

1 FRANKLIN COUNTY PLANNING AND ZONING
2 FRANKLIN COUNTY GOVERNMENT CENTER
3 SECOND FLOOR COMMISSION CHAMBERS
4 400 EAST LOCUST STREET
5 UNION, MISSOURI 63084

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11 PLANNING AND ZONING COMMISSION
12 MEETING
13 MARCH 15, 2022
14 (COMMENCING AT 7:00 P.M.)

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23 Reported by:
24 Patsy A. Mayberry, C.R.
25 Alaris Litigation Services

1	I N D E X	
2	PROCEEDINGS	PAGE
3	CALL TO ORDER AND ROLL CALL	5
4	DECLARATIONS BY COMMISSIONERS	6
5	HEARING PROCEDURES BY MR. ELLISON	7
6	APPROVAL OF MINUTES (FEBRUARY 15, 2022)	9
7	COMMUNICATIONS AND VISITORS COMMENTS	10
8	UNFINISHED BUSINESS - NONE	10
9	NEW BUSINESS - NONE	10
10	PRELIMINARY PLATS:	
11	FILE 220031 - WUNDERLICH/MARITZ DEVELOPMENT:	
12	INTRODUCTION	10
13	PRESENTATION BY MR. ELLISON	11
14	PRESENTATION BY APPLICANT	13
15	DISCUSSION	22
16	VOTE	25
17	PLANNING AND ZONING COMMISSION FORUM - NONE	26
18	PLANNING DIRECTOR'S REPORT	27
19	ADJOURNMENT	28
20	CERTIFICATE OF REPORTER	29
21		
22		
23		
24		
25		

1	E X H I B I T S		
2	IDENTIFICATION	DESCRIPTION	PAGE
3	COUNTY:		
4	EXHIBIT A	FRANKLIN COUNTY UNIFIED LAND USE	7
5		REGULATIONS	
6	EXHIBIT B	OFFICIAL ZONING MAP	7
7	EXHIBIT C	OFFICIAL MASTER PLAN	7
8	EXHIBIT D	CASE FILE FOR ALL CASES TO BE HEARD	7

9
10
11
12
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(All exhibits, if any, were retained by the
Commission and will not be attached hereto.)

1 A P P E A R A N C E S
2 PLANNING AND ZONING COMMISSION MEMBERS:
3 WILLIAM EVANS, JR., CHAIRMAN
4 DAN HAIRE, VICE-CHAIRMAN
5 BILL McLAREN, COMMISSIONER
6 DEBBIE WILLETTE, COMMISSIONER
7 JIM GRUTSCH, COMMISSIONER
8 MIKE KLENKE, COMMISSIONER
9 KARL MITTLER, COMMISSIONER
10 DENNIS HARTMANN, COMMISSIONER
11 PLANNING AND ZONING STAFF:
12 CURTIS ELLISON, PLANNING DEPARTMENT
13 CRYSTAL HOLDMEIER, ADMINISTRATIVE ASST.
14 LEGAL COUNSEL:
15 MARK PIONTEK, COUNTY ATTORNEY
16 ALARIS LITIGATION SERVICES:
17 BY: PATSY A. MAYBERRY, C.R.
18 711 NORTH ELEVENTH STREET
19 ST. LOUIS, MISSOURI 63101
20 (314) 644-2191
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1 P R O C E E D I N G S

2 (MARCH 15, 2022)

3 CHAIRMAN EVANS: At this time,
4 I'd like to go ahead and call to order the March 15th
5 meeting of the Franklin County Planning and Zoning
6 Commission.

7 Curtis, will you please take roll.

8 MR. ELLISON: All right. Bill
9 Evans?

10 CHAIRMAN EVANS: Here.

11 MR. ELLISON: Jim Grutsch?

12 COMMISSIONER GRUTSCH: Here.

13 MR. ELLISON: Dan Haire?

14 COMMISSIONER HAIRE: Here.

15 MR. ELLISON: Dennis Hartmann?

16 COMMISSIONER HARTMANN: Here.

17 MR. ELLISON: Mike Klenke?

18 COMMISSIONER KLENKE: Here.

19 MR. ELLISON: Dave Laramore?

20 COMMISSIONER LARAMORE: Here.

21 MR. ELLISON: Bill McLaren?

22 COMMISSIONER McLAREN: Here.

23 MR. ELLISON: Karl Mittler?

24 COMMISSIONER MITTLER: Here.

25 MR. ELLISON: Tim Reinhold?

1 COMMISSIONER REINHOLD: (Not
2 present.)

3 MR. ELLISON: Stanley Voss?

4 COMMISSIONER VOSS: (Not
5 present.)

6 MR. ELLISON: And, Debbie
7 Willette?

8 COMMISSIONER WILLETTE: Here.

9 MR. ELLISON: Okay.

10 CHAIRMAN EVANS: We have a
11 quorum.

12 At this time, I will give the Planning
13 and Zoning Commissioners the opportunity to declare
14 any conflict, communication or relationship they may
15 have had that might influence their ability to
16 consider today's issues impartially.

17 (NONE)

18 If there's no declarations, Curtis, will
19 you please give us a presentation of the meeting
20 procedures and exhibits.

21 MR. ELLISON: Well, I would
22 love to. However, I don't have the official
23 disclosure; however, I will admit the zoning map into
24 the record, the Master Plan. Outside of that, I can't
25 remember the details.

1 CHAIRMAN EVANS: Mark, we do
2 not have a public hearing tonight. So I think most of
3 those address that. Can we continue without?

4 COUNTY ATTORNEY PIONTEK: I
5 think you need to introduce that into the record, and
6 I was thinking if you pulled up the minutes from the
7 last meeting, they should be in there.

8 CHAIRMAN EVANS: If the
9 Commissioners were fortunate enough to receive their
10 package.

11 (OFF-THE-RECORD COMMENTS)

12 MR. ELLISON: Okay.

13 At this time, I would like to place into
14 the record the Franklin County Unified Land Use
15 Regulations as Exhibit A, the Zoning Map as Exhibit B,
16 the official Master Plan as Exhibit C, and the case
17 file for each case as Exhibit D and all cases to be
18 heard at this hearing.

19 (THEREUPON, EVIDENCE WAS
20 MARKED FOR IDENTIFICATION AND
21 SUBMITTED FOR THE RECORD AS
22 EXHIBITS A, B, C, AND D.)

23 That's pretty well it as far as I got
24 here.

25 CHAIRMAN EVANS: Is there more

1 in the minutes?

2 COMMISSIONER GRUTSCH: Go to
3 page 7, line 6.

4 MR. ELLISON: Here we go.

5 As each case is opened, a staff report
6 will first be read by the Planning and Zoning
7 Department, followed by the Commissioners' questions
8 for the staff.

9 Then if anyone in the audience would like
10 to speak or comment during the hearing, they must
11 first print their name on the sign-in sheet provided,
12 and be sworn in.

13 We're not doing that at this one. So...

14 When it is your turn to speak, you will
15 come to the front of the room to address the
16 Commission and only the Commission, not anyone in the
17 audience, with your comments.

