

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

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TRANSCRIPT OF PROCEEDINGS

10

PUBLIC MEETING

11

MAY 16, 2017

12

(Commencing at 7:00 p.m.)

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23 Reported by:

24 Patsy A. Hertweck, C. R.

25 Midwest Litigation Services

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|----|---|------|
| 1 | I N D E X | |
| 2 | PROCEEDINGS | PAGE |
| 3 | Call to Order and Roll Call | 5 |
| 4 | Hearing Procedures by Ms. Eagan | 6 |
| 5 | Approval of Minutes (From April 18, 2017) | 8 |
| 6 | Communications and Visitor Comments | 9 |
| 7 | | |
| 8 | Old Business: | |
| 9 | | |
| 10 | File No. 170045 - William M. Buell: | |
| 11 | Presentation by Ms. Eagan | 12 |
| 12 | Discussion | 15 |
| 13 | Vote | 24 |
| 14 | | |
| 15 | Preliminary Plats: | |
| 16 | File No. 170075 - Carla Theissen: | |
| 17 | Postponed | 24 |
| 18 | | |
| 19 | Planning and Zoning Commission Forum | 25 |
| 20 | Planning Director's Report | 25 |
| 21 | | |
| 22 | Adjournment | 26 |
| 23 | Certificate of Reporter | 27 |
| 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 | 6 |
| 5 | | Regulations | |
| 6 | EXHIBIT B | Official Zoning Map | 6 |
| 7 | EXHIBIT C | Official Master Plan | 6 |
| 8 | EXHIBIT D | Case Files -- All Cases Heard | 6 |
| 9 | | | |
| 10 | (All exhibits, if any, were retained by the Commission, and | | |
| 11 | will not be attached hereto.) | | |
| 12 | | | |
| 13 | | | |
| 14 | | | |
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A P P E A R A N C E S

BOARD OF PLANNING AND ZONING COMMISSION MEMBERS:

- William Evans, Jr., Chairman
- Jay Schulteheinrich, Co-Chairman
- Stanley Voss, Commissioner
- Ray Cunio, Commissioner
- Ron Williams, Commissioner
- Dan Haire, Commissioner
- Tom Tobben, Commissioner
- Russell McCreary, Commissioner

PLANNING AND ZONING STAFF:

- Ms. Scottie Eagan, Planning Director

LEGAL COUNSEL:

- Mark Vincent, County Attorney

MIDWEST LITIGATION SERVICES:

- By: Patsy A. Hertweck, C. R.
- 711 North Eleventh Street
- St. Louis, Missouri 63101
- (314) 644-2191

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P R O C E E D I N G S

[MAY 16, 2017]

CHAIRMAN EVANS: I'd like to call to call to the Tuesday, May 16th meeting of the Franklin County Planning and Zoning Commission.

Scottie, would you please take roll.

MS. EAGAN: Bill Evans?

CHAIRMAN EVANS: Here.

MS. EAGAN: Jay Schulteheinrich?

COMMISSIONER SCHULTEHENRICH: Here.

MS. EAGAN: Todd Boland?

COMMISSIONER BOLAND: [Not present.]

MS. EAGAN: Tim Reinhold?

COMMISSIONER REINHOLD: [Not present.]

MS. EAGAN: Ray Cunio?

COMMISSIONER CUNIO: Here.

MS. EAGAN: Bill McLaren?

COMMISSIONER McLAREN: [Not present.]

MS. EAGAN: Stan Voss?

COMMISSIONER VOSS: Here.

MS. EAGAN: Dan Haire?

COMMISSIONER HAIRE: Here.

MS. EAGAN: Russell McCreary?

COMMISSIONER McCREARY: Here.

1 MS. EAGAN: And, Ron Williams?

2 COMMISSIONER WILLIAMS: Here.

3 MS. EAGAN: Okay. We have a quorum.

4 CHAIRMAN EVANS: Thank you.

5 At this time, I will give the Planning and
6 Zoning Commissioners the opportunity to declare an conflict,
7 communication, and relationship they may have had that might
8 influence their ability to consider today's issues
9 impartially. [None]

10 If there's no declarations, Scottie, would you
11 please give us the presentation of the meeting procedures
12 and exhibits.

13 MS. EAGAN: Tonight's Planning
14 Commission meeting is governed by the Franklin County
15 Unified Land Use Regulations.

16 Some matters on the agenda may be for action by
17 the Planning and Zoning Commission. These matters do not
18 involve public hearings. Other matters on the agenda
19 require public hearings under Missouri law.

20 If a matter involves a public hearing, all
21 individuals who desire to testify will be given an
22 opportunity to do so.

23 At this time, I would like to place into the
24 record these Regulations as Exhibit A, the official Zoning
25 Map as Exhibit B, the official Master Plan as Exhibit C, and

1 the case file for each case as Exhibit D for all the cases
2 to be heard in the meeting.

3 [Thereupon, evidence was marked
4 for identification and presented for
5 the record as Exhibits A, B, C, and
6 D.]

7 All Old Business items on the agenda will be
8 covered first. Once the Old Business issues have been taken
9 care of, each item of New Business will be opened.

10 As each case is opened, a staff report will
11 first be read by the Planning and Zoning Department,
12 followed by the Commissioners' questions for the staff.

13 Then if anyone in the audience would like to
14 speak or comment on a file that is part of the public
15 hearing, they must first print their name on the sign-in
16 sheet provided, and then be sworn in by the Chairman.

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

20 It is possible for the Planning Commission to
21 decide to move a New Business issue to Old Business, and
22 vote on it the same night.

23 At the conclusion of all questions, comments,
24 and discussion concerning each case, the Planning Commission
25 will proceed. Any final decision by the Planning and Zoning

1 Commission concerning conditional use permits may be
2 appealed to the Board of Zoning Adjustment anytime within 90
3 days.

4 Applications for such an appeal may be acquired
5 from the Department offices during normal business hours.

6 CHAIRMAN EVANS: Thank you.

7 All the Commissioners should have received a
8 copy of the minutes from the April 18th minutes. If there
9 are no corrections or additions, the Chair would entertain a
10 motion to approve.

11 COMMISSIONER McCREARY: I make a
12 motion to approve the minutes from April.

13 COMMISSIONER CUNIO: Second.

14 CHAIRMAN EVANS: We have a motion and
15 a second to approve the April minutes. All in favor signify
16 by saying aye.

17 COMMISSIONER VOSS: Aye.

18 COMMISSIONER CUNIO: Aye.

19 COMMISSIONER WILLIAMS: Aye.

20 CHAIRMAN EVANS: Aye.

21 COMMISSIONER HAIRE: Aye.

22 COMMISSIONER TOBBEN: Aye.

23 COMMISSIONER SCHULTEHENRICH: Aye.

24 COMMISSIONER McCREARY: Aye.

25 CHAIRMAN EVANS: Opposed? [None]

1 The minutes are approved.

2 Communications and Visitors Comments: Is there
3 anyone present who wishes to address the Commission?

4 Will you please step forward. State your name
5 and address and sign in, please.

6 And on communications and comments, we have a
7 limit of three minutes.

8 [Thereupon, the witness was sworn.]

