

SPINK COUNTY PLANNING AND ZONING BOARD

Unapproved Minutes

September 22, 2009

The Spink County Planning and Zoning Board met on September 22, 2009 at 9:00 am. Vice Chairperson Gary Gilbert called the meeting to order with Keith Schroeder, Ed Fischbach, Dave Albrecht, and Administrator Kimberly Markley present. Kam DesLauriers was absent. Guests present were Glenn Overby, Barry Muxen, Jeff Rauh, Keystone Pipeline, Troy Styer, NuStar Energy, Curt Hohn, WEB Water, Bill Troske, Jerry Pulling, Greg Rahm, LoriJo Mundstock, *Redfield Press*.

ADOPT AGENDA

A motion was made by Schroeder to approve the agenda with addition of plat titled Lee Outlot 1 in NW $\frac{1}{4}$ 7-115-61, second by Fischbach. Motion carried.

APPROVE MINUTES

A motion was made by Fischbach and seconded by Albrecht to approve the August 18, 2009 minutes. Motion was carried.

BUILDING PERMITS

The board reviewed the building permits for August 2009.

OLD BUSINESS

Wind Energy Tower Regulation

It was decided to discuss the Wind Energy Tower Regulation at a future meeting after completion of the Hazardous Pipeline Ordinances Title 17.25.

Aerial Application Information

The office received one more response to the letter sent out regarding towers in the townships. Gilbert requested a copy of the list of townships that have responded to be e-mailed to the board.

Manure Spreading Complaint

Markley distributed a memo discussing letter sent to DEN&R and two colonies.

Markley distributed a letter from Victor Fischbach regarding executive sessions.

NEW BUSINESS

Plat Hearings

Discussion was held on the plat Lee Outlot 1 in NW $\frac{1}{4}$ 7-115-61. A motion to present the plat to the Spink County Commissioners on September 29, 2009 was made by Fischbach and seconded by Albrecht. All present approved, motion carried.

Discussion was held on the plat Waldner S-D in the SE $\frac{1}{4}$ 30-115-60. A motion to present the plat to the Spink County Commissioners on September 29, 2009 was made by Schroeder and seconded by Fischbach. All present approved, motion carried.

Pipeline Hearing

Vice Chair Gilbert opened the public hearing on TITLE 17.25 Hazardous Pipeline Ordinances. Jeff Rauh, Keystone Pipeline asked the board to continue to work on the ordinance with the assistance of other entities. He also answered questions from the board & the public on many issues. Curt Hohn, WEB Water supports the proposed ordinance emphasizing the importance of safety. He agrees with the need for setbacks and the .622 pipeline thickness. Greg Rahm and Jerry Pulling both WEB board members also voiced their support of the ordinance expressing the need for safety. Bill Troske asked, does it matter what we do if the PUC (Public Utilities Commission) and courts could overrule us. Troy Stayer of NuStar Energy offered his assistance if anyone would have questions for him. He answered a previous question about pressure. Markley reported a phone call was received from the Spink County Weed Supervisor, Mike Esser requesting an addition to the ordinance. He would like to see a five year weed management plan added to the ordinance. Barry Muxen stated it is hard to be too safe. Jeff Rauh, Keystone Pipeline was allowed a rebuttal concerning some of the information that was presented. Ed Fischbach & Jeff Rauh each read some newspaper articles which are on file with the Zoning Administrator. Glenn Overby was also at the hearing and asked several questions. A motion was made by Fischbach to approve the Hazardous Pipeline Ordinance with a change on page 7 "Appendix F" should read "Title 17.25", seconded by Schroeder. Roll call vote was taken, Schroeder aye, Fischbach aye, Albrecht aye, and Gilbert aye. Motion passed on a 4-0 vote.

Markley informed the board she would be attending a county officials meeting in Watertown on September 23, 2009. The PUC (Public Utilities Commission) will be presenting information on Pipelines & Wind Energy.

Adjourn

Vice Chairman Gilbert adjourned the meeting at 11:37 AM. The next Planning and Zoning meeting will be held October 20, 2009 at 9:00 am.

Attest

Kimberly Markley

P&Z Administrator, Spink County