18 Generally the applicant for the rezoning
19 is allowed to be heard, followed by those in support
20 of the rezoning and then those opposed to the
21 rezoning.

22 The applicant may speak again after
23 comments from the general public to address any
24 questions or issues brought up during the hearing.

25 At the conclusion of all questions,

1 comments, and discussion concerning the case, the
2 public hearing for each case will conclude.

3 The decision will generally be made by
4 the County Commission at a later date during the
5 County Commission's regular meeting time.

6 CHAIRMAN EVANS: All right.
7 Thank you.

8 All Commissioners should have reviewed
9 and received a copy of the February 15th minutes. If
10 there are any corrections or additions --

11 I personally have two. I think on page
12 5, line 4, it says that I called to order the meeting
13 of February 16th, and it was the 15th.

14 And page 9, line 6 says anyone present
15 wishing to address the Commissioner and it should be
16 the Commission.

17 Anyone else have any additions or
18 corrections?

19 (NONE)

20 If not, the Chair would entertain a
21 motion to approve with those two changes.

22 COMMISSIONER GRUTSCH: Mr.
23 Chairman, I'd like to make a motion to approve the
24 minutes as submitted with the changes as noted.

25 COMMISSIONER KLENKE: I'll

1 second it.

2 CHAIRMAN EVANS: Motion and a
3 second to accept the minutes approved with two
4 changes. All in favor signify by saying aye.

5 COMMISSIONER McLAREN: Aye.

6 COMMISSIONER WILLETTE: Aye.

7 COMMISSIONER GRUTSCH: Aye.

8 CHAIRMAN EVANS: Aye.

9 COMMISSIONER KLENKE: Aye.

10 COMMISSIONER HAIRE: Aye.

11 COMMISSIONER MITTLER: Aye.

12 COMMISSIONER HARTMANN: Aye.

13 CHAIRMAN EVANS: Opposed?

14 (NONE)

15 The minutes are approved.

16 Communications and Visitor's Comments.

17 Anyone present wishing to address the Commission?

18 (NONE)

19 If not, we'll move on to Unfinished

20 Business. We have none.

21 New Business. We have none.

22 Preliminary Plats. File 220031,

23 Wunderlich Surveying and Engineering, Maritz

24 Development, L. L. C.

25 Curtis, will you give us the details.

1 MR. ELLISON: All right.

2 Applicant requests to create a 41-lot
3 subdivision in the T Zoning.

4 The property is located off Lakeway
5 Drive, on Highway T, about a half mile northeast of
6 Decker Road. It's located in Boles Township.

7 The facts about this include: The
8 subdivision includes three parcels, and is
9 approximately 37.5 acres in total area.

10 The zoning of the property is T. The
11 minimum lot size in the T Zoning District is 10,000
12 square feet with central water and sewer.

13 The maximum density in the T Zoning
14 District is one dwelling unit per 5,000 square feet.

15 The average lot size in the proposed
16 development is approximately 25,500 square feet. The
17 lot sizes range in between 12,980 square feet and
18 67,675 square feet.

19 The type of development being proposed in
20 this development are single-family homes.

21 This subdivision is an extension of Lake
22 Labadie, which has one entrance off of Highway T.

23 Water will be provided by Water District
24 Number 3, and the sewer will be treated by Labadie
25 Sewer District.

1 The applicant shows a 15-foot utility
2 easement along the road, 10-foot utility easement on
3 the rear, and a 5-foot utility easement along the
4 side, all in accordance with our Franklin County
5 Regulations.

6 Roads must have a 50-foot right-of-way
7 and 30-foot wide surface.

8 With a development this size, the
9 applicant is supposed to offer 10 percent,
10 approximately 3.76 acres, of open space dedication.
11 The applicant shows common ground being approximately
12 10 acres, which exceeds our regulations.

13 A land disturbance permit from DNR is
14 required to disturb more than one acre of land, as
15 well as erosion controls during development.

16 All utilities shall be placed
17 underground.

18 A portion of this property is located in
19 the floodplain. Any development in the floodplain
20 will require a floodplain development permit and
21 elevation certificate.

22 Because of the size of the development,
23 the applicant shall provide fire protection in
24 accordance with Article 8, Section 175. Because this
25 development is located in the Boles Fire Protection

1 District, they will be required to meet their
2 regulations.

3 ADDITIONAL STAFF COMMENTS: Complete
4 engineered drawings/improvement plans, to be reviewed
5 by Franklin County, should be submitted before final
6 approval.

7 It appears this development is providing
8 for stormwater detention. Calculations will need to
9 be reviewed by our contracted company to ensure what
10 is being proposed is adequate for this development.

11 CHAIRMAN EVANS: Thank you.

12 Is the applicant present? Would you
13 please state your name and address and sign in,
14 please.

15 (THEREUPON, THE WITNESS WAS
16 SWORN.)

17 MR. CAMERON LUEKEN: Good
18 evening. My name is Cameron Lueken. I'm with
19 Wunderlich Survey and Engineering. I'm here tonight
20 representing Maritz Development, the owner. Mike
21 Dorsey is here tonight if you have any questions of
22 the owner.

23 Yes, them history of this subdivision is
24 we started the subdivision, I think, in 2005. This is
25 the northern most part of the development. As Curtis

1 said, it's about 37.5 acres. The grading has been
2 completed. All the mass grading was done back in 2005
3 for this area.

4 The purpose of this development is to
5 accomplish the development of 41 single-family lots.

6 So as you can see on the map here, this
7 area here is the area we're talking about. This up
8 here, this is the developed part down here in Lakeway
9 Drive.

10 When we look at that on the aerials, it's
11 going to look a tighter. This is the area comprised
12 of the 41 lots. As the owner, we'll be doing in
13 basically three phases perhaps. We planned for that.
14 It may be done all at once, but we planned for three
15 phases in case we need to do that.

16 What those three phases basically look
17 like this is phase one, this is phase two, this is
18 phase three.

19 As Curtis mentioned, this is zoned T. So
20 that's the development Zone T. T basically allows for
21 one lot per 10,000 square feet. Since we've got about
22 37 acres, that would allow 163 lots. However, the
23 proposed lots are only 41 lots. So that's basically
24 one-quarter of the development potential.

25 The density in that zoning district is 1

1 per 5,000 square feet. That works out, when we do the
2 math, 41 dwellings for that much acreage. We've got
3 about one dwelling per about 40,000 square feet. So
4 we're about one-eighth the density.

5 So as Curtis mentioned also, the open
6 space required is 3.76 acres. The open space provided
7 is about 10.8 acres. So we're nearly three times the
8 open space provided.

9 So our lot size, density and our open
10 space are well within the limits of the land use
11 regulations.

12 So in summary, 7.5 acres, 41
13 single-family lots. Like I said, we previously graded
14 for the plans back in 2005, so there's not going to be
15 a lot of mass grading. The construction may occur in
16 phases.

17 We have adequate water provided by Public
18 Water Supply District Number 3. We are sewered by the
19 Labadie Sewer District.