9 MS. WANDA OBERMAR: My name is Wanda
10 Obermar, and I reside at 1515 Mill Hill Road in St. Clare,
11 Missouri. And this has something to do with the Brush Creek
12 debate that's being reviewed tonight.

13 First, I kind of wanted to know why we as on
14 the road were never advised that this property was being
15 rezoned as an RV park. That was a question I have never --
16 I didn't -- I wasn't advised. I never got anything by mail,
17 and I don't know. Maybe that's not the procedure.

18 Having it rezoned to an RV park then, this
19 gentleman, Mr. Buell, has decided he would like to have a
20 eclipse party or eclipse group as an RV, and he -- at this
21 time, we haven't really understood how many people he's
22 planning on having.

23 We've lived on this rather nice quiet road for
24 the last 50 years. And the road is not adequate for very
25 heavy traffic at any time, and passing back and forth on

1 some of the curves is even worse.

2 And it sounded as if the event would be a
3 one-time only event, which I don't have a problem with one
4 time. But I do have a problem with the idea that he may be
5 actually wanting to use this as a full-time event park. And
6 I -- we don't know how many people are going to be using
7 this park.

8 The noise level at this time, we can hear every
9 train that comes from the east, and we can always hear them
10 coming from all over. But the noise level that we hear even
11 from St. Clare at the -- the horse arena, that's pretty --
12 it's pretty loud, and on some nights when the wind is
13 blowing, it's extremely loud. Now, it's not disgusting, but
14 it is there.

15 Now, when a group gets to a place as large as
16 he's expecting and has bands and has loud noise, who's going
17 do check on this? There's a lot of people that live within
18 the distance. So you could kind of become a captive
19 audience.

20 We have witnessed in the last -- just this last
21 two weeks the swollen creeks, and they get really bad. He
22 has a crossing that is a one-car slab, from what I can see.
23 And the road that you have to go over to get to this is
24 totally gravel, and in some places there are drop-offs on
25 either side of the road. Now, passing vehicles with RVs or

1 large campers, this could be a real problem. And the road
2 is very dusty.

3 CHAIRMAN EVANS: Ms. Obermar, I'll
4 have to ask you to complete your --

5 MS. OBERMAR: Okay.

6 CHAIRMAN EVANS: -- your comments.

7 MS. OBERMAR: Wondered if they have
8 handled the sewage problems. It doesn't sound like they
9 have any permanent sewage. Port-A-Potties you can have all
10 you want if you don't a permit. Is there going to be safe
11 running water for the group?

12 CHAIRMAN EVANS: Please, ma'am, I'm
13 going to ask you to finish.

14 MS. OBERMAR: In other words, you
15 want me to quit?

16 CHAIRMAN EVANS: Yes, ma'am.

17 MS. OBERMAR: Thank you.

18 CHAIRMAN EVANS: Now, Scottie, just
19 for the record, as far as the RV park is zoned, right, in
20 that zoning district?

21 MS. EAGAN: Campgrounds and RVs are
22 permitted in that district.

23 CHAIRMAN EVANS: RVs are a permitted
24 use there?

25 MS. EAGAN: Correct.

1 CHAIRMAN EVANS: So it wasn't
2 rezoned?

3 Anyone else wishing to address the Commission?
4 If not, we'll move on to Old Business. File
5 170045, William Buell.

6 Scottie, could you please give us the details.

7 MS. EAGAN: This is File 170045.

8 The applicant is William Buell.

9 The applicant is requesting to host special
10 events, occasional, in the Non-Urban and Agricultural zoning
11 district.

12 The property is located at 665 Brush Creek
13 Road, approximately 350 feet north of Mill Hill Road, in
14 Central Township.

15 The Facts: The total area for the property is
16 approximately 66.3 acres.

17 The zoning of this property is Non-Urban and
18 Agricultural. In this district, "Special Events,
19 Occasional" require a Conditional Use Permit.

20 The applicant wishes to use this property as a
21 campground and RV park, as well as have vendors on the
22 property that would provide food, drinks, arts and crafts,
23 and entertainment, which would require the special events,
24 occasional.

25 The majority of the properties around the

1 proposed site are zoned Non-Urban and Agricultural.

2 The properties to the southwest, in Section 31,
3 are zoned Community Development.

4 This property is surrounded primarily by
5 undeveloped land with some low-density residential land to
6 the south.

7 This property has access to Brush Creek Road,
8 which is a County-maintained road.

9 This property is located within Public Water
10 Supply District No. 3 boundaries.

11 A large portion of the property towards Brush
12 Creek Road is in the floodplain.

13 Staff Comments: Any buildings used or built in
14 connection with this CUP will need to be approved by the
15 Franklin County Building Department for a commercial
16 building.

17 All conditions shall be completed by August 18,
18 2017, unless otherwise stated. Failure to meet all
19 conditions may result in the application expiring.

20 All new and/or existing entrances onto Brush
21 Creek Road will need to be examined by the Franklin County
22 Highway Department for a commercial entrance. Planning and
23 Zoning shall receive a copy of the permit prior to the
24 applicant commencing any activities on the property.

25 Any activity in the floodplain will require a

1 floodplain development permit.

2 Any building in the floodplain may require an
3 elevation certificate as well as a floodplain development
4 permit.

5 No more than 2,000 attendees shall be permitted
6 on the property on any given day.

7 At least two security personnel shall be
8 present at all times -- one at the entrance and one
9 patrolling the property on which the event is held. An
10 additional two security personnel members shall be present
11 during peak activity times.

12 At least 25 staff members shall be present at
13 all hours of the event.

14 Vendors, music, entertainment, and all other
15 event activities shall not take place between the hours of
16 11:00 p.m. and 7:00 a.m.

17 A minimum of 25 toilet units and 6 hand-washing
18 stations shall be provided.

19 The Conditional Use Permit shall only be valid
20 for the event taking place on August 18 through 21, 2017.

21 Review Committee Recommendation: The Review
22 Committee recommended approval of this Conditional Use
23 Permit to operate special events, occasional in the
24 Non-Urban and Agricultural zoning district, with 3 in favor
25 and 0 opposed.

1 As you can see, a lot of these conditions that
2 the Review Committee had from Mr. Buell were amended to be
3 permitted to only have the event good for the eclipse.

4 CHAIRMAN EVANS: Any discussion?

5 COMMISSIONER McCREARY: I would say
6 Mr. Buell came a lot more prepared to the Review Committee
7 than last Monday. He discussed a lot of the questions and
8 went over a lot of the content and planning, things like
9 that, that we felt isn't necessary to make it part of the
10 permit, you know, what if it rains, things like that. He
11 hadn't thought things out.

12 He hadn't different fields of septic for people
13 to use the bathroom, things like that, and with a lot more
14 information was a lot more prepared for the meeting. And I
15 think, we put some good conditions on this, and it's good to
16 go.

