

Ellis County Joint Planning Commission Meeting Minutes for May 26, 2010

Members Present:

Bill Poland, Chairman
Paul Baier, Vice-Chairman
Kendall Krug
Dick Klaus
Ken Richmeier
Keith Campbell
Gary Luea
Kirk Dickinson arrived late

Members Absent:

Dean Haselhorst

Staff Present:

Dale Wing, Zoning Administrator
Carla Meier, Recording Secretary

Counsel Present:

Bill Jeter

No County Commissioners present at this meeting.

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The May 26, 2010 meeting of the Ellis County Joint Planning Commission was called to order by Chairman Bill Poland at 7:00 p.m. The meeting was held at the 601 Main Street meeting room.

Roll call was taken. Seven members were present. There was a quorum.

Minutes: Ken Richmeier moved that the minutes be approved as written. Dick Klaus seconded. Motion carried.

No staff report.

No public presentations.

Chairman Poland opened the Public Hearing for Conditional Use Permit No. 1008 - Taylor

Bemis - Rock Quarry. Chairman Poland questioned whether everything was in order with the permit. Zoning Administrator stated it was. There was no comment from the public. Gary Luea questioned the pending Road Maintenance Agreement and whether Mike Graf, head of Public Works, was on board. That question was answered yes. Chairman Poland proceeded to complete the Finding of Fact Guideline Sheets. There was a question about how far off the road the rock quarry was, how far a home owner was from the quarry, whether the quarry will be kept open for future selling of rock, whether the county has shown interest in use of the quarry. Staff feels the site could be left open for future county use and does not anticipate a problem with the pending road maintenance agreement. Kendall Krug had a question regarding the dust abatement regulation. If the homeowner is within a quarter of a mile of the rock quarry, it needs to be in place. The map was checked and the homeowner is not located that close. Zoning Administrator stated dust abatement issue would be in the road maintenance agreement and also commented he had visited with the Director of Public Works who advised us to go ahead with this Conditional Use Permit. Kendall questioned a reclamation plan being submitted. The reclamation plan follows the conservation services plans.

Legal Counsel stated the Conditional Use Permit can be approved subject to recommendations for the reclamation plan and the road maintenance plan being in place. Gary moved that Conditional Use Permit No. 1008 for the Taylor Bemis Rock quarry be approved. Kirk seconded. Motion passed. Chairman Poland then opened the Conditional Use Permit No. 1015 - Mike Sender - Gun Shop/Shooting Range. The gun shop is 300 feet off the road and the shooting range would shoot south into the rock bluffs. The shooting range is just intended to site in or test purchased guns. Dawn Lantis spoke against the shooting range because she felt the property would devalue and also had noise and safety issues. Glen Schmeidler also spoke against the shooting range. Paul Baier asked who was responsible for the safety liability factor. Chairman Poland closed the public hearing part. More discussion followed.

Zoning Administrator stated he had talked Mr. Sender into applying for the shooting range as well as the gun shop because of future complaints against the shooting range. After much discussion, Mr. Sender verbally requested that the shooting range be withdrawn from the application. Public is content with just the gun shop application. Ken moved that Conditional Use Permit No. 1015 for a Gun Shop only be approved. Paul seconded. One Board member opposed. Motion carried.

Old Business: County Commissioners requested that Zoning Regulations for a Special Event Permit be looked at by the Planning and Zoning Commission. Legal Counsel stated that the Planning commission normally does not make any decision on a special permit. The County Commission did want the Planning commission's recommendation for a fee. Per the Zoning Administrator's recommendation, Keith moved that the application fee for the special permit be \$50.00. Ken seconded. Kendall thinks the fee is too low. Zoning administrator stated that it depends what all is taken into consideration Keith clarified that his motion read the \$50.00 be only for the special permit application fee. The vote was six in favor and two against. Motion carried. Legal Counsel stated a Bonding Issue would fall on the County Commissioners.

New Business: None

Members of the Planning Commission were presented with a copy of the Commission minutes to read. No action was required.

Chairman Poland announced the protest period for the Conditional Use Permits ends June 9, 2010. Three people will go off the Board at the end of June, Chairman Poland, Ken Richmeier and Gary Luea.

The next meeting will be June 23, 2010, at 7:00 p.m. at the 601 Main Street meeting room.

Gary moved the meeting be adjourned. Meeting ended at 8:35 p.m.

Respectfully submitted

Carla Meier

Chairman

Date