20 And we have met with Boles and have met
21 their criteria on their approvals regarding road
22 width, cul de sacs and all that.

23 And as again, as far as the density,
24 we're looking about 25 percent of the total land lots.

25 So this one is pretty simple. It's kind

1 of a re-do, you might say.

2 If anyone has any questions for me or the
3 owner of the development tonight?

4 CHAIRMAN EVANS: Any questions
5 from the Commissioners?

6 Cameron, I guess going down there, the
7 first plat and everything is paved. Then you go down
8 there and I guess this plat is just the -- after the
9 construction dirt road, right? That's not any --

10 MR. LUEKEN: Right. Yeah,
11 Bill, if you look here, if you go in there, go to the
12 right and go down the hill, you'll see the lake on the
13 left with the dam. That's where the last cul de sac
14 exists currently.

15 You'll see a rock road down to the lift
16 station. Does that answer your question?

17 CHAIRMAN EVANS: Yeah. I mean,
18 I went down there.

19 MR. LUEKEN: Okay.

20 CHAIRMAN EVANS: But we were
21 driving my wife's car, and she suggested I not go down
22 that dirt road.

23 MR. LUEKEN: All right.

24 COMMISSIONER GRUTSCH: Cameron,
25 this is Plat 4 of Lake Labadie. I was down there

1 myself, and drove the other roads in the subdivision.
2 There's still quite a few undeveloped lots in the
3 balance of the subdivision, Plat 1, 2 and 3.

4 Is this developer also going to be the
5 developer on the balance of those lots?

6 MR. LUEKEN: Yes. He owns
7 everything that is not owner occupied at this time.

8 COMMISSIONER GRUTSCH: All
9 right. When Lake Labadie Plat 1, 2, and 3 were
10 originally built back in '05 of '06, the presentation
11 that was given was that the roads would be paved with
12 the first layer of asphalt, and the second layer of
13 asphalt would be put on the following year.

14 That second layer has never been put on.
15 The condition of the asphalt on that existing roads in
16 Plat 1, 2, and 3 is just deteriorated to almost
17 non-existent. Is that going to be surfaced soon, or
18 is it -- does the developer plan to wait until Plat 4
19 is finished and sold out?

20 MR. LUEKEN: Let me have Mike
21 come and talk to you about, have him answer that
22 question. Okay?

23 COMMISSIONER GRUTSCH: Okay.

24 CHAIRMAN EVANS: If you'd state
25 your name and address and sign in, please.

1 (THEREUPON, THE WITNESS WAS
2 SWORN.)

3 MR. MIKE MARCINK: My name is
4 Mike Marcink. I'm with Maritz Development.

5 To answer your question about the roads,
6 when we purchased it, we had them repaired, the roads
7 that were there. There were a couple of big spots
8 that had really no asphalt.

9 The homeowners association was in the
10 hole about 30,000 when I took it over. We had the
11 bank forgive that debt. So we are currently building
12 up those reserves.

13 The plan is in the next year or two to do
14 that second asphalt layer on there. We were waiting
15 for more lots to be sold so that we can split that
16 costs better, instead of having the homeowners pay for
17 all that.

18 So dose that answer your question?

19 COMMISSIONER GRUTSCH: Well,
20 that -- it answered my question that you've developed
21 a plan to address that. I guess I don't know if
22 there's a way to give an assurance that this indeed
23 will happen, or if you're going to rely on the
24 homeowners association to split the cost of this in
25 Plat 1, 2, and 3.

1 On your plan for Plat 4, you show a
2 concrete cross-section --

3 MR. MARCINK: Correct.

4 COMMISSIONER GRUTSCH: -- on
5 the new road.

6 MR. MARCINK: Correct.

7 COMMISSIONER GRUTSCH: On the
8 existing road, are you going -- or is the developer,
9 yourself, going to take care of repair and resurface
10 that as soon as Plat 4 is finished and the other lots
11 are developed and sold out?

12 MR. MARCINK: Yes. And the
13 other lots are developed and sold out, yes, that will
14 be addressed. So we're hoping within the next year or
15 two, that those roads are addressed. So we're going
16 to maintain to repair and kind of squeak it along
17 until we get enough lots in there to actually make the
18 cost more bearable.

19 COMMISSIONER GRUTSCH: And when
20 you say bearable, and I'm just asking is this going to
21 be a responsibility of the existing homeowners there?

22 MR. MARCINK: It'll be the new
23 homeowners as well that are buying into that
24 subdivision. So if you've been there lately, there is
25 a lot of activity going on.

1 COMMISSIONER GRUTSCH: Yes,
2 there is.

3 MR. MARCINK: So there's lots,
4 there's foundations that are going in. There's
5 actually there more foundations that need to go in.
6 We have two -- two more contracts on different lots
7 that happened this past week. So the -- once we start
8 getting more homeowners, then the cost can be split
9 better.

10 COMMISSIONER GRUTSCH: Okay,
11 but you're -- I'm understanding you to say the cost
12 will go to the homeowners association instead of the
13 developer.

14 MR. MARCINK: Correct. And the
15 developer will have to pay for some of that, whatever
16 lots is left that hasn't been sold in the next year or
17 two. Then we'll have to cover part of that. But the
18 developer is not -- I have no intentions of covering
19 that bill 100 percent by -- by us.

20 COMMISSIONER GRUTSCH: Okay.
21 Thank you.

22 CHAIRMAN EVANS: Any other
23 questions for either gentleman?

24 COMMISSIONER McLAREN: I can't
25 resist at this point based on Jim's questions. Were

1 you the original developer?

2 MR. MARCINK: I was not. We
3 purchased it in December.

4 COMMISSIONER McLAREN: All
5 right. Was there -- the County does not require an
6 escrow for this kind of stuff, do they?

7 MR. MARCINK: No, I purchased
8 it in December from the Bank or Washington.

9 COMMISSIONER McLAREN: All
10 right.

11 MR. MARCINK: The Bank of
12 Washington foreclosed and took back the development
13 ten years ago.

14 COMMISSIONER McLAREN: All
15 right. So under the homeowners association, they're
16 required to do that?

17 MR. MARCINK: The homeowners
18 association covers the road fees to actually maintain
19 the road.

20 COMMISSIONER McLAREN: All
21 right. And what percent of lots are sold?

22 MR. MARCINK: I don't have that
23 in front -- off the top of my head.

24 COMMISSIONER McLAREN: Rough
25 guess?

1 MR. MARCINK: How many lots are
2 sold?

3 COMMISSIONER McLAREN:
4 Percentage, half, two-thirds?

5 MR. MARCINK: It's more than
6 half.

7 COMMISSIONER McLAREN: All
8 right. Thank you.

9 CHAIRMAN EVANS: Any other
10 questions?

11 (NONE)

12 Let me say again, the requirements for
13 the preliminary plat are pretty specific in our
14 regulations.

15 And, Curtis, have you received everything
16 required for the preliminary plat?

17 MR. ELLISON: We have.

18 CHAIRMAN EVANS: I was going to
19 say I understand the roads on the other plats are
20 an issue, but as far as addressing what we have for
21 you tonight, is whether it meets the criteria for
22 that's in the regulations for Plat 4.

