

Jefferson County Planning & Zoning Oskaloosa, Kansas

UNOFFICIAL

UNOFFICIAL MINUTES OF THE JEFFERSON COUNTY PLANNING COMMISSION

**Minutes of the Planning Commission
Meeting of January 24th, 2022**

Item 1. Call to Order

Item 2. Approval of the Agenda

Secretary Scherer moved to accept the agenda as presented and Commissioner Benyshek seconded.

Votes were taken by Ayes and Nays as follows:

Paul Johnson Chairman	Gale Rudolph Vice Chair	Matt Scherer Secretary	Stephen Phillips	Tim Benyshek	Tiffany Asher	Vacant
DNV	---	Aye	Aye	Aye	Aye	--

Motion Passed 4-0

Item 3. Roll Call

Paul Johnson Chairman	Gale Rudolph Vice Chair	Matt Scherer Secretary	Stephen Phillips	Tim Benyshek	Tiffany Asher	Vacant
PRESENT	ABSENT	PRESENT	PRESENT	PRESENT	PRESENT	--

Item 4. Approval of the December 20th, 2021, meeting minutes.

Chairman Johnson asked if there were any corrections for the minutes. Secretary Scherer had some corrections to the minutes. He then asked for a motion to approve the minutes. Commissioner Benyshek moved to approve the minutes with the proposed amendments and Secretary Scherer seconded.

Votes were taken by Ayes and Nays as follows:

Paul Johnson Chairman	Gale Rudolph Vice Chair	Matt Scherer Secretary	Stephen Phillips	Tim Benyshek	Tiffany Asher	Vacant
DNV	---	Aye	Aye	Aye	Aye	--

Motion Passed 4-0

Item 5. Public Hearing

Chairman Johnson explained the commission meeting procedures to the public and opened the public hearing.

Z2022-01: A request to consider a change in zoning district classification from noncompliant and Agricultural to Rural Residential for 10 acres for an expanded lot to be created by boundary shift survey

located at 5571 Butler Rd, Meriden, KS 66512. This request is brought by owners Gene and Karen Heinen at the same address and will correct the noncompliant status of the existing lot.

During this time, staff asked who was here for the first case. The applicant's agent, Jess Noll (surveyor for Landplan) was present via Zoom. Paul Swank from the public was present via Zoom, also.

Chairman Johnson asked if anyone had ex parte communications with someone involved in the case or if a member has a potential conflict of interest regarding this case. No one had.

Chairman Johnson asked staff to give their report. Staff gave their report. After their report, Chairman Johnson asked the board if they had any questions for staff.

Secretary Scherer: Kelly, I apologize, but I missed your explanation of the history. Did you say that this was non-conforming because it existed prior to the regulations?

Kelly Woodward (Staff): Yes, that's correct. It was already an existing less than one acre lot before we adopted, before that cutoff date in 1994.

Secretary Scherer: Thank you.

Chairman Johnson: Seeing no other questions by Commissioners at this point for staff then we will move to the applicant. Is there a representative of the applicant on this Zoom call?

Jess Noll (Landplan surveyor) for Gene Heinen: Yes sir Mr. Commissioner, Jess Noll with Landplan Engineering out of Lawrence. 1310 Wakarusa. Kelly pretty much sized everything up and did a good job of presenting.

Chairman Johnson: Do you have any other comments?

Jess Noll (Landplan surveyor) for Gene Heinen: Not at this time.

Chairman Johnson: Commissioners have any questions at this point for the applicant's representative? So, what are the, the applicant has obtained work orders to bring the driveways into compliance? Can you give us a little more detail on that?

Kelly Woodward (Staff): Are you asking me Paul or Jess?

Chairman Johnson: I guess the applicant's representative.

Jess Noll (Landplan surveyor) for Gene Heinen: Yes, sir. Mr. Chair... apparently the current verbal (broke up over Zoom)

Chairman Johnson: Can you speak a little closer to your mic, you're breaking up significantly?

Jess Noll (Landplan surveyor) for Gene Heinen: Alright, any better? Yes, or no?

Chairman Johnson: Yes. We'll work with it. We'll see how it goes.

Jess Noll (Landplan surveyor) for Gene Heinen: Okay. So, the current driveway entrance tubes are concrete and to my understanding that does not meet Jefferson County Road and Bridge standards for tubes. So, the Road and Bridge Superintendent recommended to remove and replace those concrete tubes with proper corrugated metal pipe or CMP pipe and bring the driveway width to a standard 30-foot residential width.

Chairman Johnson: So, you have an agreement to have that done?

Jess Noll (Landplan surveyor) for Gene Heinen: Yes, the client has purchased the tubes for the entrances and has got with Road and Bridge and has work orders to have those tubes replaced in those entrances? Am I correct Kelly?

Kelly Woodward (Staff): Yeah, because Road and Bridge actually does the work. So, they have the work order in so now it's up to the County.

Chairman Johnson: So, between the two of you, between Kelly, and the applicant's representative, we have that solved or are in the process of having it solved?

Jess Noll (Landplan surveyor) for Gene Heinen: Kelly, correct me if I'm wrong. He's purchased the tubes. They're on site. And he has the work order in with Road and Bridge.

Kelly Woodward (Staff): I got a revised letter from Road and Bridge saying that we could proceed, that they got everything they needed for us to proceed without any conditions of approval. That make sense, Paul?

Chairman Johnson: And what was your last statement, without conditions of approval? What do you mean?

Kelly Woodward (Staff): Well, I mean, usually if I'm reviewing an application, it gets down to the final stages before you are going to hear it and there's outstanding issues, I'll give you a recommended condition of approval that would be taken care of before final approval, but we don't need that in this case.

Chairman Johnson: Okay. Any further questions by Commissioners at this point or for the applicant's representative? Seeing none, then I will ask if there is any one on the call that would speak in approval of this particular case? Seeing none, I would ask if there's anyone on this Zoom call at this point that would like to speak in opposition to this particular case?

Paul Swank (2300 SW 36th St, Topeka): Does that include me Commissioner? Paul Swank from Topeka? Does that include me? in the question?

Chairman Johnson: Are you opposed to this particular case?

