Tim Mehlhaff – Cold storage building

The next meeting will be tentatively scheduled for some time in January or as needed.

Alvin moved and George seconded to adjourn the meeting. Motion carried. Meeting adjourned at 11:08 A.M.

Hunter Heinrich
Zoning Administrator

Jeff Neuharth
Chairman of the Zoning Board