23 Again, if we approve the preliminary
24 building plat, unless we find something egregious that
25 we doubt, then the final plat is administered by the

1 Planning and Zoning Department, and we don't see that.

2 Any other discussion?

3 (NONE)

4 Questions?

5 COMMISSIONER GRUTSCH: I would
6 like to just give a general comment at this time that
7 the Planning and Zoning authority of Franklin County,
8 not specifically on this issue, but going forward
9 consider developing an escrow to take care of things
10 such as this, because all of a sudden in the two years
11 when this project's ready to closeout, the homeowners
12 in Labadie right now, in Labadie Lake's Plat 1, 2, and
13 3, are probably looking at a quarter of a million
14 dollar fee charged to fix their road, when they bought
15 in there on good faith that the developer was going to
16 put in a finished product, and that's a surprise that
17 nobody really should expect.

18 That's just a general comment. Go ahead,
19 Crystal.

20 MS. HOLDMEIER: That is the one
21 downfall Scottie not being here. She handles all the
22 escrow and that. So me and Curtis just aren't versed
23 in that.

24 COMMISSIONER GRUTSCH: Well, I
25 get that.

1 MS. HOLDMEIER: Yeah, so I wish
2 I could answer more, but --

3 COMMISSIONER GRUTSCH: I think
4 just sometime in the future, we ought to visit that.

5 MS. HOLDMEIER: Yeah, I wish I
6 could answer more, but that -- she's the only one that
7 handles that.

8 COMMISSIONER KLENKE: Jim, you
9 drive through any old development like that. It all
10 falls back to the homeowner. It always has.

11 COMMISSIONER GRUTSCH: Yeah.

12 COMMISSIONER KLENKE: It even
13 covers your farms. We're facing that right now.

14 COMMISSIONER GRUTSCH: You go
15 into St. Louis County of St. Charles County where they
16 do have escrow accounts, and the money is there to
17 finish the project, and we do not do that here.

18 COMMISSIONER KLENKE: It's a
19 good point, but I mean, it's been going on.

20 COMMISSIONER McLAREN: But it's
21 really not fair to the homeowners that think they've
22 bought a finished product, and then it's coming back
23 on them to do that. And as Jim says, you know, other
24 counties or communities and cities require that escrow
25 account.

1 I don't -- I agree with Jim. I don't
2 know that it comes into play on this specific one, but
3 I think, you know, as Planning and Zoning Commissioner
4 Forum, that's really something that ought to be
5 discussed.

6 CHAIRMAN EVANS: Yeah, I agree.
7 I mean, we're in a position to where all we could do
8 is apply the existing regulations, what those require.
9 But it's also our responsibility that if we see
10 something, to make a recommendation to the Commission
11 that the regulations be changed. And that's obviously
12 an issue that we ought to address.

13 Any other discussion?

14 (NONE)

15 If not, the Chair would entertain a
16 motion. This does not have to be moved to Unfinished
17 Business. It just has to be motioned to approve.

18 COMMISSIONER McLAREN: Mr.
19 Chairman, I'll make a motion to approve the plat as
20 presented.

21 COMMISSIONER WILLETTE: I'll
22 second that.

23 CHAIRMAN EVANS: We have a
24 motion and a second to approve Preliminary Plat, File
25 220031. All in favor signify by saying aye.

1 COMMISSIONER McLAREN: Aye.
2 COMMISSIONER WILLETTE: Aye.
3 COMMISSIONER GRUTSCH: Aye.
4 CHAIRMAN EVANS: Aye.
5 COMMISSIONER KLENKE: Aye.
6 COMMISSIONER HAIRE: Aye.
7 COMMISSIONER MITTLER: Aye.
8 COMMISSIONER HARTMANN: Aye.
9 CHAIRMAN EVANS: Opposed?
10 (NONE)

11 The motion is carried.

12 Planning and Zoning Commission Forum. Do
13 the Commissioners wish to discuss anything?

14 COMMISSIONER McLAREN: Well,
15 I'd like to add on to the discussion that we just
16 started.

17 You know, as Franklin County grows, it is
18 a terrible thing that a homeowners association is who
19 has to pay to complete the development, and that
20 shouldn't -- that's not just the streets and the
21 roads. That should be grading, that should be storm
22 sewers. You know the quality of what needs to be done,
23 we're going to have some -- we're going to have some
24 development we don't want if there's -- everybody
25 around us has escrow accounts, all the municipalities,

1 all the counties. I think we're deceiving ourself
2 that we should suggest that whoever that should be the
3 -- the escrow accounts to complete a project
4 correctly.

5 CHAIRMAN EVANS: Well, I think
6 once Scottie gets back, it's something that we ought
7 to bring up because, again, it's not just something
8 we're talking about. It's our responsibility really
9 to change the regulations or recommend changes.

10 Anything else Commissioners wish to
11 discuss?

12 (NONE)

13 Planning Director's Report. Curtis, do
14 you have anything?

15 MR. ELLISON: Not that I'm
16 aware of.

17 Crystal, anything?

18 MS. HOLDMEIER: Next month so
19 far we have a CUP and a preliminary plat. That's -- I
20 don't know. I've been out of town, so that's all I
21 saw on my desk.

22 CHAIRMAN EVANS: Okay. So we
23 do have a meeting then?

24 MS. HOLDMEIER: Yes.

25 CHAIRMAN EVANS: Anything else?

1 (NONE)

2 If not, the Chair would entertain a

3 motion to adjourn.

4 COMMISSIONER McLAREN: So

5 moved.

6 COMMISSIONER KLENKE: Second.

7 CHAIRMAN EVANS: A motion and a

8 second to adjourn. All in favor signify by saying

9 aye.

10 COMMISSIONER McLAREN: Aye.

11 COMMISSIONER WILLETTE: Aye.

12 COMMISSIONER GRUTSCH: Aye.

13 CHAIRMAN EVANS: Aye.

14 COMMISSIONER KLENKE: Aye.

15 COMMISSIONER HAIRE: Aye.

16 COMMISSIONER MITTLER: Aye.

17 COMMISSIONER HARTMANN: Aye.

18 CHAIRMAN EVANS: Opposed?

19 (NONE)

20 We are adjourned.

21 (THEREUPON, THE PROCEEDINGS

22 CONCLUDED AT 7:31 P.M.)

23 o8o

24

25

1 CERTIFICATE OF REPORTER

2 STATE OF MISSOURI)
3) SS
4 COUNTY OF FRANKLIN)

5 I, PATSY A. MAYBERRY, Professional Court
6 Reporter and Notary Public within and for the State of
7 Missouri, before whom the foregoing proceeding was
8 taken telephonically, do hereby swear that: the
9 aforementioned was held at the time and in the place
10 previously described; the witness whose testimony
11 appears in the foregoing transcript was duly sworn by
12 me; the proceedings were taken down in stenographic
13 notes by me and transcribed by me, or under my
14 supervision, to the best of my ability; that I am
15 neither counsel for, related to, nor employed by any
16 of the parties to the action in which this testimony
17 was taken; further that I am not a relative or
18 employee of any attorney or counsel employed by the
19 parties thereto, nor financially or otherwise
20 interested in the outcome of the action; and that the
21 aforementioned represents a true and accurate
22 transcript of said proceedings.