Paul Swank (2300 SW 36th St, Topeka): Well, the reason I'm on the call is to try to seek a little bit of information about what Mr. Heinen's intent for usage of the land is. The 10 acres that he's proposing to change from agriculture to residential is adjacent to the land that my parents owned and is currently in trust and that I am the executor for. So, I'm just trying to seek information about what the intentions for the land usage is going forward. I know Mr. Heinen has a salvage business on the property that he owns. Our concern is that if we're going from agriculture to residential, does that mean he's planning to erect more housing on that particular 10 acres? Is he wanting to use it for commercial salvage use? We're just wanting to seek some information. And unfortunately, Mr. Heinen is not on the call for me to ask directly what his intentions are. I don't know if Mr. Noll has that information or not?

Chairman Johnson: I will ask the applicant's representative at this point if they would address those questions?

Jess Noll (Landplan surveyor) for Gene Heinen: Yes, thank you, Mr. Commission Chair. So, Mr. Swank, Gene's full intention of rezoning this 10-acre parcel is to gift it to his granddaughter. That's it. He wants to give his granddaughter a house and 10 acres. And in order to do that, in the boundary line shift, we had to do the zoning change from the non-compliant parcel which I think is helping the County for cleaning up a mess, so to speak, from a zoning standpoint, and creating a 10-acre tract that he can then deed to his granddaughter from the trust. That's his intent.

Kelly Woodward (Staff): And I would just add that in Rural Residential zoning district or in any zoning district, only one home is allowed per lot. And 10 acres is the minimum lot size in the Rural Residential district. So, they can't break it up anymore with this zoning.

Paul Swank (2300 SW 36th St, Topeka): Okay.

Chairman Johnson: And Kelly, they can't add other commercial uses without bringing it back before the Planning Commission?

Kelly Woodward (Staff): Only a home occupation, accessory home occupation. But they can't do a principal use as a business under this zoning unless they come for a conditional use permit.

Chairman Johnson: Go ahead, sir.

Paul Swank (2300 SW 36th St, Topeka): Oh, okay. So, the land, the current noncompliant property used to belong to the Henrys and so that particular lot was less than one acre?

Kelly Woodward (Staff): That's correct.

Paul Swank (2300 SW 36th St, Topeka): Okay. Is there still a residence? And you said there was a residence and an outbuilding on that particular?

Kelly Woodward (Staff): Looks like it? Yes.

Paul Swank (2300 SW 36th St, Topeka): Okay. So is the residence, the.... (Zoom call cut out)going to be raised? And then new structures being built on the 10 acres? Is that the intent?

Jess Noll (Landplan surveyor) for Gene Heinen: No, that's not the intent, the existing structures that are there, to my knowledge, that house that is currently in place on the property is habitable. So, I don't know of any plans of raising the current house. I can't speak to the outbuildings. But to my knowledge, they're not going to raise the house. No.

Paul Swank (2300 SW 36th St, Topeka): Okay. So, the house on the property, current house on the property is, is a suitable structure that someone could live in. And the intent is for the granddaughter to move into that particular residence at some point in time?

Jess Noll (Landplan surveyor) for Gene Heinen: Well, if I'm not mistaken, I do believe it's being occupied as we speak.

Paul Swank (2300 SW 36th St, Topeka): Okay, um, I don't know if that's the case or not. So, I really don't know. I don't know if Ms. Woodward would have any information about that or not?

Kelly Woodward (Staff): I can show you pictures from the property card dated 2018 of the house. Did you say this was next to your? Can you give us your address, by the way, for the record, Mr. Swank?

Paul Swank (2300 SW 36th St, Topeka): For our property, for the property that we're discussing now?

Kelly Woodward (Staff): For you.

Paul Swank (2300 SW 36th St, Topeka): Oh, for me, yes. I'm located, my address is at 2300 Southwest 36th Street, Topeka, Kansas 66611. Again, the reason I'm on the call is because I'm the executor of the estate that is lying next to the Heinen property. So that's, I'm like I said before, I'm just seeking information. I'm not trying, to try and ask questions, try to find out what what the intentions are for changing the zoning.

Kelly Woodward (Staff): Mr. Chair, do you want me to share the photo from 2018?

Chairman Johnson: Sure. Okay

Kelly Woodward (Staff): Can you see this now? Property card?

Paul Swank (2300 SW 36th St, Topeka): Yes.

Kelly Woodward (Staff): And there's the outbuilding. There's the house. This is going back in time, but this is the most recent.

Paul Swank (2300 SW 36th St, Topeka): Okay, looks very similar to what it's always looked like. So, there's really been no changes to the structure from the external, from what I can see from the, from the photos. So apparently there's been changes in regulations on how much land can be donated or willed to, or given to a, a relative? I know my dad did the same thing for my brother; he gave him one acre. And so, my brother was able to build a house on that one acre, that's just south, or excuse me, just north of my parents' home. So apparently those regulations have changed from one acre to 10.

Kelly Woodward (Staff): No, there are no regulations about how much land you can sell. It's just that if you're going to make it a 10-acre lot, which is what they're proposing to do, then it has to be zoned to the appropriate zoning district. So, he's choosing to make it larger.

Paul Swank (2300 SW 36th St, Topeka): Okay, so he's choosing to give 10 acres to the granddaughter and not just one.

Kelly Woodward (Staff): Right.

Paul Swank (2300 SW 36th St, Topeka): Okay. All right. All right. And as far as your, as far as his intent, he just wanted to maintain the residential nature of the land.

Kelly Woodward (Staff): Far as we know, there are no changes in use anticipated.

Paul Swank (2300 SW 36th St, Topeka): Okay. All right. That's very helpful. I really appreciate your just describing the situation and explaining what the intents are. And I really appreciate Mr. Noll explaining some information as well.

Chairman Johnson: Is the acreage you're talking about north or south of the proposed development? You said you were in the area, right?

Paul Swank (2300 SW 36th St, Topeka): Are you speaking to me?

Chairman Johnson: I'm sorry. Yes.

Paul Swank (2300 SW 36th St, Topeka): Well, our property is north of the Heinen property. And the, so the property that's being proposed for change is in the very northeast corner of the Heinen property. And so, our land is just north, due north of, behind the property line. So, the 10 acres is in the very extreme northeast corner of that property line of that property 80 acres that he owns.

Chairman Johnson: Okay.

Jess Noll (Landplan surveyor) for Gene Heinen: Mr. Chair if I may, I'm assuming that Mr. Swank means north of and adjacent thereto. Am I right, Mr. Swank?

Paul Swank (2300 SW 36th St, Topeka): North of, north of the Heinen property and adjacent to the Heinen the property, that's correct, yes.

Jess Noll (Landplan surveyor) for Gene Heinen: Thought maybe that'd help.

