

1 FRANKLIN COUNTY PLANNING AND ZONING
2 PLANNING AND ZONING COMMISSION
3 FRANKLIN COUNTY GOVERNMENT CENTER
4 SECOND FLOOR COMMISSION CHAMBERS
5 400 EAST LOCUST STREET
6 UNION, MISSOURI 63084
7
8
9 TRANSCRIPT OF PROCEEDINGS
10 JUNE 26, 2018
11 (COMMENCING AT 7:00 P.M.)
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17

18 Reported by:
19 Patsy A. Hertweck, C. R.
20 Alaris Litigation Services
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1 P R O C E E D I N G S
2 (JUNE 26, 2018)
3 CHAIRMAN EVANS: I'd like to
4 go ahead and call to order the June 26th meeting of
5 the Franklin County Planning and Zoning Commission.
6 Scottie, will you please take roll.
7 MS. EAGAN: Bill Evans?
8 CHAIRMAN EVANS: Here.
9 MS. EAGAN: Jay
10 Schulteheinrich?
11 COMMISSIONER SCHULTEHENRICH:
12 Here.
13 MS. EAGAN: Todd Boland?
14 COMMISSIONER BOLAND: Here.
15 MS. EAGAN: Tim Reinhold?
16 COMMISSIONER REINHOLD: Here.
17 MS. EAGAN: Ray Cunio.
18 COMMISSIONER CUNIO: (Not
19 present.)
20 MS. EAGAN: Tom Tobbin?
21 COMMISSIONER TOBBIN: Here.
22 MS. EAGAN: Bill McLaren?
23 COMMISSIONER McLAREN: Here.
24 MS. EAGAN: Stan Voss?
25 COMMISSIONER VOSS: Here.

1 MS. EAGAN: Dan Haire?
2 COMMISSIONER HAIRE: (Not
3 present.)
4 MS. EAGAN: Russell McCreary?
5 COMMISSIONER McCREARY: Here.
6 MS. EAGAN: And, Ron Williams?
7 COMMISSIONER WILLIAMS: (Not
8 present.)
9 MS. EAGAN: Okay. We have a
10 quorum.
11 CHAIRMAN EVANS: Thank you.
12 At this time, I'll give the Planning and
13 Zoning Commissioners the opportunity to declare any
14 conflict, communication or relationship they may have
15 had the might influence their ability to consider
16 today's issues impartially.
17 COMMISSIONER TOBBIN: Mr.
18 Chairman, I'm going to have to recuse myself from
19 File 180121.
20 COMMISSIONER BOLAND: Mr.
21 Chairman, I will also recuse myself from File 180121.
22 CHAIRMAN EVANS: All right.
23 Let the minutes show that Mr. Boland and Tobbin have
24 recused themselves from File 180121.
25 Scottie, will you please give us a

1 presentation of the meeting procedures and exhibits.

2 MS. EAGAN: Tonight's Planning
3 Commission meeting is governed by the Franklin County
4 Unified Land Use Regulations.

5 Some matters on the agenda may be for
6 action by the Planning and Zoning Commission. These
7 matters do not involve public hearings.

8 Other matters on the agenda require
9 public hearings under Missouri law. If a matter
10 involves a public hearing, all individuals who desire
11 to testify will be given an opportunity to do so.

12 At this time, I would like to place into
13 the record these regulations as Exhibit A, the
14 official Zoning Map as Exhibit B, the official Master
15 Plan as Exhibit C, and the case file for each case as
16 Exhibit D for all the cases to be heard during the
17 public hearing.

18 All Old Business items on the agenda
19 will be dealt with first. Once the Old Business
20 issues have been taken care of, each item of New
21 Business will be opened.

22 As each case is opened, a staff report
23 will first be read to the Commission, followed by any
24 questions for the staff.

25 Then if anyone in the audience would

1 like to speak or comment on a file that is part of
2 the public hearing, they must first print their name
3 on the sign-in sheet provided, and then be sworn in
4 by the Chairman.

5 When it is your turn to speak, you will
6 come to the front of the room, you will come to the
7 front of the room to address the Commission and only
8 the Commission, not anyone in the audience, with your
9 comments.

10 It is possible for the Planning
11 Commission to decide to move a New Business issue to
12 Old Business and vote on it the same night.

13 At the conclusion of all questions,
14 comments, and discussion concerning each case, the
15 Planning Commission will proceed. Any final decision
16 by the Planning and Zoning Commission concerning
17 Conditional Use Permits may be appealed to the Board
18 of Zoning Adjustment any time within 90 days.