23 IN WITNESS WHEREOF I have hereunto set
24 my hand.

25 Patsy A. Mayberry
Patsy A. Mayberry, Court Reporter
Notary Public, State of Missouri



MEETING 3/15/2022

<p align="center">A</p> <p>ability 6:15 29:13</p> <p>accept 10:3</p> <p>accomplish 14:5</p> <p>account 24:25</p> <p>accounts 24:16 26:25 27:3</p> <p>accurate 29:20</p> <p>acre 12:14</p> <p>acreage 15:2</p> <p>acres 11:9 12:10 12:12 14:1,22 15:6,7,12</p> <p>action 29:15,19</p> <p>activity 19:25</p> <p>add 26:15</p> <p>ADDITIONAL 13:3</p> <p>additions 9:10 9:17</p> <p>address 7:3 8:15,23 9:15 10:17 13:13 17:25 18:21 25:12</p> <p>addressed 19:14,15</p> <p>addressing 22:20</p> <p>adequate 13:10 15:17</p> <p>adjourn 28:3,8</p> <p>adjourned 28:20</p> <p>ADJOURNME... 2:19</p> <p>administered 22:25</p> <p>ADMINISTRA... 4:13</p> <p>admit 6:23</p> <p>aerials 14:10</p> <p>aforemention... 29:8,20</p> <p>ago 21:13</p>	<p>agree 25:1,6</p> <p>ahead 5:4 23:18</p> <p>Alaris 1:25 4:16</p> <p>allow 14:22</p> <p>allowed 8:19</p> <p>allows 14:20</p> <p>answer 16:16 17:21 18:5,18 24:2,6</p> <p>answered 18:20</p> <p>appears 13:7 29:10</p> <p>applicant 2:14 8:18,22 11:2 12:1,9,11,23 13:12</p> <p>apply 25:8</p> <p>approval 2:6 13:6</p> <p>approvals 15:21</p> <p>approve 9:21 9:23 22:23 25:17,19,24</p> <p>approved 10:3 10:15</p> <p>approximately 11:9,16 12:10,11</p> <p>area 11:9 14:3,7 14:7,11</p> <p>Article 12:24</p> <p>asking 19:20</p> <p>asphalt 17:12,13 17:15 18:8,14</p> <p>association 18:9 18:24 20:12 21:15,18 26:18</p> <p>ASST 4:13</p> <p>assurance 18:22</p> <p>attached 3:12</p> <p>attorney 4:15 7:4 29:17</p> <p>audience 8:9,17</p> <p>authority 23:7</p> <p>average 11:15</p> <p>aware 27:16</p> <p>aye 10:4,5,6,7,8</p>	<p>10:9,10,11,12 25:25 26:1,2 26:3,4,5,6,7,8 28:9,10,11,12 28:13,14,15,16 28:17</p> <hr/> <p align="center">B</p> <p>B 3:1,6 7:15,22</p> <p>back 14:2 15:14 17:10 21:12 24:10,22 27:6</p> <p>balance 17:3,5</p> <p>bank 18:11 21:8 21:11</p> <p>based 20:25</p> <p>basically 14:13 14:16,20,23</p> <p>bearable 19:18 19:20</p> <p>best 29:13</p> <p>better 18:16 20:9</p> <p>big 18:7</p> <p>bill 4:5 5:8,21 16:11 20:19</p> <p>Boles 11:6 12:25 15:20</p> <p>bought 23:14 24:22</p> <p>bring 27:7</p> <p>brought 8:24</p> <p>building 18:11 22:24</p> <p>built 17:10</p> <p>Business 2:8,9 10:20,21 25:17</p> <p>buying 19:23</p> <hr/> <p align="center">C</p> <p>C 3:7 4:1 5:1 7:16,22 10:24</p> <p>C.R 1:24 4:17</p> <p>Calculations 13:8</p> <p>call 2:3,3 5:4</p> <p>called 9:12</p>	<p>Cameron 13:17 13:18 16:6,24</p> <p>car 16:21</p> <p>care 19:9 23:9</p> <p>carried 26:11</p> <p>case 3:8 7:16,17 8:5 9:1,2 14:15</p> <p>cases 3:8 7:17</p> <p>CENTER 1:2</p> <p>central 11:12</p> <p>certificate 2:20 12:21 29:1</p> <p>Chair 9:20 25:15 28:2</p> <p>Chairman 4:3 5:3,10 6:10 7:1 7:8,25 9:6,23 10:2,8,13 13:11 16:4,17,20 17:24 20:22 22:9,18 25:6 25:19,23 26:4 26:9 27:5,22 27:25 28:7,13 28:18</p> <p>CHAMBERS 1:3</p> <p>change 27:9</p> <p>changed 25:11</p> <p>changes 9:21 9:24 10:4 27:9</p> <p>charged 23:14</p> <p>Charles 24:15</p> <p>cities 24:24</p> <p>closeout 23:11</p> <p>come 8:15 17:21</p> <p>comes 25:2</p> <p>coming 24:22</p> <p>COMMENCING 1:14</p> <p>comment 8:10 23:6,18</p> <p>comments 2:7 7:11 8:17,23 9:1 10:16 13:3</p> <p>Commission 1:3 1:11 2:17 3:12</p>	<p>4:2 5:6 8:16 8:16 9:4,16 10:17 25:10 26:12</p> <p>Commission's 9:5</p> <p>Commissioner 4:5,6,7,8,9,10 5:12,14,16,18 5:20,22,24 6:1,4,8 8:2 9:15,22,25 10:5,6,7,9,10 10:11,12 16:24 17:8,23 18:19 19:4,7,19 20:1 20:10,20,24 21:4,9,14,20 21:24 22:3,7 23:5,24 24:3 24:8,11,12,14 24:18,20 25:3 25:18,21 26:1 26:2,3,5,6,7,8 26:14 28:4,6 28:10,11,12,14 28:15,16,17</p> <p>Commissioners 2:4 6:13 7:9 9:8 16:5 26:13 27:10</p> <p>Commissione... 8:7</p> <p>common 12:11</p> <p>communication 6:14</p> <p>Communicati... 2:7 10:16</p> <p>communities 24:24</p> <p>company 13:9</p> <p>complete 13:3 26:19 27:3</p> <p>completed 14:2</p> <p>comprised 14:11</p> <p>concerning 9:1</p> <p>conclude 9:2</p>
--	--	---	---	---