Chairman Johnson: Okay. Is there anyone else on the call that would speak in opposition to this case? If not, then I'll ask if there is anyone on this call that has a neutral comment about this case? Seeing none, then at this point, I will close the public hearing and see if Commissioners have further questions for the applicant's representative or for staff. Seeing none at this point, then I will ask if Commission members have a motion on Z2022-01?

Commissioner Benyshek: Mr. Chairman, this is Tim here. I would recommend approval of Z2022-01 as presented.

Secretary Scherer: I'll second the motion.

Chairman Johnson: Are there any further questions by Commissioners at this point on this particular case? Seeing none at this point, then all those in favor of the motion to approve that's been seconded, please raise your hands.

Votes were taken by Ayes and Nays as follows:

Paul Johnson Chairman	Gale Rudolph Vice Chair	Matt Scherer Secretary	Stephen Phillips	Tim Benyshek	Tiffany Asher	Vacant
DNV	---	Aye	Aye	Aye	Aye	--

Motion passed 4-0

TA2021-03: Consider a text amendment to Article 3 of the Subdivision Regulations pertaining to right-of-way dedication with Agricultural Lot Split applications (deferred from December 20, 2021).

During this time, staff asked who was here for the second case. Jess Noll (Landplan) stayed on the Zoom call to listen about the text amendment.

Chairman Johnson asked staff to give their report.

Kelly Woodward (Staff): Okay, I'll share my screen. Alrighty, this is a public hearing to consider a text amendment to section 3-106 of the Subdivision Regulations pertaining to Agricultural Lot Splits, as initiated by the County Commission on November 22, 2021. It was deferred from the December 20, 2021, meeting. So, where we are in the process here, it's been initiated, I've put together a draft in the staff report, with some options, three different options for you to consider. And we're having the public hearing and possibly you'll have a decision this evening on a recommendation. So just to kind of orient you here right-of-way dedication is triggered with land division applications in the County, and this would be with Plats and Ag Lot Splits. It doesn't get triggered by the exempt splits like combinations or boundary adjustments, because those are exempt from the Subdivision Regulations. But anything that is subject to the Subdivision Regulations currently has to meet the right-of-way dedication requirement. So, Subdivision Regulations do prohibit approval of any lot split where there's less street right-of-way than is required. And so, if there is less street right-of-way than required, it's dedicated on that Ag Lot Split survey and in the Ag Lot Split agreement, where it's mentioned. The minimum right-of-way dedication is also required on plats in a similar manner. So, this is that section within the Subdivision Regulations that states you can't approve with less street right-of-way than required. And it also shows the minimum right-of-way requirements, and you can see that they're based on road classification. So, for a local road, which should be the smallest dedication required, it would be a total of 60-foot right-of-way. And that's on both sides of the centerline – the total is 60 foot. So, from the centerline to just one side, it'd be 30 foot minimum required. So, if we just look at an example of where this star is located on the map, you can see that a parcel at the corner of those intersecting streets would be on rural minor collector roadways, all three roads would be rural, minor collector roadways. And so, this map was adopted in the 2001 Comprehensive Plan, and it is the adopted guide for road classifications in the County. Now, the regulations do provide that street classifications can be indicated in Comprehensive Plan, they can also be indicated in other standards as adopted, or they may be determined by the Planning Commission and or County engineer. So right now, the only applicable road standards we have for a guide is the Comprehensive Plan and then resolution 97-25 it has construction standards for public roads, but no right-of-way requirements in there. So, if you were going to submit an application for an Ag Lot Split at that location where the star is, technically, you would be required to dedicate so that the road would be 80 foot wide total. And that means for your half, if you are on one side of the road, you would have to dedicate, there would have to be 40 foot of right-of-way dedicated. Now, maybe there's already 20 foot on that side. So, you would have to dedicate the extra 20 feet to make it 40 feet. But I'll show you this in some illustrations. But over the years, Zoning Administrators have typically only required the minimum dedication to bring it up to that 60-foot total right-of-way as far as, at least with Ag Lot Split applications, they've only made it as if everything is a local road and only require 60-foot total, which would be 30-foot one side. So, this aerial shows three Ag Lot Splits

that have happened in the area of that star in the previous slide. Number three has not yet been mapped into the system because it was very recently. But you can see that jog, if you look at the black line shows the right-of-way, you can see that it jogs by this parcel, because the right-of-way dedication is not yet shown on our map. So, in rural areas, land that's dedicated for public road purposes may remain in private ownership. The front lot line for those private properties that front rural County roads is typically the centerline of the road. So, their property line goes clear to the center of the road. And that may coincide with a section line as well. And in this slide, the green shading shows you the centerline of those roadways and it also shows you the property boundary. So, the right-of-way is essentially an area that's adjacent to that front property boundary that's dedicated for use for public roads and utilities. And property owners are not taxed for that land that's shown in the right-of-way, so the tax map doesn't show the property lines as extending to the center line. But most of the time, your surveys will show them extending to the center line. So here on this slide from this 2008 Ag Lot Split, which is located in the center of that area I showed you, you can see that they dedicated an additional 10 foot of right-of-way for public use with this Ag Lot Split application. And that brought it to a 30' total, because you can see there's 20 foot existing, they dedicate that additional 10 feet that brings it to the 30-foot minimum right-of-way that's required in the Subdivision Regulations. And they did this on both roadways that applied to this Ag Lot Split. This one is north, just north of that parcel, same two roadways, done in 2021. And you'll see again that they dedicated that additional 10 foot for a total 30-foot right-of-way one side. This is one that was just done. You can see now it's bounded by three different roadways; those are shown by the center lines indicated in green on the slide. And they also dedicated that additional 10 foot of right-of-way on all those roads. So as far as a history of right-of-way dedication, with Ag Lot Splits, I looked, I went back and looked at every single Ag Lot Split that has been done since the regulation was adopted. Really the right-of-way dedications started occurring in 2004 but it wasn't really consistently applied until 2007. You should have a big table with all this information of all these Ag Lot Splits that was with your packet. So, the existing road right-of-way at that time was typically 40 foot wide, and that's the total, so it'd be 20 foot on each side. And typical dedication was an additional 5 or 10 feet to total that 30 feet requirement. So, in total, 91 acres of land has been dedicated for right-of-way purposes as part of 211 Ag Lot Split applications today. So, when right-of-way was not dedicated, it was usually because the right-of-way already met that minimum standard. Five different Zoning Administrators have consistently applied this requirement for 60-foot minimum total right-of-way or 30-foot one side on Ag Lot Split applications since 2004. So, this is the minimum required by the Subdivision Regulations. And, you know, the Subdivision Regulations do require those larger right-of-way widths for the collector roadways. But this was not generally enforced by other Zoning Administrators. So really, that Major Thoroughfare Plan Map and the Comprehensive Plan has not been a consistent guide as far as the larger dedications for collector roadways. But it has been consistent for local roads.