17 CHAIRMAN EVANS: Thank you.

18 Any other comments, questions?

19 COMMISSIONER SCHULTEHENRICH: Bill, I
20 have one question. The concern was brought up at the Review
21 Committee that there should be rules and policies, and I
22 thought this one is part of a condition or anything.

23 Was there -- or was there a reason why that was
24 not considered?

25 COMMISSIONER McCREARY: Well, I think

1 one thing was how do we enforce that without County
2 employees, County deputies. He's going to have that, his own
3 security there, his own staff members there. Just like if a
4 camper gets stuck on his road, it's his problem. Depends on
5 the kind of violation, but all this is if it takes place on
6 his property.

7 CHAIRMAN EVANS: Mark, would you
8 comment on that? That pretty much would be the reason for
9 not --

10 COUNTY ATTORNEY VINCENT: It would
11 be, but you're going to have somebody out there all the
12 time. Who's going to pay for it?

13 MS. EAGAN: It doesn't look -- I
14 wasn't at the Review Committee, so I don't know, but it does
15 address some of the things about quiet hours, what time
16 activity has to stop, and all that stuff.

17 But like Mark said, we can't unless illegal
18 drugs are being sold and all that kind of information. So
19 it kind of -- again, I wasn't there that day, but I think
20 they tried to take out of there what we couldn't enforce and
21 not put in what we can't enforce.

22 COUNTY ATTORNEY VINCENT: We can't
23 call the Sheriff's Department.

24 MS. EAGAN: Right. I had --

25 COUNTY ATTORNEY VINCENT: We don't

1 have that authority, the power to enforce, but certainly the
2 authority is the Highway Patrol's. It's all those people
3 do.

4 CHAIRMAN EVANS: Because I think we
5 had that issue before, and they would not go on the property
6 to enforce violations of regulations. It has to be a
7 violation of the law for them to go onto the property.

8 COUNTY ATTORNEY VINCENT: Probably
9 because that would apply with all the due process stuff they
10 normally would have to do.

11 COMMISSIONER SCHULTEHENRICH: The
12 question that comes to my mind is if we don't adopt
13 something like the rules and policies that Mr. Buell
14 indicated, and he would be agreeable, wouldn't -- he would
15 be potentially opening up to where any act could potentially
16 be done there. When we -- you talk about enforcement, and I
17 mean, you have certain things that are there for the purpose
18 of, hopefully, keeping some order, such as the speed limit.
19 Okay. I mean, what's the purpose of a speed limit, because
20 some people drive over the speed limit, 85, 90 miles an
21 hour.

22 COUNTY ATTORNEY VINCENT: Jay, I
23 can't hear a thing you're saying. I never can. Use the
24 mic, please.

25 COMMISSIONER SCHULTEHENRICH: Okay.

1 I guess the question that would be in my mind
2 is, we don't have the rules and policies that Mr. Buell
3 indicated. I mean, basically that would be -- I guess it
4 would be allowed to -- basically to permit whatever in that
5 regards on this event. Okay. And I don't think Mr. Buell
6 is in the position of wanting to do that or anything.
7 That's why he provided us with these rules and policies.

8 I mean, the enforcement of comes -- the
9 question in my mind is to, how far do you go with the
10 enforcement of being of a concern that you raise?

11 I thought in the past it's been talked about
12 that we don't enforce unless there's a complaint or
13 something along violations of whatever condition, rules,
14 what have you. But if you talk about enforcement, you have
15 the speed limit. Yet, people drive 85, 90 miles and hour,
16 but you know -- but chances are there you're going -- you
17 can be caught.

18 I guess the question in my mind I have when we
19 say enforcement, et cetera, is at least by having
20 regulations, at least that the applicant will know that we
21 expect them to be complied with.

22 COUNTY ATTORNEY VINCENT: Who we
23 going to prosecute, the owner or the person who committed
24 the wrong?

25 COMMISSIONER SCHULTEHENRICH: Well,

1 you're the attorney. So you tell me who you would.

2 COUNTY ATTORNEY VINCENT: With the
3 application, if someone is out there doing something wrong,
4 we'd prosecute Mr. Buell for it.

5 COMMISSIONER SCHULTEHENRICH: I don't
6 think you'd --

7 COUNTY ATTORNEY VINCENT: We take it
8 to municipal court. That's what we do.

9 COMMISSIONER SCHULTEHENRICH:
10 Sometimes isn't there the point of it being made that if
11 there's rules and policies, that an individual can also say
12 that with rules it's presumed you're going to be enforcing,
13 you're going to be terminated because they are conditioned
14 upon the permit that you've received from the County?

15 COUNTY ATTORNEY VINCENT: How we
16 going to enforce it? Tell me, please. How we going to do
17 that?

18 COMMISSIONER SCHULTEHENRICH: Let me
19 ask you this question then, Mark. That is, where the
20 Planning Commission does is it stated that consideration
21 should be placed upon us for the form of the conditions?
22 Okay.

23 COUNTY ATTORNEY VINCENT: It's
24 inherent.

25 COMMISSIONER SCHULTEHENRICH: It's

1 inherited?

2 COUNTY ATTORNEY VINCENT: It's
3 inherent in some districts, but they have to be such that we
4 can enforce them, which means regulations and rules. We do
5 for subdivision plats for example. We don't do that.

6 COMMISSIONER SCHULTEHENRICH: No.

7 COUNTY ATTORNEY VINCENT: We don't
8 get involved in fights between neighbors on borders. As far
9 as these regulations are concerned, the same rules. If
10 somebody is violating the campground rules and dumping trash
11 where it doesn't belong, by our power, we have the right to
12 enforce the person who has the conditional use permit, and
13 you're going to prosecute Mr. Buell for it.

14 COMMISSIONER SCHULTEHENRICH: But,
15 Mark, in your way of thinking why would we even place hours
16 of activity on there if there's no format?

17 COUNTY ATTORNEY VINCENT: They'd dump
18 trash or Mr. Buell keeping activity going beyond the hours
19 that you guys allowed, that's what we do. We do that. But
20 we are going -- we can only go after the person who holds
21 the permit. We have -- we have no jurisdiction of with
22 anyone who's one of his customers.

23 COMMISSIONER HAIRE: If this is an RV
24 park which is permitting people to have weapons, we don't
25 set the rules of the RV campground. The RV campground is

1 going to have the rules adopted by management, and those
2 rules are enforced by the campground. We don't. When an RV
3 park permits use and there's not a set of rules that goes
4 along with it, why would there be any difference?

5 COMMISSIONER McCREARY: Certainly
6 brings us to the point the applicant can certainly put
7 violation of rules and policies, terms or conditions, will
8 be cause for immediate eviction from the property.

9 COUNTY ATTORNEY VINCENT: That's
10 mentioned.

11 COMMISSIONER McCREARY: That's in an
12 outline they incorporated that's where people call the
13 police and say this guy's out here doing whatever behavior
14 he's doing, but it's not his right to arrest anybody. It's
15 not our right to enforce these campsite rules.