MEETING 3/15/2022

<p>CONCLUDED 28:22 conclusion 8:25 concrete 19:2 condition 17:15 conflict 6:14 consider 6:16 23:9 construction 15:15 16:9 continue 7:3 contracted 13:9 contracts 20:6 controls 12:15 copy 9:9 Correct 19:3,6 20:14 corrections 9:10 9:18 correctly 27:4 cost 18:24 19:18 20:8,11 costs 18:16 counsel 4:14 29:14,17 counties 24:24 27:1 County 1:1,2 3:3 3:4 4:15 5:5 7:4,14 9:4,5 12:4 13:5 21:5 23:7 24:15,15 26:17 29:3 couple 18:7 Court 29:4,24 cover 20:17 covering 20:18 covers 21:18 24:13 create 11:2 criteria 15:21 22:21 cross-section 19:2 Crystal 4:13 23:19 27:17</p>	<p>cul 15:22 16:13 CUP 27:19 currently 16:14 18:11 Curtis 4:12 5:7 6:18 10:25 13:25 14:19 15:5 22:15 23:22 27:13</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D 2:1 3:8 5:1 7:17,22 dam 16:13 Dan 4:4 5:13 date 9:4 Dave 5:19 de 15:22 16:13 Debbie 4:6 6:6 debt 18:11 deceiving 27:1 December 21:3 21:8 decision 9:3 Decker 11:6 declarations 2:4 6:18 declare 6:13 dedication 12:10 Dennis 4:10 5:15 density 11:13 14:25 15:4,9 15:23 Department 4:12 8:7 23:1 described 29:9 DESCRIPTION 3:2 desk 27:21 details 6:25 10:25 detention 13:8 deteriorated 17:16 developed 14:8</p>	<p>18:20 19:11,13 developer 17:4 17:5,18 19:8 20:13,15,18 21:1 23:15 developing 23:9 development 2:11 10:24 11:16,19,20 12:8,15,19,20 12:22,25 13:7 13:10,20,25 14:4,5,20,24 16:3 18:4 21:12 24:9 26:19,24 different 20:6 Director's 2:18 27:13 dirt 16:9,22 disclosure 6:23 discuss 26:13 27:11 discussed 25:5 discussion 2:15 9:1 23:2 25:13 26:15 district 11:11,14 11:23,25 13:1 14:25 15:18,19 disturb 12:14 disturbance 12:13 DNR 12:13 doing 8:13 14:12 dollar 23:14 Dorsey 13:21 dose 18:18 doubt 22:25 downfall 23:21 drawings/imp... 13:4 drive 11:5 14:9 24:9 driving 16:21 drove 17:1 duly 29:10</p>	<p>dwelling 11:14 15:3 dwellings 15:2</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>E 2:1 3:1 4:1,1 5:1 5:1 easement 12:2 12:2,3 EAST 1:4 egregious 22:24 either 20:23 elevation 12:21 ELEVENTH 4:18 ELLISON 2:5,13 4:12 5:8,11,13 5:15,17,19,21 5:23,25 6:3,6 6:9,21 7:12 8:4 11:1 22:17 27:15 employed 29:14,17 employee 29:17 engineered 13:4 Engineering 10:23 13:19 ensure 13:9 entertain 9:20 25:15 28:2 entrance 11:22 erosion 12:15 escrow 21:6 23:9,22 24:16 24:24 26:25 27:3 Evans 4:3 5:3,9 5:10 6:10 7:1,8 7:25 9:6 10:2 10:8,13 13:11 16:4,17,20 17:24 20:22 22:9,18 25:6 25:23 26:4,9 27:5,22,25</p>	<p>28:7,13,18 evening 13:18 everybody 26:24 EVIDENCE 7:19 exceeds 12:12 Exhibit 3:4,6,7,8 7:15,15,16,17 exhibits 3:11 6:20 7:22 existing 17:15 19:8,21 25:8 exists 16:14 expect 23:17 extension 11:21</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>facing 24:13 facts 11:7 fair 24:21 faith 23:15 falls 24:10 far 7:23 15:23 22:20 27:19 farms 24:13 favor 10:4 25:25 28:8 February 2:6 9:9,13 fee 23:14 fees 21:18 feet 11:12,14,16 11:17,18 14:21 15:1,3 file 2:11 3:8 7:17 10:22 25:24 final 13:5 22:25 financially 29:18 find 22:24 finish 24:17 finished 17:19 19:10 23:16 24:22 fire 12:23,25 first 8:6,11 16:7 17:12 fix 23:14</p>
---	--	---	---	--

MEETING 3/15/2022

floodplain 12:19 12:19,20 FLOOR 1:3 followed 8:7,19 following 17:13 foreclosed 21:12 foregoing 29:6 29:10 forgive 18:11 fortunate 7:9 Forum 2:17 25:4 26:12 forward 23:8 foundations 20:4,5 Franklin 1:1,2 3:4 5:5 7:14 12:4 13:5 23:7 26:17 29:3 front 8:15 21:23 further 29:16 future 24:4	26:23,23 good 13:17 23:15 24:19 GOVERNMENT 1:2 graded 15:13 grading 14:1,2 15:15 26:21 ground 12:11 grows 26:17 Grutsch 4:7 5:11 5:12 8:2 9:22 10:7 16:24 17:8,23 18:19 19:4,7,19 20:1 20:10,20 23:5 23:24 24:3,11 24:14 26:3 28:12 guess 16:6,8 18:21 21:25	hill 16:12 history 13:23 HOLDMEIER 4:13 23:20 24:1,5 27:18 27:24 hole 18:10 homeowner 24:10 homeowners 18:9,16,24 19:21,23 20:8 20:12 21:15,17 23:11 24:21 26:18 homes 11:20 hoping 19:14	21:6 Klenke 4:8 5:17 5:18 9:25 10:9 24:8,12,18 26:5 28:6,14 know 18:21 24:23 25:2,3 26:17,22 27:20	14:23,23 15:13 15:24 17:2,5 18:15 19:10,13 19:17 20:3,6 20:16 21:21 22:1 Louis 4:19 24:15 love 6:22 Lueken 13:17,18 16:10,19,23 17:6,20
<hr/> G <hr/>	<hr/> H <hr/>	<hr/> I <hr/>	<hr/> L <hr/>	<hr/> M <hr/>
G 5:1 general 8:23 23:6,18 generally 8:18 9:3 gentleman 20:23 getting 20:8 give 6:12,19 10:25 18:22 23:6 given 17:11 go 5:4 8:2,4 16:7,11,11,12,21 20:5,12 23:18 24:14 going 14:11 15:14 16:6 17:4,17 18:23 19:8,9 19:15,20,25 20:4 22:18 23:8,15 24:19	H 3:1 Haire 4:4 5:13 5:14 10:10 26:6 28:15 half 11:5 22:4,6 hand 29:23 handles 23:21 24:7 happen 18:23 happened 20:7 Hartmann 4:10 5:15,16 10:12 26:8 28:17 head 21:23 heard 3:8 7:18 8:19 hearing 2:5 7:2 7:18 8:10,24 9:2 held 29:8 hereto 3:12 hereunto 29:22 Highway 11:5 11:22	IDENTIFICATI... 3:2 7:20 impartially 6:16 include 11:7 includes 11:8 influence 6:15 inn 14:12 intentions 20:18 interested 29:19 introduce 7:5 INTRODUCTI... 2:12 issue 22:20 23:8 25:12 issues 6:16 8:24 It'll 19:22	Lakeway 11:4 14:8 land 3:4 7:14 12:13,14 15:10 15:24 Laramore 5:19 5:20 lately 19:24 layer 17:12,12,14 18:14 left 16:13 20:16 LEGAL 4:14 lift 16:15 limits 15:10 line 8:3 9:12,14 Litigation 1:25 4:16 located 11:4,6 12:18,25 LOCUST 1:4 look 14:10,11,16 16:11 looking 15:24 23:13 lot 11:11,15,17 14:21 15:9,15 19:25 lots 14:5,12,22	maintain 19:16 21:18 map 3:6 6:23 7:15 14:6 March 1:13 5:2,4 Marcink 18:3,4 19:3,6,12,22 20:3,14 21:2,7 21:11,17,22 22:1,5 Maritz 10:23 13:20 18:4 Mark 4:15 7:1 MARKED 7:20 mass 14:2 15:15 Master 3:7 6:24 7:16 math 15:2 maximum 11:13 Mayberry 1:24 4:17 29:4,24 McLAREN 4:5 5:21,22 10:5 20:24 21:4,9 21:14,20,24 22:3,7 24:20 25:18 26:1,14 28:4,10 mean 16:17 24:19 25:7 meet 13:1 meeting 1:12 5:5 6:19 7:7 9:5,12 27:23
<hr/> K <hr/>		<hr/> J <hr/>		
		Jim 4:7 5:11 24:8,23 25:1 Jim's 20:25 JR 4:3		