Kelly Woodward (Staff): Commissioner Richard Malm has questioned whether the County can or should require this dedication of land for public purposes, or whether the County should pay for any necessary right-of-way that's dedicated for public use. I would just like to say that historic precedent and zoning enabling laws indicate that yes, with a rational basis, the County can require lands to be dedicated for public purposes. It's consistent with case law. But one consideration, that is a practical consideration, is whether there are valuable improvements that are existing in the area that's proposed to be dedicated to the public. Say that there's a fence or electronic gate or something there and you can see in this illustration on this slide, the dotted line shows the actual right-of-way that already exists by this parcel on Wellman Road, it's already been deeded to the County. And you see that line with the x's along it, that is a fence that exists within that right-of-way. So, you know, it doesn't say you can't have your fence in the right-of-way, but it just says that the land is potentially there for public purposes for utilities or the roadway and if any construction has to occur in that area it can occur. And then, you know, you may have to replace the fence do something about the fence. So, in these situations, if there is a valuable improvement in the right-of-way, the County could replace the infrastructure, they could also pay the property owner for the value of that improvement, or the Board of County Commissioners in that case could decline the acceptance of additional right-of-way for that specific application for a specific reason so the County is not responsible for the value of the improvement. So, there are those options within the code if a property owner has concerns and wants to appeal a specific concern to the Board of County Commissioners. Ag Lot Splits are subject to approval of the Zoning Administrator – in that case that would be me at the moment and I could not approve an application that does not meet those requirements for right-of-way dedication. However, those applications can be denied and then appealed to the Board of County Commissioners who could overturn my decision. Consistent application of the regulations is key, however, to continued legitimacy of those regulations, so an administrative decision should only be overturned in very unique situations. A general policy change would require amendment of that applicable regulation, rather than a case-by-case determination or appeal every time. So, with that said, I've presented you with three options to consider as far as right-of-way dedication. And there may be more, you might think of some more.

If you want to do a general policy change, or if you support a general policy change to not require any additional right-of-way dedication with Ag Lot Split applications (and I'm saying that just because it's not really being questioned with plats, it's only being questioned with Ag Lot Splits), then of course you would amend the Subdivision Regulations, or you would recommend that they be amended. That is, however, inconsistent with 17 years of past practice, so strong findings of facts should support that regulatory change, such as a study that indicates current right-of-way widths are sufficient for future needs, or that the requirement for right-of-way dedication has somehow become legally risky, in spite of the years of practice.

Number two option would be to revise the recommended right-of-way width to a more conservative number. That will reduce the amount of required right-of-way dedications while maintaining past practice that has that right-of-way dedication with all land vision applications equally. So, this would avoid some issues of inconsistency while reducing the amount of right-of-way required. This would be accomplished with a revision to the right-of-way widths shown in the street standards of the Subdivision Regulations that I showed you back on this slide, several slides back. Right here. So, the numbers at the bottom, we would just say, okay, well, maybe instead of 60 feet, for local roadways, we only need 50. And for minor collectors may only need 75, or whatever. So, you can imagine that coming up with those numbers, you would need something to base that on but certainly that could happen. And this strategy should be based on an engineering or planning analysis of current and anticipated road network conditions in relationship to anticipated development that will occur. And that would provide a basis for those requirements for reasonable infrastructure for the County contexts. You could also research nearby jurisdictions, so you have some consistency in right-of-way widths across County lines. And, you know, really, these studies are exactly what is meant to happen as part of the upcoming Comprehensive Plan update. So that would include updates to the Major Thoroughfare Plan Map, which would in turn support the regulatory change for those right-of-way widths. It would take longer to accomplish, but it would be a well-reasoned strategy.

And then your third operation option would be to recommend no change to the regulations and continue to require the minimal right-of-way dedication per current regulations as consistent with past practice. Just to give you an example, if you choose option one, this is an example of how you could recommend a text amendment that would make this not, the right-of-way dedication not applicable to Ag Lot Splits. So, you can see in the approval guidelines, we would add the caveat that excepting as provided in 3-106, no lot split shall be approved basically, if there's less street right-of-way than required, and then when you go down to 3-106, it says the creation of one additional lot in the unincorporated portion of Jefferson County on property zoned and used as agricultural shall be permitted without requiring either a rezoning or a plat or additional right-of-way dedication. So that's where you would basically be saying, okay, this right-of-way dedication does not apply to Ag Lot Splits. There are other ways you could probably do text amendments that would accomplish the same thing. This is the one that was suggested by the County Attorney in discussions with the commissioners.

So, staff recommendation is to do option number two. And first reason is that it does not undermine your regulations, the regulations would remain unchanged, providing continuity until the County can implement the required regulatory process to amend the plan and then amend the regulations, having a strong factual basis to support the change. It also does not undermine the Comprehensive Plan, which is intended to provide the rational basis for those Zoning Regulations. So, you should, if you're going to change a regulation, you should make sure that the Comprehensive Plan corresponds in guidance, so you have less legal risk of being challenged. It also accommodates some reasonable change. It provides an opportunity to support policy changes with proper planning. And it may promote consistency of right-of-way dedication, meaning you would still require, you know; it would still be triggered by Ag Lot Split applications and subdivision applications, it's just that you may be able to dedicate a less amount of right-of-way if it's found that that's really all we need.

Option one is inconsistent with the Comp Plan and Subdivision Regulations and past enforcement, and option three may not address the County Commission desire for a policy change. So, I've given you three different recommendations for motions depending on what option you might choose.

- Option number one, you might recommend that the Board of County Commissioners revise the Subdivision Regulations to exempt Ag Lot Split applications from having to meet the minimum right-of-way width requirement or dedicate additional right-of-way to meet those standards.
- Option number two, the Planning Commission recommends that the Board of County Commissioners commission a study of the road network to determine if the regulations pertaining to the minimum right-of-way widths should be revised. The Planning Commission supports a continuation of the practice to require right-of-way dedication with all land division applications based on findings in the staff report.
- Option number three, which is no change, the Planning Commission recommends no change to the current Subdivision Regulations as consistent with past practice that requires all land division applications to meet the minimum right-of-way width requirement on all adjacent roadways and dedicate additional right-of-way to meet those standards if necessary.