16 COUNTY ATTORNEY VINCENT: Be careful.
17 If he asks somebody to leave and somebody
18 refuses to, then they are trespassing. You call the
19 Sheriff.

20 COMMISSIONER McCREARY: Right.

21 COUNTY ATTORNEY VINCENT: You don't
22 call Planning Commission.

23 COMMISSIONER McCREARY: I say we, the
24 County.

25 COUNTY ATTORNEY VINCENT: Okay.

1 COMMISSIONER SCHULTEHENRICH: Dan, I
2 think you -- I think I have a better plan for it, Mark.

3 MS. OBERMAR: Can I ask a question?

4 COUNTY ATTORNEY VINCENT: No, ma'am,
5 this is not a hearing tonight.

6 MS. OBERMAR: Okay.

7 CHAIRMAN EVANS: Any other
8 discussion?

9 COMMISSIONER TOBBEN: She noted in
10 the staff comment number 7 specifically the time of peak
11 activity time. That's one thing that just caught my eye.

12 In Mr. Buell's note, he said peak time would be
13 from 10:00 a.m. to midnight. Should we specify that, the
14 peak time? Just a thought.

15 CHAIRMAN EVANS: Where is this at?

16 COMMISSIONER TOBBEN: It's the last
17 paragraph on his letter to Scottie dated April 28, last
18 sentence, the two during the peak day and evening hours of
19 10:00 a.m. to midnight.

20 CHAIRMAN EVANS: Again, Mark, we can
21 include that as a condition in that permit?

22 COUNTY ATTORNEY VINCENT: In that
23 situation you can, yeah.

24 Again, Mr. Buell is who has the permit and what
25 you have to look to. And if he's going beyond the hours,

1 then you can do that. But you're going to prosecute -- I'm
2 talking about prosecution. We would go to the County
3 Municipal Court. That's what we do or subject to being
4 fined there. So that help?

5 CHAIRMAN EVANS: So we include it as
6 a condition?

7 COUNTY ATTORNEY VINCENT: If you want
8 it.

9 COMMISSIONER TOBBEN: You can speak
10 of the time which is described as between 10:00 a.m. and
11 7:00 p.m. or 10:00 a.m. to midnight, just further define
12 peak time.

13 CHAIRMAN EVANS: Any other comments
14 on that?

15 COMMISSIONER HAIRE: Since Mr. Buell
16 defined the peak by his terms, it's a specific period of
17 time we have in here. If it was two hours, but you have a
18 large rate of time that's peak. So that means two
19 additional security people for most of the day.

20 CHAIRMAN EVANS: Any other comments?

21 We could include that as Condition 12 if the
22 Commissioners --

23 MS. EAGAN: I think we just amend
24 Condition 7 to say activity shall be permitted during the
25 time as designated by the applicant to be 10:00 a.m. to

1 midnight.

2 CHAIRMAN EVANS: I would assume by
3 consensus that's agreeable with the Commissioners? [No
4 comments] If not, Chair would entertain a motion.

5 COMMISSIONER SCHULTEHENRICH
6 Mr. Chairman, I'll make a motion that we approve File 170045
7 with the amendment as suggested by Ms. Eagan.

8 COMMISSIONER McCREARY: I'll second
9 that motion.

10 CHAIRMAN EVANS: We have a motion and
11 a second to approve File 170045 with the amendment to
12 Condition 7. All in favor signify by saying aye.

13 COMMISSIONER VOSS: Aye.

14 COMMISSIONER CUNIO: Aye.

15 COMMISSIONER WILLIAMS: Aye.

16 CHAIRMAN EVANS: Aye.

17 COMMISSIONER HAIRE: Aye.

18 COMMISSIONER TOBBEN: Aye.

19 COMMISSIONER SCHULTEHENRICH: Aye.

20 COMMISSIONER McCREARY: Aye.

21 CHAIRMAN EVANS: Opposed? [None]

22 Motion is carried.

23 New Business. We have none.

24 Preliminary Plats. File 170075 has been
25 postponed.

1 Planning and Zoning Commission Forum. Anything
2 the Commissioners wish to discuss? Nothing.

3 Planning Director's Report.

4 MS. EAGAN: Hopefully, we'll have a
5 preliminary plat next month on the agenda. I think there
6 was just some confusion of applicant for this month.

7 And the only other thing that I have in my
8 office we have had just minor, minor staff changes. Nichole
9 is no longer administrative assistant, but I put her as
10 County Planner now. So now when I'm not there, Nichole will
11 be taking over the duties that I do instead of just being an
12 administration. She's been doing it for, gosh, at least
13 seven years. So I thought it was time to give her that
14 responsibility and pay to go with it. So she will do it
15 hopefully a lot longer now.

16 CHAIRMAN EVANS: Good.

17 Congratulations, Nichole.

18 Anything else? If not, the Chair would
19 entertain a motion to adjourn.

20 COMMISSIONER HAIRE: So moved.

21 COMMISSIONER SCHULTEHENRICH: Second.

22 CHAIRMAN EVANS: We have a motion and
23 a second. All in favor signify by saying aye.

24 COMMISSIONER VOSS: Aye.

25 COMMISSIONER CUNIO: Aye.

1 COMMISSIONER WILLIAMS: Aye.
2 CHAIRMAN EVANS: Aye.
3 COMMISSIONER HAIRE: Aye.
4 COMMISSIONER TOBBEN: Aye.
5 COMMISSIONER SCHULTEHENRICH: Aye.
6 COMMISSIONER McCREARY: Aye.
7 CHAIRMAN EVANS: Opposed? [None]

8 Meeting adjourned.

9 [Thereupon, the proceedings
10 concluded at 7:30 p.m.]

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CERTIFICATE OF REPORTER

I, PATSY A. HERTWECK, Professional Court Reporter and Notary Public within and for the State of Missouri, before whom the foregoing proceeding was taken, do hereby swear that the aforementioned was held at the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand.

