

**Wagner Planning and Zoning Commission**  
**Monday August 26th, 2024**  
**Wagner Armory**  
**5:30PM**

The meeting was called to order by Sharon Haar at 5:45 pm.

The Pledge of Allegiance was recited.

Mrs. Haar asked if anyone would like to declare a conflict of interest. Mike Novak declared a conflict with an item on the agenda for Jay Wunder. Sharon Haar declared a conflict with the item for Nathan Kafka/ Fischer Farms on the agenda.

A motion was made by Dehaan, seconded by Novak for the approval of the agenda. All voted aye, motion carried.

Members Present: Sharon Haar, Jean Pirner, Dave Brecke, Mike Novak, Don Dehaan Absent: none  
ETJ Members: Kyle Tjeerdsma, Janet Lhotak, and Ruth Bouza Absent:none. Others present: Kesa Alexander, Zoning Administrator/ City Clerk, Deb Houseman, City Administrator, Brian McGinnis District III, and City Attorney, Beau Barrett. There was 70 people from the public who signed in to attend the meeting. A sign was posted for the possibility of a quorum if Alderman attended.

Sharon Haar stated she was not facilitating the meeting the city attorney Beau Barrett, would be the one facilitating it.

Beau Barrett stated his name and title and said he would be the one conducting the meeting.

Mr. Barrett called for public comment and clarified the parameters of public comment on the agenda.

Jolene Stewart stepped forward to state her concerns with ETJ requirements such as manure management, signs and shelterbelts.

Mr. Barrett closed public comment

The attorney clarified the first items on the agenda would only be items city board members would be acting on since it is within city limits.

Barrett read the first item of consideration for a replat submitted by Commercial State Bank of Swatek Tracts 1 and 2 in Lots 11 and 12, Block 2, original City of Wagner Addition, Charles Mix County, South Dakota.

No one was present to speak on the plat.

No discussion was held.

Barrett called for a motion to approve the plat. Motion was made by Dehaan, seconded by Novak. All voted aye, motion carried.

Second item on the agenda was a request for a variance of 12 feet by Jay Wunder. Mr. Wunder was present to briefly explain his proposed work.

Mr. Barrett then called for a motion to open the public hearing. Motion made by Brecke, seconded by Pirner. All voted aye, motion carried.  
No one appeared to speak on the item.

A motion to close the public hearing was made by Brecke, seconded by Pirner. All voted aye, motion carried.

No discussion was held.

Barrett called for a motion to approve the variance for Jay Wunder of 12 feet into the required setback for a front lot. Motion was made by Dehaan, seconded by Brecke. All voted aye, motion carried.

Barrett then stated that the remaining agenda items the ETJ board will be included on.

Cody Spreckles was present to explain his request for the variance.

The board discussed concerns on commercial use in a residential area.

The attorney briefly clarified a variance, asking Mr. McGinnis to read aloud the zoning book, specifically on when to consider a variance.

No one appeared for public hearing.

No other discussion was held.

Mr. Barrett called for a motion to approve the variance of 836 square feet on an accessory building. Motion was made by Tjeerdsma, seconded by Novak. All voted aye, motion carried.

Mr. Barrett then asked Nathan Kafka to present his request to amend the ETJ boundaries to exclude 80 acres for a feedlot to operate.

Nathan Kafka presented his request addressing concerns of noise and odor. His manure management plan does not sit within the ETJ boundaries. He presented the economic value of the feedlot.

Mr. Barrett then asked the board to decide a time limit for the public hearing since there were many that signed to speak. Mr. Barrett proposed 3 minutes. Motion was made for 3 minutes by Dehaan, Seconded by Brecke. All voted aye, motion carried.

Mr. Barrett then opened up the public hearing portion for the request.

Dayla Picotte representing Yankton Sioux Tribe appeared in opposition to feedlot due to tribal lands near the feedlot.

Jason Cooke Vice Chairman of Yankton Sioux Tribe appeared in opposition due to tribal lands near feedlot and that the tribe was not notified of this request.

Ken Thaler appeared and asked the board to not support this request due to environmental reasons and the history of Wagner and these particular issues and it is the whole reason we enacted the ETJ.

Roger Schroeder appeared stating he was on the council when they approved the ETJ boundary and was not aware that this area was included.

Jeff Stewart spoke in opposition to carving out the 80 acres. He felt there were more questions that needed to be asked.

Jolene Stewart spoke that rules should be applied to everyone not just someone's last name or amount of money someone has. She also felt regulations needed to be looked at.

Julie Weddell spoke that she wanted to share in the denial of feedlot. The odor study was a joke and not accurate.

Philip Kafka spoke that the feedlot would bring in 600 trucks and stimulate the city economy.

Angie Fousek stated she lives near the area when it was a dairy and it never smelled, and it was never noisy. She was sad young people want to leave the town. This is an opportunity for young people.

Ron Kokesh spoke and had a question on what his property was zoned. He wanted to see the feedlot go through.

Frances Bear spoke on how people had an issue with the hog farm and this is no different, investors have other interests. There is no contract that he will buy things in city limits.

Daniel Zephier stated environmental concerns and is opposed. More research needed to be done

Ron Kafka stated it smells, its dusty, its noisy- it puts food in your mouths.

Robin Bear was upset the tribe wasn't notified of request and was upset no tribal members are on the boards.

Whinny Weddell wanted to share health effects of flooding in lands with feedlots.

Mike Van duysen appeared and stated he has been around cattle all his life and never seen anything travel over a mile. Vote in favor of it.

Justin Bouza stated he had plat issues with ETJ and to vote in favor of the feedlot.

Mr. Barrett asked for a motion to close the public hearing. Motion was made by Dehaan, seconded by Bouza. All voted aye, motion carried.

No discussion was held.

Mr. Barrett asked for a motion to approve the request to amend the boundaries of the ETJ to exclude 80 acres for a feedlot. Motion was made by Tjeerdsma, seconded by Lhotak. Barrett stated the vote needed to be a roll call vote and handed the microphone to Alexander who knew the names of the board. Roll call vote was taken Bouza-yes, Lhotak-yes, Dehaan-yes, Tjeerdsma-yes, Novak-Yes, Brecke-yes, Pirner-yes, Haar-abstained. Yes-7 no-0 Abstained-1. Motion passes.

Mr. Barrett said this is a recommendation of approval to the council. He then announced this concludes the agenda for the meeting.

Barrett asked for a motion to adjourn. Motion made by Dehaan. Seconded by Bouza. All voted aye, motion carried.

The meeting was adjourned at 7:03 p.m.

Respectfully submitted,

Kesa Alexander  
Zoning Administrator/City Clerk

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