So that is all I have in my presentation. Unless you have additional questions.

Commissioner Phillips: I have a question. On option two, is the proposal there to still treat Ag Lot Splits different than plats?

Kelly Woodward (Staff): Can you say that again?

Commissioner Phillips: In option two, are we still talking about treating the ag lots splits different than plats?

Kelly Woodward (Staff): No because the right-of-way widths apply to everything.

Commissioner Phillips: But with option one, it would be treated differently.

Kelly Woodward (Staff): Yes, because they only asked you to consider what should happen with the Ag Lot Splits.

Commissioner Phillips: And would there be a rational basis for treating Ag Lot Splits differently than plats?

Kelly Woodward (Staff): Well, from my perspective, a lot of the development that occurs in this County occurs because of Ag Lot Splits. We have quite a few applications happening all the time because it's a simpler process, but it still creates more driveways along those roadways. And so, there's a rational basis that it is creating more traffic. And so really when are you going to be able to get that right-of-way to meet the standards if you don't do it with Ag Lot Split applications, because we don't get a lot of larger subdivision applications.

Commissioner Phillips: But isn't option one to treat Ag Lot Splits more leniently than plats?

Kelly Woodward (Staff): Yes.

Commissioner Phillips: So that's not rational, is it?

Kelly Woodward (Staff): Right. You might say that.

Commissioner Phillips: Is the County willing to pay for a study to implement number two?

Kelly Woodward (Staff): They are, you and I, and all of you would be talking about the RFP for the Comp Plan update. And I envision this study as taking place as part of that Comp Plan update, because I do think the transportation analysis is a key part of that Comprehensive Plan update. I do think they're on board with it.

Chairman Johnson: Other questions by Planning Commissioners? Matt?

Secretary Scherer: Kelly, this is a question about your Wellman Road example for the dedicated right-of-way, placed a fence line within the right-of-way. Private fence is in the right-of-way. Am I correct in assuming that the County could destroy that fence at any time without compensation to the landowner?

Kelly Woodward (Staff): I don't know that that's true.

Secretary Scherer: I'm pretty sure it is.

Kelly Woodward (Staff): I know that you can, you can tear it down, but I don't know that you can't replace it.

Secretary Scherer: It's in the County right-of-way.

Kelly Woodward (Staff): But yes, not necessarily on County property but is in the portion of roadway dedicated for public use. That's true. They could move it back. Like they could rebuild it, move it back.

Secretary Scherer: And actually, I believe the County would probably do that. But I suspect the County has the right to just destroy it.

Kelly Woodward (Staff): It probably wouldn't be very politically popular.

Secretary Scherer: Oh, no, it definitely wouldn't be, nonetheless, I believe they have the right to do so.

Commissioner Phillips: And aren't most fences along roadways probably on the right-of-way?

Kelly Woodward (Staff): Maybe, because as I said, the roadway widths were originally 40 foot as dedicated originally and so most of the, a lot of those fences are probably old and maybe they're right there at that 40-foot mark.

Secretary Scherer: Right on the 40-foot, or 20-foot from the centerline mark. I know they are in my neighborhood; they are 20 feet from the centerline of the road.

Commissioner Phillips: Yeah, here too.

Kelly Woodward (Staff): It's not like anybody is going to mess with those fences unless we have like a major project going on, it's not likely that we're going to need to do anything with those fences. But that's why you need to look at the road study to see well, are we really requiring too much? Maybe we are.

Secretary Scherer: Well, my concern is more than a fence is destroyed during a maintenance operation. I realize that doesn't happen very often but occasionally there's maintenance going on our roads and fences are well within the reach of the mowers that are trying to mow the ditches and the land next to it. It was a hypothetical question, but I think it has some well, perhaps it's kind of where the Commissioner, County Commissioners are coming from.

Kelly Woodward (Staff): It may be that someone's complained about it and he's trying to address their complaint.

Chairman Johnson: Other comments by Planning Commissioners?

Commissioner Phillips: Well, number two seems to be the only realistic option.

Kelly Woodward (Staff): Maybe I should share that again since I didn't provide those motions in your staff report.

Chairman Johnson: Kelly, your sense is the County Commissioners are good with this recommendation?

Kelly Woodward (Staff): I believe the majority of them will be good with this recommendation, and I do think they support the Comprehensive Plan in some form or fashion, to be determined.

Secretary Scherer: Kelly, I really wish Road and Bridge was here to talk to us about this. But do you have any idea of how many kind of sawtooth arrangements do we have, where we have 20 feet of right-of-way, and we go along and then we have 30 feet of right-of-way for 500 feet, and then we go back to 20 feet of right-of-way along the road.

Kelly Woodward (Staff): We're getting more and more as applications are occurring because as more development happens, obviously then more right-of-way is dedicated, and you have more of those sawtooth scenarios where the right-of-way varies along the same road.

Secretary Scherer: My concern is that, practically speaking, if you have that kind of sawtooth arrangement, I don't see how Road and Bridge can actually work with that very well, they would pretty much have to work from the minimum right-of-way that they have or provide everybody with a map of where the right-of-way changes every time we do.

Kelly Woodward (Staff): It is mapped. Yeah. And it's online.

Secretary Scherer: Do you provide it to the operators, the graders, and the mowers though? You can't do that because you don't take care of that. So, I suspect that the mowers and the graders, just that they, whatever the minimum right-of-way is rather than trying to maintain everything that the County's right-of-way consists of.

Kelly Woodward (Staff): That might be true. Yeah. They might just go to the fence wherever the fence is.

Secretary Scherer: And they might go beyond the fence as far as that goes. But I guess my concern is that dedicating these right-of-ways, I'm not sure that there's a clear, rational reason to do so if the County cannot take advantage of the fact that they own the right-of-way to perform road and bridge operation and maintenance.

Kelly Woodward (Staff): You know, and that's something that would be discovered during this comprehensive planning process. So, you would expect your consultant to talk to Road and Bridge and look at the records and work that all out.

Commissioner Phillips: Well, it's also for future use, isn't it?

Kelly Woodward (Staff): Yes.

Secretary Scherer: I'm sorry, Steve, I couldn't hear you.

Commissioner Phillips: It's also for future use.

Kelly Woodward (Staff): It is setting up for possible road expansions when traffic increases to the point you have to improve roads.

Secretary Scherer: That's part of the plan for having the right-of-way, but if you don't have the entire right-of-way, you still can't expand the roadway till you obtain....