Patsy A. Hertweck, Court Reporter
Notary Public, State of Missouri

PUBLIC HEARING 5/16/2017

| A | | | C | |
|-------------------------|-------------------------|--------------------------|--------------------------|-------------------------|
| ability 6:8 | and/or 13:20 | 8:23,24 24:12 | C 1:24 3:7 4:1 | 25:16,22 26:2 |
| access 13:7 | anybody 21:14 | 24:13,14,15,16 | 4:16 5:1 6:25 | 26:7 |
| acquired 8:4 | anytime 8:2 | 24:17,18,19,20 | 7:5 | CHAMBERS |
| acres 12:16 | appeal 8:4 | 25:23,24,25 | call 2:3,3 5:3,4 | 1:3 |
| act 17:15 | appealed 8:2 | 26:1,2,3,4,5,6 | 16:23 21:12,18 | chances 18:16 |
| action 6:16 | applicant 12:8,9 | a.m 14:16 22:13 | 21:22 | changes 25:8 |
| activities 13:24 | 12:20 13:24 | 22:19 23:10,11 | camper 16:4 | check 10:17 |
| 14:15 | 18:20 21:6 | 23:25 | campers 11:1 | Clare 9:10 10:11 |
| activity 13:25 | 23:25 25:6 | B | campground | come 7:17 |
| 14:11 16:16 | application | B 3:1,6 6:25 7:5 | 12:21 20:10,25 | comes 10:9 |
| 20:16,18 22:11 | 13:19 19:3 | back 9:25 | 20:25 21:2 | 17:12 18:8 |
| 23:24 | Applications 8:4 | bad 10:21 | Campgrounds | coming 10:10 |
| additional 14:10 | apply 17:9 | bands 10:16 | 11:21 | commencing |
| 23:19 | approval 2:5 | basically 18:3,4 | campsite 21:15 | 1:12 13:24 |
| additions 8:9 | 14:22 | bathroom 15:13 | captive 10:18 | comment 7:14 |
| address 7:18 9:3 | approve 8:10,12 | behavior 21:13 | care 7:9 | 16:8 22:10 |
| 9:5 12:3 16:15 | 8:15 24:6,11 | belong 20:11 | careful 21:16 | comments 2:6 |
| adequate 9:24 | approved 9:1 | better 22:2 | Carla 2:16 | 7:19,23 9:2,6 |
| adjourn 25:19 | 13:14 | beyond 20:18 | carried 24:22 | 11:6 13:13 |
| adjourned 26:8 | approximately | 22:25 | case 3:8 7:1,1,10 | 15:18 23:13,20 |
| Adjournment | 12:13,16 | Bill 5:7,18 15:19 | 7:24 | 24:4 |
| 2:22 | April 2:5 8:8,12 | blowing 10:13 | cases 3:8 7:1 | commercial |
| Adjustment 8:2 | 8:15 22:17 | Board 4:2 8:2 | caught 18:17 | 13:15,22 |
| administration | area 12:15 | Boland 5:11,12 | 22:11 | Commission 1:1 |
| 25:12 | arena 10:11 | borders 20:8 | cause 21:8 | 1:3 2:19 3:10 |
| administrative | arrest 21:14 | boundaries | CENTER 1:2 | 4:2 5:5 6:14,17 |
| 25:9 | arts 12:22 | 13:10 | Central 12:14 | 7:18,19,20,24 |
| adopt 17:12 | asks 21:17 | brings 21:6 | Central 12:14 | 8:1 9:3 12:3 |
| adopted 21:1 | assistant 25:9 | brought 15:20 | certain 17:17 | 19:20 21:22 |
| advised 9:14,16 | assume 24:2 | Brush 9:11 | certainly 17:1 | 25:1 |
| aforementioned | attached 3:11 | 12:12 13:7,11 | 21:5,6 | Commissioner |
| 27:6 | attendees 14:5 | 13:20 | certificate 2:23 | 4:5,6,7,8,9,10 |
| agenda 6:16,18 | attorney 4:14 | Buell 2:9 9:19 | 14:3 27:1 | 5:10,12,14,17 |
| 7:7 25:5 | 16:10,22,25 | 12:5,8 15:2,6 | cetera 18:19 | 5:19,21,23,25 |
| agreeable 17:14 | 17:8,22 18:22 | 17:13 18:2,5 | Chair 8:9 24:4 | 6:2 8:11,13,17 |
| 24:3 | 19:1,2,7,15,23 | 19:4 20:13,18 | 25:18 | 8:18,19,21,22 |
| Agricultural | 20:2,7,17 21:9 | 22:24 23:15 | Chairman 4:3 | 8:23,24 15:5 |
| 12:10,18 13:1 | 21:16,21,25 | Buell's 22:12 | 5:3,8 6:4 7:16 | 15:19,25 17:11 |
| 14:24 | 22:4,22 23:7 | building 13:15 | 8:6,14,20,25 | 17:25 18:25 |
| allowed 18:4 | audience 7:13 | 13:16 14:2 | 11:3,6,12,16 | 19:5,9,18,25 |
| 20:19 | 7:19 10:19 | buildings 13:13 | 11:18,23 12:1 | 20:6,14,23 |
| amend 23:23 | August 13:17 | built 13:13 | 15:4,17 16:7 | 21:5,11,20,23 |
| amended 15:2 | 14:20 | business 2:8 7:7 | 17:4 22:7,15 | 22:1,9,16 23:9 |
| amendment | authority 17:1,2 | 7:8,9,21,21 8:5 | 22:20 23:5,13 | 23:15 24:5,8 |
| 24:7,11 | aye 8:16,17,18 | 12:4 24:23 | 23:20 24:2,6 | 24:13,14,15,17 |
| | 8:19,20,21,22 | | 24:10,16,21 | 24:18,19,20 |