MEETING 3/15/2022

<p>meets 22:21 MEMBERS 4:2 mentioned 14:19 15:5 met 15:20,20 Mike 4:8 5:17 13:20 17:20 18:3,4 mile 11:5 million 23:13 minimum 11:11 minutes 2:6 7:6 8:1 9:9,24 10:3,15 Missouri 1:5 4:19 29:2,6 29:25 Mittler 4:9 5:23 5:24 10:11 26:7 28:16 money 24:16 month 27:18 motion 9:21,23 10:2 25:16,19 25:24 26:11 28:3,7 motioned 25:17 move 10:19 moved 25:16 28:5 municipalities 26:25</p> <hr/> <p style="text-align: center;">N</p> <p>N 2:1 4:1 5:1 name 8:11 13:13 13:18 17:25 18:3 nearly 15:7 need 7:5 13:8 14:15 20:5 needs 26:22 neither 29:14 never 17:14 new 2:9 10:21 19:5,22 non-existent</p>	<p>17:17 NORTH 4:18 northeast 11:5 northern 13:25 Notary 29:5,25 noted 9:24 notes 29:12 Number 11:24 15:18</p> <hr/> <p style="text-align: center;">O</p> <p>O 5:1 o8o 28:23 obviously 25:11 occupied 17:7 occur 15:15 OFF-THE-RE... 7:11 offer 12:9 official 3:6,7 6:22 7:16 Okay 6:9 7:12 16:19 17:22,23 20:10,20 27:22 old 24:9 once 14:14 20:7 27:6 one-eighth 15:4 one-quarter 14:24 open 12:10 15:5 15:6,8,9 opened 8:5 opportunity 6:13 opposed 8:20 10:13 26:9 28:18 order 2:3 5:4 9:12 original 21:1 originally 17:10 ought 24:4 25:4,12 27:6 ourselves 27:1 outcome 29:19</p>	<p>Outside 6:24 owner 13:20,22 14:12 16:3 17:7 owns 17:6</p> <hr/> <p style="text-align: center;">P</p> <p>P 4:1,1 5:1 P.M 1:14 28:22 package 7:10 page 2:2 3:2 8:3 9:11,14 parcels 11:8 part 13:25 14:8 20:17 parties 29:15,18 Patsy 1:24 4:17 29:4,24 paved 16:7 17:11 pay 18:16 20:15 26:19 percent 12:9 15:24 20:19 21:21 Percentage 22:4 permit 12:13,20 personally 9:11 phase 14:17,17 14:18 phases 14:13,15 14:16 15:16 PIONTEK 4:15 7:4 place 7:13 29:8 placed 12:16 plan 3:7 6:24 7:16 17:18 18:13,21 19:1 planned 14:13 14:14 Planning 1:1,11 2:17,18 4:2,11 4:12 5:5 6:12 8:6 23:1,7 25:3 26:12 27:13 plans 13:4 15:14</p>	<p>plat 16:7,8,25 17:3,9,16,18 18:25 19:1,10 22:13,16,22 22:24,25 23:12 25:19 25:24 27:19 plats 2:10 10:22 22:19 play 25:2 please 5:7 6:19 13:13,14 17:25 point 20:25 24:19 portion 12:18 position 25:7 potential 14:24 preliminary 2:10 10:22 22:13,16 22:23 25:24 27:19 present 6:2,5 9:14 10:17 13:12 presentation 2:13,14 6:19 17:10 presented 25:20 pretty 7:23 15:25 22:13 previously 15:13 29:9 print 8:11 probably 23:13 procedures 2:5 6:20 proceeding 29:6 proceedings 2:2 28:21 29:11,21 product 23:16 24:22 Professional 29:4 project 24:17</p>	<p>27:3 project's 23:11 property 11:4,10 12:18 proposed 11:15 11:19 13:10 14:23 protection 12:23,25 provide 12:23 provided 8:11 11:23 15:6,8,17 providing 13:7 public 7:2 8:23 9:2 15:17 29:5 29:25 pulled 7:6 purchased 18:6 21:3,7 purpose 14:4 put 17:13,14 23:16</p> <hr/> <p style="text-align: center;">Q</p> <p>quality 26:22 quarter 23:13 question 16:16 17:22 18:5,18 18:20 questions 8:7 8:24,25 13:21 16:2,4 20:23 20:25 22:10 23:4 quite 17:2 quorum 6:11</p> <hr/> <p style="text-align: center;">R</p> <p>R 4:1 5:1 range 11:17 re-do 16:1 read 8:6 ready 23:11 really 18:8 23:17 24:21 25:4 27:8 rear 12:3</p>
---	---	--	--	---