Kelly Woodward (Staff): Then you would have to buy it. You'd have to buy it if you had a pending project.

Secretary Scherer: Yeah.

Commissioner Phillips: And my understanding is even if the County has more right-of-way than it needs, it legally can't use more right-of-way than it needs for maintenance purposes. It's like, I used to work for a railroad in the law department, and railroads have much more right-of-way than they need for future use. But they aren't allowed to use it for anything other than right-of-way purposes. I mean, if they don't have tracks on it, they have to let people farm it.

Secretary Scherer: Seems reasonable to me. I can see a purpose for the County having a right-of-way so that they can actually, during construction or during significant maintenance or putting in a new culvert, there are all kinds of reasons to have that. But you're not getting it if we don't have a consistent right-of-way along the roadway, the sawtooth arrangement....

Kelly Woodward (Staff): Well, the sawtooth arrangement just happens because of the fact you can't just go to every property owner at once and say, dedicate it right now, and the only thing we can do is have it triggered with development

unless we have a project, and then he will purchase right-of-way. But that's a process. That's an appraisal process, it costs money. So, I think this is a benefit for the County when people dedicate consistently according to our regulations.

Commissioner Phillips: I was just saying I think in order to establish a reason for doing this, that future use should be included as a reason for dedication.

Secretary Scherer: I agree completely.

Commissioner Phillips: That was the only point I was trying to make.

Secretary Scherer: Yeah.

Kelly Woodward (Staff): So, you're saying that in the study, they should look at future anticipated development?

Commissioner Phillips: Yes. I think that's necessary in order to establish a reason for more right-of-way than is currently being used.

Chairman Johnson: Further comments on this proposal at this point by Planning Commissioners? Are Planning Commissioners comfortable in making a motion at this point in terms of the options before us?

Secretary Scherer: I got something I'd like to bring up.

Chairman Johnson: Go for it.

Secretary Scherer: I'm not sure how to explain this, Kelly. What if we propose that for an Ag Lot Split, that a right-of-way dedication to be required as the majority of the roadway right-of-way within a half a mile of the Ag Lot Split on that side of the road to conform to the right-of-way on more than half of the roadway? That didn't make any sense at all did it?

Kelly Woodward (Staff): Can you explain that to me again?

Secretary Scherer: Well, if you have, let's do it by examples, if you have a proposed lot split along a section line, a section road, that the whole section road has 20 feet of right-of-way, then we would just say there's no reason to require additional right-of-way because of the Ag Lot Split. But if 3000 feet of that right-of-way was already 30 feet, but it was only 20 feet where the Ag Lot Split was, we would require the 30-foot right-of-way for the Ag Lot Split to attempt to conform to the typical right-of-way that exists along the road.

Commissioner Phillips: But I don't think that expands the right-of-ways for when development occurs for future use, which I thought was part of the point?

Secretary Scherer: Well, if we're, if we're going to the right-of-way that exists in conformance with the Comprehensive Plan, that would be the, in my example, the 30 feet of right-of-way to conform to the Comprehensive Plan. But for some reason, we never got 30 feet at the Ag Lot Split that's before Kelly at this moment, then she could say, well, you need to give me 30 feet here. But if we've never done it anywhere along that roadway, then is there any reason to request it from this one landowner, rather than just leaving it at 20 feet? I could draw a picture and it would be a lot clearer, I'm sure.

Kelly Woodward (Staff): And I understand what you're saying. You're basically saying if there's kind of a precedent in the area, that development hasn't occurred, and people haven't required it, it hasn't, you know, changed from that 20 foot for years, do we really need it? And right? Is that what you're saying?

Secretary Scherer: Well, not so much that do we really need it, but is it really fair to require this individual to dedicate more than any of the neighbors have ever had to dedicate in the past, and would it accomplish anything for the County is more of the point? If you have 300 feet of right-of-way that is 30 feet wide, and the rest of the mile is 20 feet wide, you really haven't accomplished anything.

Kelly Woodward (Staff): Most of the places where it hasn't been required is because development hasn't occurred, and nothing has been triggered. But if you, if you look at the chart that I sent you, it really has been very consistent on making people add that additional 5- or 10-foot right-of-way to make it 30 feet whenever there is an Ag Lot Split application, so it's been consistent with applications. It's just that it's a big County, and you know, not everyone's done anything for years. And so, there's a lot of land that still 20-foot right-of-way. But this would hopefully come out when they were looking at it in the study, and they'd be like, this has been this way for years. There's really no development happening here, maybe we don't need to require more in this area. And then you could change the map, and then you'd go by the map that says okay, in this area, we really only need that 40 foot, but in this area, we really want to bring it up to 30 or even 40 or whatever. Does that make sense?

Secretary Scherer: I don't disagree with you. I think perhaps I'm looking at this as sort of a temporary thing until we actually have the Comprehensive Plan done. I don't know that the County Commissioners would look at it that way but that's kind of the way I'm looking at it.

Kelly Woodward (Staff): I mean, it'd be something that right now, without the regulations being changed, I would deny it and then the property owner could take the case to the Board of County Commissioners and say, look, the right-of-way is 40 foot all along here and so why do you really need it? And then they would probably say, yeah, we don't need it. But I have to require it. I am not authorized to not require it at this point.

Secretary Scherer: I understand. I guess what I'm proposing would allow you to in those situations where you don't think it, or at least where we write it out, and it doesn't make sense to expand the right-of-way, because you could do it yourself without it having to go to the Board of County Commissioners? It's not a very well thought out proposal. I'm sure there's all kinds of holes in it.

Kelly Woodward (Staff): I don't know if there is, I'm just thinking through it.

Secretary Scherer: I only thought about it for five minutes so I'm not sure.

Kelly Woodward (Staff): It can be that we could put a caveat in there that if a certain percent of the roadways within a certain distance, you know, are the same right-of-way as this property, then, I'm not quite sure how that would be non-subjective enough for an Administrative Approval. Like for things that are flexible, truly flexible usually comes to a higher authority like you guys.

Secretary Scherer: Yeah.

Commissioner Phillips: But then if, if splits started happening along that stretch, they would never be widened? I mean, I don't think, I would be opposed to that, because I think it precludes widening with future splits?

Secretary Scherer: I don't think it does because it's restricted to Ag Lot Splits. Now if it applied to plats, I would agree with you completely. But since it's only Ag Lot Splits, which are very limited in their application.

Commissioner Phillips: But didn't Kelly tell us most development comes from Ag Lot Splits?