MIDWEST LITIGATION SERVICES

PUBLIC HEARING 5/16/2017

| | | | | |
|---|---|---|--|--|
| 25:20,21,24,25 26:1,3,4,5,6 Commissioners 6:6 7:12 8:7 23:22 24:3 25:2 committed 18:23 Committee 14:21,22 15:2 15:6,21 16:14 communication 6:7 communicatio... 2:6 9:2,6 Community 13:3 complaint 18:12 complete 11:4 completed 13:17 complied 18:21 concern 15:20 18:10 concerned 20:9 concerning 7:24 8:1 concluded 26:10 conclusion 7:23 condition 15:22 18:13 22:21 23:6,21,24 24:12 conditional 8:1 12:19 14:19,22 20:12 conditioned 19:13 conditions 13:17 13:19 15:1,15 19:21 21:7 conflict 6:6 confusion 25:6 Congratulatio... 25:17 connection 13:14 | consensus 24:3 consider 6:8 consideration 19:20 considered 15:24 content 15:8 copy 8:8 13:23 Correct 11:25 corrections 8:9 COUNSEL 4:13 County 1:1,2 3:3 3:4 4:14 5:5 6:14 13:15,21 16:1,2,10,22 16:25 17:8,22 18:22 19:2,7 19:14,15,23 20:2,7,17 21:9 21:16,21,24,25 22:4,22 23:2,7 25:10 County-maint... 13:8 court 19:8 23:3 27:3,13 covered 7:8 Co-Chairman 4:4 crafts 12:22 Creek 9:11 12:12 13:7,12 13:21 creaks 10:21 crossing 10:22 Cunio 4:6 5:16 5:17 8:13,18 24:14 25:25 CUP 13:14 curves 10:1 customers 20:22 <hr/> D D 2:1 3:8 5:1 7:1 7:6 Dan 4:8 5:22 | 22:1 dated 22:17 day 14:6 16:19 22:18 23:19 days 8:3 debate 9:12 decide 7:21 decided 9:19 decision 7:25 declarations 6:10 declare 6:6 define 23:11 defined 23:16 Department 7:11 8:5 13:15 13:22 16:23 Depends 16:4 deputies 16:2 described 23:10 27:7 DESCRIPTI... 3:2 designated 23:25 desire 6:21 details 12:6 development 13:3 14:1,3 difference 21:4 different 15:12 Director 4:12 Director's 2:20 25:3 discuss 25:2 discussed 15:7 discussion 2:12 7:24 15:4 22:8 disgusting 10:13 distance 10:18 district 11:20,22 12:11,18 13:10 14:24 districts 20:3 doing 19:3 21:13 21:14 25:12 | drinks 12:22 drive 17:20 18:15 drop-offs 10:24 drugs 16:18 due 17:9 dump 20:17 dumping 20:10 dusty 11:2 duties 25:11 <hr/> E E 2:1 3:1 4:1,1 5:1,1 Eagan 2:4,11 4:12 5:7,9,11 5:13,16,18,20 5:22,24 6:1,3 6:13 11:21,25 12:7 16:13,24 23:23 24:7 25:4 east 1:4 10:9 eclipse 9:20,20 15:3 either 10:25 elevation 14:3 Eleventh 4:17 employees 16:2 enforce 16:1,20 16:21 17:1,6 18:12 19:16 20:4,12 21:15 enforced 21:2 enforcement 17:16 18:8,10 18:14,19 enforcing 19:12 entertain 8:9 24:4 25:19 entertainment 12:23 14:14 entrance 13:22 14:8 entrances 13:20 et 18:19 | Evans 4:3 5:3,7 5:8 6:4 8:6,14 8:20,25 11:3,6 11:12,16,18,23 12:1 15:4,17 16:7 17:4 22:7 22:15,20 23:5 23:13,20 24:2 24:10,16,21 25:16,22 26:2 26:7 evening 22:18 event 10:2,3,5 14:9,13,15,20 15:3 18:5 events 12:10,18 12:23 14:23 eviction 21:8 evidence 7:3 examined 13:21 example 20:5 Exhibit 3:4,6,7,8 6:24,25,25 7:1 exhibits 3:10 6:12 7:5 existing 13:20 expect 18:21 expecting 10:16 expiring 13:19 extremely 10:13 eye 22:11 <hr/> F Facts 12:15 Failure 13:18 far 11:19 18:9 20:8 favor 8:15 14:24 24:12 25:23 feet 12:13 felt 15:9 fields 15:12 fight 20:8 file 2:9,16 7:1,14 12:4,7 24:6,11 24:24 |
|---|---|---|--|--|

MIDWEST LITIGATION SERVICES

PUBLIC HEARING 5/16/2017

| | | | | |
|---|--|--|---|---|
| <p>Files 3:8 final 7:25 fined 23:4 finish 11:13 first 7:8,11,15 9:13 floodplain 13:12 13:25 14:1,2,3 FLOOR 1:3 followed 7:12 food 12:22 foregoing 27:5 form 19:21 format 20:16 forth 9:25 Forum 2:19 25:1 forward 9:4 Franklin 1:1,2 3:4 5:4 6:14 13:15,21 front 7:18 full-time 10:5 further 23:11</p> <hr/> <p style="text-align: center;">G</p> <p>G 5:1 gentleman 9:19 give 6:5,11 12:6 25:13 given 6:21 14:6 go 10:23 15:16 17:5,7 18:9 20:20 23:2 25:14 goes 21:3 going 10:6,16 11:10,13 16:2 16:11,12 18:16 18:23 19:12,13 19:16,16 20:13 20:18,20 21:1 22:25 23:1 good 15:3,15,15 25:16 gosh 25:12 governed 6:14</p> | <p>GOVERNME... 1:2 gravel 10:24 group 9:20 10:15 11:11 guess 18:1,3,18 guys 20:19 guy's 21:13</p> <hr/> <p style="text-align: center;">H</p> <p>H 3:1 Haire 4:8 5:22 5:23 8:21 20:23 23:15 24:17 25:20 26:3 hand 27:9 handled 11:8 hand-washing 14:17 hear 10:8,9,10 17:23 heard 3:8 7:2 hearing 2:4 6:20 7:15 22:5 hearings 6:18,19 heavy 9:25 held 14:9 27:6 help 23:4 hereto 3:11 hereunto 27:8 Hertweck 1:24 4:16 27:3,13 Highway 13:22 17:2 Hill 9:10 12:13 holds 20:20 hopefully 17:18 25:4,15 horse 10:11 host 12:9 hour 17:21 18:15 hours 8:5 14:13 14:15 16:15 20:15,18 22:18</p> | <p>22:25 23:17</p> <hr/> <p style="text-align: center;">I</p> <p>idea 10:4 identification 3:2 7:4 illegal 16:17 immediate 21:8 impartially 6:9 include 22:21 23:5,21 incorporated 21:12 indicated 17:14 18:3 individual 19:11 individuals 6:21 influence 6:8 information 15:14 16:18 inherent 19:24 20:3 inherited 20:1 involve 6:18 involved 20:8 involves 6:20 issue 7:21 17:5 issues 6:8 7:8 item 7:9 items 7:7</p> <hr/> <p style="text-align: center;">J</p> <p>Jay 4:4 5:9 17:22 Jr 4:3 jurisdiction 20:21</p> <hr/> <p style="text-align: center;">K</p> <p>keeping 17:18 20:18 kind 9:13 10:18 16:5,18,19 know 9:13,17 10:6 15:10 16:14 18:16,20</p> | <p style="text-align: center;">L</p> <p>land 3:4 6:15 13:5,5 large 10:15 11:1 13:11 23:18 law 6:19 17:7 leave 21:17 LEGAL 4:13 letter 22:17 level 10:8,10 limit 9:7 17:18 17:19,20 18:15 Litigation 1:25 4:15 live 10:17 lived 9:23 located 12:12 13:9 LOCUST 1:4 longer 25:9,15 look 16:13 22:25 lot 10:17 15:1,6 15:7,8,13,14 25:15 loud 10:12,13,16 Louis 4:18 low-density 13:5</p> <hr/> <p style="text-align: center;">M</p> <p>M 2:9 mail 9:16 majority 12:25 management 21:1 Map 3:6 6:25 Mark 4:14 16:7 16:17 19:19 20:15 22:2,20 marked 7:3 Master 3:7 6:25 matter 6:20 matters 6:16,17 6:18 ma'am 11:12,16 22:4 McCreary 4:10</p> | <p>5:24,25 8:11 8:24 15:5,25 21:5,11,20,23 24:8,20 26:6 McLaren 5:18 5:19 mean 17:17,19 18:3,8 means 20:4 23:18 meet 13:18 meeting 1:10 5:4 6:11,14 7:2 15:14 26:8 members 4:2 14:10,12 16:3 mentioned 21:10 mic 17:24 midnight 22:13 22:19 23:11 24:1 Midwest 1:25 4:15 miles 17:20 18:15 Mill 9:10 12:13 mind 17:12 18:1 18:9,18 minimum 14:17 minor 25:8,8 minutes 2:5 8:8 8:8,12,15 9:1,7 Missouri 1:5 4:18 6:19 9:11 27:5,14 Monday 15:7 month 25:5,6 motion 8:10,12 8:14 24:4,6,9 24:10,22 25:19 25:22 move 7:21 12:4 moved 25:20 municipal 19:8 23:3</p> |
|---|--|--|---|---|