MEETING 3/15/2022

receive 7:9	19:21 25:9	Services 1:25	started 13:24	talking 14:7
received 9:9	27:8	4:16	26:16	27:8
22:15	resurface 19:9	set 29:22	state 13:13 17:24	telephonically
recommend	retained 3:11	sewer 11:12,24	29:2,5,25	29:7
27:9	reviewed 9:8	11:25 15:19	station 16:16	ten 21:13
recommenda...	13:4,9	sewered 15:18	stenographic	terrible 26:18
25:10	rezoning 8:18	sewers 26:22	29:11	testimony 29:9
record 6:24 7:5	8:20,21	sheet 8:11	storm 26:21	29:15
7:14,21	right 5:8 9:6 11:1	show 19:1	stormwater 13:8	Thank 9:7 13:11
regarding 15:21	16:9,10,12,23	shows 12:1,11	STREET 1:4 4:18	20:21 22:8
regular 9:5	17:9 21:5,10,15	side 12:4	streets 26:20	thereto 29:18
regulations 3:5	21:21 22:8	sign 13:13 17:25	stuff 21:6	thing 26:18
7:15 12:5,12	23:12 24:13	sign-in 8:11	subdivision 11:3	things 23:9
13:2 15:11	right-of-way	signify 10:4	11:8,21 13:23	think 7:2,5 9:11
22:14,22 25:8	12:6	25:25 28:8	13:24 17:1,3	13:24 24:3,21
25:11 27:9	road 11:6 12:2	simple 15:25	19:24	25:3 27:1,5
Reinhold 5:25	15:21 16:9,15	single-family	submitted 7:21	thinking 7:6
6:1	16:22 19:5,8	11:20 14:5	9:24 13:5	three 11:8 14:13
related 29:14	21:18,19 23:14	15:13	sudden 23:10	14:14,16,18
relationship	roads 12:6 17:1	size 11:11,15 12:8	suggest 27:2	15:7
6:14	17:11,15 18:5,6	12:22 15:9	suggested	tighter 14:11
relative 29:16	19:15 22:19	sizes 11:17	16:21	Tim 5:25
rely 18:23	26:21	sold 17:19 18:15	summary 15:12	time 5:3 6:12
remember 6:25	rock 16:15	19:11,13 20:16	supervision	7:13 9:5 17:7
repair 19:9,16	roll 2:3 5:7	21:21 22:2	29:13	23:6 29:8
repaired 18:6	room 8:15	soon 17:17 19:10	Supply 15:18	times 15:7
report 2:18 8:5	Rough 21:24	space 12:10	support 8:19	today's 6:16
27:13		15:6,6,8,10	supposed 12:9	tonight 7:2
Reported 1:23	S	speak 8:10,14	surface 12:7	13:19,21 16:3
Reporter 2:20	S 3:1 4:1 5:1	8:22	surfaced 17:17	22:21
29:1,5,24	sac 16:13	specific 22:13	surprise 23:16	top 21:23
representing	sacs 15:22	25:2	Survey 13:19	total 11:9 15:24
13:20	saw 27:21	specifically	Surveying	town 27:20
represents	saying 10:4	23:8	10:23	Township 11:6
29:20	25:25 28:8	split 18:15,24	swear 29:7	transcribed
requests 11:2	says 9:12,14	20:8	sworn 8:12	29:12
require 12:20	24:23	spots 18:7	13:16 18:2	transcript 29:10
21:5 24:24	Scottie 23:21	square 11:12,14	29:10	29:21
25:8	27:6	11:16,17,18		treated 11:24
required 12:14	second 1:3 10:1	14:21 15:1,3	T	true 29:20
13:1 15:6 21:16	10:3 17:12,14	squeak 19:16	T 3:1 11:3,5,10,11	turn 8:14
22:16	18:14 25:22	SS 29:2	11:13,22 14:19	two 9:11,21 10:3
requirements	25:24 28:6,8	St 4:19 24:15,15	14:20,20	14:17 18:13
22:12	Section 12:24	staff 4:11 8:5,8	take 5:7 19:9	19:15 20:6,6
reserves 18:12	see 14:6 16:12	13:3	23:9	20:17 23:10
resist 20:25	16:15 23:1	Stanley 6:3	taken 29:7,11,16	two-thirds 22:4
responsibility	25:9	start 20:7	talk 17:21	type 11:19

MEETING 3/15/2022

U	went 16:18 WHEREOF 29:22 wide 12:7 width 15:22 wife's 16:21 Willette 4:6 6:7 6:8 10:6 25:21 26:2 28:11 WILLIAM 4:3 wish 24:1,5 26:13 27:10 wishing 9:15 10:17 witness 13:15 18:1 29:9,22 works 15:1 Wunderlich 10:23 13:19 WUNDERLIC... 2:11	1	4
underground 12:17 understand 22:19 understanding 20:11 undeveloped 17:2 Unfinished 2:8 10:19 25:16 Unified 3:4 7:14 UNION 1:5 unit 11:14 use 3:4 7:14 15:10 utilities 12:16 utility 12:1,2,3		114:25 17:3,9,16 18:25 23:12 10 2:7,8,9,12 12:9,12 10-foot 12:2 10,000 11:11 14:21 10.8 15:7 100 20:19 11 2:13 12,980 11:17 13 2:14 15 1:13 2:6 5:2 15-foot 12:1 15th 5:4 9:9,13 163 14:22 16th 9:13 175 12:24	4 9:12 16:25 17:18 19:1,10 22:22 40,000 15:3 400 1:4 41 14:5,12,23 15:2,12 41-lot 11:2
V	X	2	5
versed 23:22 VICE-CHAIR... 4:4 visit 24:4 Visitor's 10:16 VISITORS 2:7 Voss 6:3,4 VOTE 2:16	X 2:1 3:1	2 17:3,9,16 18:25 23:12 2005 13:24 14:2 15:14 2022 1:13 2:6 5:2 22 2:15 220031 2:11 10:22 25:25 25 2:16 15:24 25,500 11:16 26 2:17 27 2:18 28 2:19 29 2:20	5 2:3 9:12 5-foot 12:3 5,000 11:14 15:1 50-foot 12:6
W	Y	3	6
wait 17:18 waiting 18:14 want 26:24 Washington 21:8,12 water 11:12,23 11:23 15:17,18 way 18:22 we'll 10:19 14:12 20:17 we're 8:13 14:7 15:4,7,24 19:14,15 24:13 25:7 26:23,23 27:1,8 we've 14:21 15:2 week 20:7	Yeah 16:10,17 24:1,5,11 25:6 year 17:13 18:13 19:14 20:16 years 21:13 23:10	2 17:3,9,16 18:25 23:12 2005 13:24 14:2 15:14 2022 1:13 2:6 5:2 22 2:15 220031 2:11 10:22 25:25 25 2:16 15:24 25,500 11:16 26 2:17 27 2:18 28 2:19 29 2:20	6 2:4 8:3 9:14 63084 1:5 63101 4:19 644-2191 4:20 67,675 11:18
	Z		7
	Zone 14:20 zoned 14:19 zoning 1:1,11 2:17 3:6 4:2,11 5:5 6:13,23 7:15 8:6 11:3 11:10,11,13 14:25 23:1,7 25:3 26:12	3 11:24 15:18 17:3,9,16 18:25 23:13 3.76 12:10 15:6 30-foot 12:7 30,000 18:10 314 4:20 37 14:22 37.5 11:9 14:1	7 2:5 3:4,6,7,8 8:3 7.5 15:12 7:00 1:14 7:31 28:22 711 4:18
	0		8
	05 17:10 06 17:10		8 12:24
			9
			9 2:6 9:14