Secretary Scherer: I think she kind of handpicked that example where she had three in the same section. No offense, Kelly.

Kelly Woodward (Staff): That's true. But I just picked those so I could show you the consistency in that area.

Secretary Scherer: We have a lot of them that are not next to each other along the roadway.

Kelly Woodward (Staff): Yeah. They usually are scattered. I mean, I can show you, I can show you what the County looks like as far as all the lot splits.

Secretary Scherer: It was my idea to get around, essentially what we're recommending in number two is to postpone a decision for a year and a half.

Chairman Johnson: So, do you want to make that motion Matt?

Secretary Scherer: At this point, no I don't, I'm not sure that it's that good of an idea. I was just trying to offer it as an alternative.

Chairman Johnson: Well, do you want to delay you know your decision for a month for you to crystallize that motion.

Secretary Scherer: Really, what I'd like to do, frankly, is delay this for a month in hopes that Road and Bridge would actually appear at the hearing to provide us information because I think we don't get the most important people involved here and we don't have their opinion.

Kelly Woodward (Staff): The only statement that I ever get is, "I don't need any more right-of-way, it's fine, and if I need more, I'll buy it."

Chairman Johnson: So, let's....

Kelly Woodward (Staff): You can just think, you could count him as option number one.

Commissioner Phillips: Number two is not incompatible with that either. Number two might (inaudible).

Chairman Johnson: So as chairperson, you know, I'm looking for a motion on this. There are three recommendations by staff. Do we have a motion for a particular one or do we want to delay this for a month and get more Road and Bridge input?

Kelly Woodward (Staff): Now we won't have a meeting in February because we don't have any cases. So, you get a break for a month.

Commissioner Phillips: I don't. I don't think we're going to get, sounds like any more input from Road and Bridge. If motions are open, I'd move number two.

Chairman Johnson: Okay. There has been a recommendation for recommendation number two? Is there a second for that proposal?

Secretary Scherer: I'll second.

Chairman Johnson: Okay. Further discussion by Planning Commissioners on approving recommendation number two, on TA202-03? Seeing none, then I will call the vote. All those in favor of the motion to recommend recommendation number two from the staff, please raise your hands. Those opposed, seeing none.

Votes were taken by Ayes and Nays as follows:

Paul Johnson Chairman	Gale Rudolph Vice Chair	Matt Scherer Secretary	Stephen Phillips	Tim Benyshek	Tiffany Asher	Vacant
DNV	---	Aye	Aye	Aye	Aye	--

Motion passed 4-0

Item 6. Public Comment: There was none.

Item 7. Old business:

Comprehensive Plan – review joint meeting notes with BOCC on December 13, 2021 (deferred from December 20, 2021)

Chairman Johnson had some corrections for the transcription from the discussion between the Board of County Commissioners and the Planning Commission on Dec. 13, 2021. Corrections were noted and corrected.

Chairman Johnson: So, do the Planning Commissioners have other comments about forward motion on... Kelly how public, I don't know how many of the Planning Commissioners have said, but obviously you've sent your retirement letter to the County Commissioners. And now the County Commissioners have moved, have decided to bring back Dustin Parks, as our Planning Administrator, starting in first of February? Is that when it happens?

Kelly Woodward (Staff): February 22nd. Yeah, that's correct. So, the former Zoning Administrator, Director, Department head will be coming back.

Chairman Johnson: And Kelly, sorry, I don't know this, and I should know this, but is the Planning Administrator the Community Development Director in Jefferson County?

Kelly Woodward (Staff): Yes.

Chairman Johnson: So, we don't have a separate Community Development Director in Jefferson County?

Kelly Woodward (Staff): No, I was supposed to be working on economic development as well. So, what I basically recommended to them is let's make the department the Community Development Department. And we have the Planning and Zoning division, and we have the Economic Development Division. I don't know if they'll change that or if they're still following in that model. But when I applied, they were already calling it a Planning and Zoning/Community Development Director.

Chairman Johnson: We had a halftime Economic Development Director for a while. That's when we got the strip club in in Meriden, well whatever. So, other comments by Planning Commissioners about how the meeting went with the County Commissioners and those who listened in or read the notes and thoughts about going forward at this point?

Kelly Woodward (Staff): I mainly wanted you to have that as kind of a reminder of what they had heard before you looked at the RFP because it did give a lot of guidance for the RFP.

Chairman Johnson: I thought the RFP was very well done. I thought you know you laid out the guidelines, you laid out the goals for it. And, you know, the conjunction with the Compatibility Report you did comparing what we had in the Comp Plan 2001 and how our Subdivision, you know, our Zoning and Subdivision Regulations coincided and didn't coincide. And I think you've, you've laid tremendous groundwork for whatever consultant ends up with this RFP. It's a great jumping off point.

Kelly Woodward (Staff): I'm glad you think that will be helpful to them. I don't know if the Commission will want to wait until Dustin starts to let him look at the RFP as well, and then get it sent out. Or if you guys make a recommendation on this RFP, and I take it to them next week and I say, you know, if you think this looks good, I can distribute it now before I leave. But if you, as a group, did feel it was in workable condition to send them as a recommendation, I would take it to them on Monday. And if they want to wait, they'll wait.

Chairman Johnson: Thoughts by Commissioners on that?

Kelly Woodward (Staff): But as I said there will not be a Planning Commission meeting in February.

Secretary Scherer: Kelly, this just comes from my own experience doing RFPs, but has the County Attorney reviewed this?

Kelly Woodward (Staff): No, no. That can be something we could ask him to do to or, you know, I could take it to them on Monday and then they could direct him to look at it.

Chairman Johnson: Kelly, what's a practical, if you put an RFP on the street, is it a month, two, or three months? What's the time frame for getting applications?

Kelly Woodward (Staff): Yeah, I would think you'd want to give them at least a month to respond and maybe more like six weeks, maybe two months. Matt, you've been a consultant, you say two.

Secretary Scherer: Well, I didn't do this kind of work, but we always gave two for floodplain mapping. And there's just a handful of people that do floodplain mapping and they already have their RFPs written or their responses written to the RFP, they just have to see what County they're in. So, two months seems very reasonable to me. But I don't know much about consulting firms that do this kind of work.

Kelly Woodward (Staff): When I was consulting you would see different amounts of timeframes. But the more complex the project, the more time you should get them to respond. I think two months is good. I mean, you don't want to give them so much time that you think, well, they're just procrastinating or, you know, you might know that they're responsive too.