MIDWEST LITIGATION SERVICES

PUBLIC HEARING 5/16/2017

| | | | | |
|--|--|---|---|--|
| <p>music 14:14</p> <hr/> <p>N</p> <p>N 2:1 4:1 5:1 name 7:15 9:4,9 necessary 15:9 need 13:14,21 neighbors 20:8 never 9:14,15,16 17:23 new 7:9,21 13:20 24:23 nice 9:23 Nichole 25:8,10 25:17 night 7:22 nights 10:12 noise 10:8,10,16 Non-Urban 12:10,17 13:1 14:24 normal 8:5 normally 17:10 north 4:17 12:13 Notary 27:4,14 note 22:12 noted 22:9 number 22:10</p> <hr/> <p>O</p> <p>O 5:1 Obermar 9:9,10 11:3,5,7,14,17 22:3,6 occasional 12:10 12:19,24 14:23 office 25:8 offices 8:5 official 3:6,7 6:24,25 Okay 6:3 11:5 17:19,25 18:5 19:22 21:25 22:6 Old 2:8 7:7,8,21 12:4 Once 7:8</p> | <p>one-car 10:22 one-time 10:3 opened 7:9,10 opening 17:15 operate 14:23 opportunity 6:6 6:22 opposed 8:25 14:25 24:21 26:7 order 2:3 17:18 outline 21:12 owner 18:23 o8o 26:11</p> <hr/> <p>P</p> <p>P 4:1,1 5:1 PAGE 2:2 3:2 paragraph 22:17 park 9:15,18 10:5,7 11:19 12:21 20:24 21:3 part 7:14 15:9 15:22 party 9:20 passing 9:25 10:25 patrolling 14:9 Patrol's 17:2 Patsy 1:24 4:16 27:3,13 pay 16:12 25:14 peak 14:11 22:10,12,14,18 23:12,16,18 people 9:21 10:6 10:17 15:12 17:2,20 18:15 20:24 21:12 23:19 period 23:16 permanent 11:9 permit 11:10 12:19 13:23</p> | <p>14:1,4,19,23 15:10 18:4 19:14 20:12,21 22:21,24 permits 8:1 21:3 permitted 11:22 11:23 14:5 15:3 23:24 permitting 20:24 person 18:23 20:12,20 personnel 14:7 14:10 place 6:23 10:15 14:15,20 16:5 20:15 27:7 placed 19:21 places 10:24 plan 3:7 6:25 22:2 Planner 25:10 planning 1:1 2:19,20 4:2,11 4:12 5:5 6:5,13 6:17 7:11,20 7:24,25 9:22 13:22 15:8 19:20 21:22 25:1,3 plat 25:5 plats 2:15 20:5 24:24 please 5:6 6:11 9:4,5 11:12 12:6 17:24 19:16 point 19:10 21:6 police 21:13 policies 15:21 17:13 18:2,7 19:11 21:7 portion 13:11 Port-A-Potties 11:9 position 18:6</p> | <p>possible 7:20 postponed 2:17 24:25 potentially 17:15,15 power 17:1 20:11 preliminary 2:15 24:24 25:5 prepared 15:6 15:14 present 5:12,15 5:19 9:3 14:8 14:10,12 presentation 2:11 6:11 presented 7:4 presumed 19:12 pretty 10:11,12 16:8 previously 27:7 primarily 13:4 print 7:15 prior 13:23 Probably 17:8 problem 10:3,4 11:1 16:4 problems 11:8 procedure 9:17 procedures 2:4 6:11 proceed 7:25 proceeding 27:5 proceedings 1:9 2:2 26:9 process 17:9 Professional 27:3 properties 12:25 13:2 property 9:14 12:12,15,17,20 12:22 13:4,7,9 13:11,24 14:6 14:9 16:6 17:5</p> | <p>17:7 21:8 proposed 13:1 prosecute 18:23 19:4 20:13 23:1 prosecution 23:2 provide 12:22 provided 7:16 14:18 18:7 public 1:10 6:18 6:19,20 7:14 13:9 27:4,14 purpose 17:17 17:19 put 15:15 16:21 21:6 25:9 p.m 1:12 14:16 23:11 26:10</p> <hr/> <p>Q</p> <p>question 9:15 15:20 17:12 18:1,9,18 19:19 22:3 questions 7:12 7:23 15:7,18 quiet 9:23 16:15 quit 11:15 quorum 6:3</p> <hr/> <p>R</p> <p>R 1:24 4:1,16 5:1 rains 15:10 raise 18:10 rate 23:18 Ray 4:6 5:16 read 7:11 real 11:1 really 9:21 10:21 reason 15:23 16:8 receive 13:23 received 8:7 19:14</p> |
|--|--|---|---|--|