Secretary Scherer: Want them to know that you're serious about it.

Chairman Johnson: So, do you have a sense of how large the applicant pool may be?

Kelly Woodward (Staff): No, I think that if I put the question out with the Association of Counties in this area, I should be able to get some pretty good sources for who I could distribute it to, suggestions. And actually, the Kansas chapter of the American Planning Association probably can also give me a list or even the Missouri chapter. There are probably Missouri firms that would do it if you're open to that. We can put the RFP on the American Planning Association website and people from all over the place can respond as well. I think your RFP does highlight Kansas experience.

Chairman Johnson: Yeah, I guess that was my question is how are the parameters on experience that makes the most sense for Jefferson County?

Kelly Woodward (Staff): Yeah, well, that might be something you want to look at, your criteria for evaluating them. And that's on page 10 of the RFP and I used a 100-point scale. But you might want to see if you guys agree with what I have there, because that's very important part of this RFP so that they know what your preferences are.

It starts out with professional qualifications and prior experience 25 points, project management and personnel capacity 15 points, project understanding and approach 25 points, public input approach 25 points. So basically, their understanding of the project which comes from their experience, but also their demonstration of their experience, and then that public input approach, those would be the highest point criteria and then cost would be only 10. But you're giving them the budget, you're telling them what your budget is. So that's kind of what my thought process was there, and then the number I threw out there for the budget, which probably will get revised or discussed, was, I can't even remember now, \$185,000. And that would include them telling you basically, what are their billing rates, so you know, you can compare apples to apples as far as how much work they think they're actually going to do, how many hours they'd dedicate.

Chairman Johnson: Further comments by Commissioners?

Kelly Woodward (Staff): Before it went out, that timetable would have to be filled out with months and dates.

Chairman Johnson: Right. Does it make sense for the planning, and we're not going to have a February meeting, so do we want to fine tune this draft or where are we at with moving forward with the County Commissioners?

Kelly Woodward (Staff): I do know that Dustin did discuss the Comp Plan update with them, and he is also stressed the importance of it, so I think there's continuity there.

Chairman Johnson: Well, the chairperson is open for a recommendation at this point as to what our motion would be to the County Commission.

Secretary Scherer: I hate to slow things up, but I think since we know Dustin is going to be Kelly's replacement, just in fairness to him, he should probably get a shot at it so to speak.

Commissioner Phillips: I agree.

Secretary Scherer: He is the one that is going to have to do all the work even though that puts it off for a couple months.

Kelly Woodward (Staff): So, you would put it back on the agenda in March?

Secretary Scherer: To be honest, I would leave it up to Dustin when to put it on the agenda, but March is fine with me, but I don't know about if he will have had time to look at it all by then.

Chairman Johnson: Well, I don't know if as a Chairperson, I can suggest this, I don't know what Robert's Rules of Order are on this, but since we're not going to have a formal February meeting for that, should we use that February meeting to work with Dustin and fine tune this?

Commissioner Phillips: I question whether he'll be, he will have a lot to do coming in. March seems better to me.

Chairman Johnson: How long was he with us? A couple years? We are not creating the wheel for Dustin at this point. I don't know. I mean, I just I think we need to keep this progress moving.

Kelly Woodward (Staff): Well, I don't, I'm not going to, you know, send it to him before he starts obviously so, and I don't know what he would feel about having a meeting on February 28th after starting on the 22nd. And if it's just a discussion, yea maybe.

Chairman Johnson: It could be a brainstorming meeting, it wouldn't, you know, wouldn't have to come to any final decisions but I would like to see this progress continue. Well, so the Chairperson's open to a recommendation on what we need to do.

Commissioner Phillips: I move we table it till March.

Secretary Scherer: I second.

Chairman Johnson: There's a second to table this until March. Any other comments by Commissioners? Seeing none, all those in favor of the motion to table the Comprehensive Plan RFP until March raise your hand.

Votes were taken by Ayes and Nays as follows:

Paul Johnson Chairman	Gale Rudolph Vice Chair	Matt Scherer Secretary	Stephen Phillips	Tim Benyshek	Tiffany Asher	Vacant
DNV	---	Aye	Aye	Aye	Aye	--

Motion passed 4-0

Item 8. New Business:

Chairman Johnson: Is there anything in new business that's not listed on this agenda Kelly? I know we have a deferral on the bylaws amendment. So, I'm skipping that. Are there any other comments you have?

Kelly Woodward (Staff): Well, let's see. Last month's cases, they followed all your recommendations, they did deny the Lash Ivory Tower Estates subdivision. They did receive public comment, there was a valid protest petition on that as well. So, it would have taken all of them to overturn your decision. And they approved all the rest of them for your recommendation. You may be seeing a revised development plan for the McPherson construction demolition landfill that maybe some of you were here for. Everyy wants to do a lay down yard on that site as well, which is a temporary basically construction yard for them to have their transmission equipment and everything they need to work on those power lines for a couple years.

Kelly Woodward (Staff): And then Washington Estates subdivision has submitted their road plans for us to take a look at, and they said once they get the review comments, the first review comments, they'll submit their final plat for approval. So that will also be coming down the line. Erin, can you think of anything else? Ag Lot Splits have slowed down a little bit at the moment, so that's good. We are still getting inquiries.

Chairman Johnson: Okay, well, any other items for the good of the Planning Commission tonight?

Secretary Scherer: I'd like to ask Kelly a quick question. My memory is terrible Kelly, but what, could you summarize TA2021-01 in two sentences because I don't remember it at all.

Kelly Woodward (Staff): Whenever they were, the Board of County Commissioners were discussing whether or not we require proof of water for Ag Lot Split applications, and it was decided that we don't, the County Attorney recommended that we look at requiring the information at time of building permit. Well, we don't actually do that at time of building permit.

Secretary Scherer: Okay. I remember now. Thank you.

Chairman Johnson: Any other items for the good of the Planning Commission tonight?

Kelly Woodward (Staff): Other than to say I've enjoyed working with all of you. I think you're a great team. I look forward to seeing what you come up with for the Comprehensive Plan. I'll probably be at some of your sessions, public input sessions.

Chairman Johnson: We'll try and drag you in Kelly if we can. So, do I have a motion for adjournment?

Commissioner Benyshek moved to adjourn the meeting. Secretary Scherer seconded. All said aye.

Item 9. Adjournment – 8:40 PM

Minutes taken by: _____
Erin George

Approved: _____
Date

Chairman: _____
Paul Johnson

Secretary:

Matt Scherer III

DRAFT