MIDWEST LITIGATION SERVICES

PUBLIC HEARING 5/16/2017

| | | | | |
|--------------------------------|------------------------------------|--------------------------|---------------------------|-------------------------|
| Recommendat... 14:21 | rules 15:21 17:13 18:2,7 | sewage 11:8,9 | subdivision 20:5 | 16:12,15 22:10 |
| recommended 14:22 | 18:13 19:11,12 | sheet 7:16 | subject 23:3 | 22:11,12,14 |
| record 6:24 7:5 | 20:4,9,10,25 | Sheriff 21:19 | suggested 24:7 | 23:10,12,17,18 |
| 11:19 | 21:1,2,3,7,15 | Sheriff's 16:23 | Supply 13:10 | 23:25 25:13 |
| refuses 21:18 | running 11:11 | side 10:25 | surrounded 13:4 | 27:6 |
| regards 18:5 | Russell 4:10 | sign 9:5 | swear 27:6 | times 14:8,11 |
| regulations 3:5 | 5:24 | signify 8:15 | swollen 10:21 | Tobben 4:9 8:22 |
| 6:15,24 17:6 | RV 9:15,18,20 | 24:12 25:23 | sworn 7:16 9:8 | 22:9,16 23:9 |
| 18:20 20:4,9 | 11:19 12:21 | sign-in 7:15 | | 24:18 26:4 |
| Reinhold 5:13 | 20:23,25,25 | site 13:1 | T | today's 6:8 |
| 5:14 | 21:2 | situation 22:23 | T 3:1 | Todd 5:11 |
| relationship 6:7 | RVs 10:25 11:21 | slab 10:22 | take 5:6 14:15 | toilet 14:17 |
| report 2:20 7:10 | 11:23 | sold 16:18 | 16:20 19:7 | Tom 4:9 |
| 25:3 | S | somebody 16:11 | taken 7:8 27:5 | tonight 9:12 |
| Reported 1:23 | S 3:1 4:1 5:1 | 20:10 21:17,17 | takes 16:5 | 22:5 |
| Reporter 2:23 | safe 11:10 | sound 11:8 | talk 17:16 18:14 | Tonight's 6:13 |
| 27:1,4,13 | saying 8:16 | sounded 10:2 | talked 18:11 | total 12:15 |
| requesting 12:9 | 17:23 24:12 | south 13:6 | talking 23:2 | totally 10:24 |
| require 6:19 | 25:23 | southwest 13:2 | tell 19:1,16 | Township 12:14 |
| 12:19,23 13:25 | Schulthehenrich | speak 7:14,17 | terminated | traffic 9:25 |
| 14:2 | 4:4 5:9,10 8:23 | 23:9 | 19:13 | train 10:9 |
| reside 9:10 | 15:19 17:11,25 | special 12:9,18 | terms 21:7 23:16 | TRANSCRIPT |
| residential 13:5 | 18:25 19:5,9 | 12:23 14:23 | testify 6:21 | 1:9 |
| responsibility | 19:18,25 20:6 | specific 23:16 | Thank 6:4 8:6 | trash 20:10,18 |
| 25:14 | 20:14 22:1 | specifically | 11:17 15:17 | trespassing |
| result 13:19 | 24:5,19 25:21 | 22:10 | Theissen 2:16 | 21:18 |
| retained 3:10 | 26:5 | specify 22:13 | They'd 20:17 | tried 16:20 |
| Review 14:21,21 | Scottie 4:12 5:6 | speed 17:18,19 | thing 16:1 17:23 | Tuesday 5:4 |
| 15:2,6,20 | 6:10 11:18 | 17:20 18:15 | 22:11 25:7 | turn 7:17 |
| 16:14 | 12:6 22:17 | St 4:18 9:10 | things 15:8,10 | two 10:21 14:7 |
| reviewed 9:12 | second 1:3 8:13 | 10:11 | 15:11,13 16:15 | 14:10 22:18 |
| rezoned 9:15,18 | 8:15 24:8,11 | staff 4:11 7:10 | 17:17 | 23:17,18 |
| 12:2 | 25:21,23 | 7:12 13:13 | think 15:15,25 | U |
| right 11:19 | Section 13:2 | 14:12 16:3 | 16:19 17:4 | understood 9:21 |
| 16:24 20:11 | security 14:7,10 | 22:10 25:8 | 18:5 19:6 22:2 | undeveloped |
| 21:14,15,20 | 16:3 23:19 | Stan 5:20 | 22:2 23:23 | 13:5 |
| road 9:10,14,23 | see 10:22 15:1 | Stanley 4:5 | 25:5 | Unified 3:4 6:15 |
| 9:24 10:23,25 | sentence 22:18 | State 9:4 27:4,14 | thinking 20:15 | UNION 1:5 |
| 11:1 12:13,13 | septic 15:12 | stated 13:18 | thought 15:11 | units 14:17 |
| 13:7,8,12,21 | Services 1:25 | 19:20 | 15:22 18:11 | use 3:4 6:15 8:1 |
| 16:4 | 4:15 | stations 14:18 | 22:14 25:13 | 10:5 11:24 |
| roll 2:3 5:6 | set 20:25 21:3 | step 9:4 | three 9:7 | 12:19,20 14:19 |
| Ron 4:7 6:1 | 27:8 | stop 16:16 | Tim 5:13 | 14:22 15:13 |
| room 7:18 | seven 25:13 | Street 1:4 4:17 | time 6:5,23 9:21 | 17:23 20:12 |
| | | stuck 16:4 | 9:25 10:4,8 | 21:3 |
| | | stuff 16:16 17:9 | | |

MIDWEST LITIGATION SERVICES

PUBLIC HEARING 5/16/2017

| | | | |
|---|---|--|--|
| V | 6:2 8:19 24:15 26:1 wind 10:12 wish 25:2 wishes 9:3 12:20 wishing 12:3 witness 9:8 27:8 witnessed 10:20 Wondered 11:7 words 11:14 worse 10:1 wouldn't 17:14 wrong 18:24 19:3 | 24:24 18 2:5 13:17 14:20 18th 8:8 | 8 |
| valid 14:19 vehicles 10:25 vendors 12:21 14:14 Vincent 4:14 16:10,22,25 17:8,22 18:22 19:2,7,15,23 20:2,7,17 21:9 21:16,21,25 22:4,22 23:7 violating 20:10 violation 16:5 17:7 21:7 violations 17:6 18:13 Visitor 2:6 Visitors 9:2 Voss 4:5 5:20,21 8:17 24:13 25:24 vote 2:13 7:22 | X | 2 | 9 |
| W | Y | 3 | 8 2:5 85 17:20 18:15 |
| Wanda 9:9,9 want 11:10,15 23:7 wanted 9:13 wanting 10:5 18:6 wasn't 9:16 12:1 16:14,19 water 11:11 13:9 way 20:15 weapons 20:24 weeks 10:21 went 15:8 we'll 12:4 25:4 We've 9:23 WHEREOF 27:8 William 2:9 4:3 12:5,8 Williams 4:7 6:1 | 6:2 8:19 24:15 26:1 wind 10:12 wish 25:2 wishes 9:3 12:20 wishing 12:3 witness 9:8 27:8 witnessed 10:20 Wondered 11:7 words 11:14 worse 10:1 wouldn't 17:14 wrong 18:24 19:3 X X 2:1 3:1 Y yeah 22:23 years 9:24 25:13 Z zoned 11:19 13:1,3 zoning 1:1 2:19 3:6 4:2,11 5:5 6:6,17,24 7:11 7:25 8:2 11:20 12:10,17 13:23 14:24 25:1 0 0 14:25 1 10:00 22:13,19 23:10,11,25 11:00 14:16 12 2:11 23:21 15 2:12 1515 9:10 16 1:11 5:2 16th 5:4 170045 2:9 12:5 12:7 24:6,11 170075 2:16 | 24:24 18 2:5 13:17 14:20 18th 8:8 2 2,000 14:5 2017 1:11 2:5 5:2 13:18 14:20 21 14:20 24 2:13,17 25 2:19,20 14:12 14:17 26 2:22 27 2:23 28 22:17 3 3 13:10 14:24 31 13:2 314 4:19 350 12:13 4 400 1:4 5 5 2:3 50 9:24 6 6 2:4 3:4,6,7,8 14:17 63084 1:5 63101 4:18 644-2191 4:19 66.3 12:16 665 12:12 7 7 22:10 23:24 24:12 7:00 1:12 14:16 23:11 7:30 26:10 711 4:17 | 9 |
| 0 | 1 | 4 | 9 2:6 90 8:2 17:20 18:15 |
| 1 | 2 | 5 | |
| 2 | 3 | 6 | |
| 3 | 4 | 7 | |
| 4 | 5 | 8 | |
| 5 | 6 | 9 | |

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