19 Applications for such an appeal may be
20 acquired from the Department offices during normal
21 business hours.

22 CHAIRMAN EVANS: Thank you.

23 All the Commissioners should have
24 received a copy of the May 15th minutes. If there
25 are no additions or corrections, the Chair would

1 entertain a motion to approve.
2 COMMISSIONER McLAREN: Mr.
3 Chairman, I'd like to make a motion to approve the
4 minutes.
5 COMMISSIONER McLAREN: Second.
6 CHAIRMAN EVANS: We have a
7 motion and a second to approve the May 15th minutes.
8 All in favor signify by saying aye.
9 COMMISSIONER REINHOLD: Aye.
10 COMMISSIONER VOSS: Aye.
11 COMMISSIONER McLAREN: Aye.
12 CHAIRMAN EVANS: Aye.
13 COMMISSIONER BOLAND: Aye.
14 COMMISSIONER TOBBIN: Aye.
15 COMMISSIONER SCHULTEHENRICH:
16 Aye.
17 COMMISSIONER McCREARY: Aye.
18 CHAIRMAN EVANS: Opposed?
19 (NONE)
20 The minutes are approved.
21 Communication and Visitor's Comments.
22 Anyone wishing to address the Commission?
23 (NONE)
24 If not, we will move on to Old Business.
25 We have none.

1 Under New Business --

2 COMMISSIONER SCHULTEHENRICH:

3 Mr. Chairman, can I make a point of order?

4 CHAIRMAN EVANS: Yes, sir.

5 COMMISSIONER SCHULTEHENRICH:

6 Before you move into the New Business or Old
7 Business, in the last meeting, we basically did away
8 with procedures doing away with Robert's Rules of
9 Order and the guidance of any procedures.

10 So I know there was comments made in
11 regards to that we would be guided by the by-laws of
12 the Commission here, and noting that that's going to
13 be our guidance, with this being a special meeting,
14 the special meeting guidelines in the by-laws calls
15 for the purpose of such meeting to be specified.

16 So can we clarify as to what the
17 purpose, the specific purpose of this meeting is for
18 the sake of it being a specially called meeting.

19 Thank you.

20 CHAIRMAN EVANS: I would again
21 say assuming that it was a special meeting required
22 because a regular meeting could not be held because
23 of legal decisions that were made which precluded us
24 from having the meeting on the normally scheduled
25 night.

1 COMMISSIONER SCHULTEHENRICH:
2 So the purpose is to take the place of the meeting
3 that should have been last --

4 CHAIRMAN EVANS: Yes.

5 COMMISSIONER SCHULTEHENRICH:
6 -- last week what we're doing?

7 CHAIRMAN EVANS: Yes.

8 COMMISSIONER SCHULTEHENRICH:
9 Or does the topics to be covered only to be as to
10 what was presented on the agenda for tonight's
11 meeting?

12 CHAIRMAN EVANS: Yes.

13 COMMISSIONER SCHULTEHENRICH:
14 Thank you, Mr. Chairman.

15 CHAIRMAN EVANS: All right.

16 Moving to New Business. We are going to
17 change the agenda slightly in that we will be moving
18 the last file, File 180060, up in the agenda to
19 follow File 180082, Robert Muckler.

20 And again, because of recent legal
21 decisions, protocol for this evening is that each
22 file will have a public hearing, and anyone can speak
23 or present but will be limited to five minutes.

24 That would include proponents and
25 opponents. So if you would have someone who has a

1 presentation that's 20 minutes, you have to have four
2 people speak.

3 If there's no comments from the
4 Commission on that, we'll go ahead and proceed with
5 New Business beginning with File 180121, Eastland
6 Oaks, Inc.

7 And let the minutes show that
8 Commissioners Boland and Tobbin have removed
9 themselves from the dais.

10 (Thereupon, Commissioners
11 Boland and Tobbin stepped down
12 from the dais.)

13 Scottie, will you give us the details.

14 MS. EAGAN: This is File
15 180121.

16 The applicant is Cameron Lueken for
17 Eastland Oaks.

18 The applicant requests to rezone two
19 parcel from Residential Development to Residential
20 Development 1.

21 The property is located on St. Johns
22 Road, approximately 350 feet south of Eastland Oaks
23 Drive, in St. Johns Township.

24 Facts: The total area for the rezoning
25 is approximately 24 acres.

1 The zoning of this property is
2 Residential Development. The applicant would like to
3 rezone to Residential Development 1.

4 Residential Development 1 zoning allows
5 single-family residential developments in areas that
6 are primarily served by central utilities.

7 The properties directly north of this
8 property, located in Eastland Oaks, were rezoned to
9 Residential Development in 1999.

10 The properties to the west, south, and
11 east are zoned Non-Urban and Agricultural.

12 This property is surrounded by
13 subdivisions on the north, west, and east. To the
14 west is Hilltop Acres, which is a low-density
15 subdivision with lot sizes over five acres. To the
16 north is Eastland Oaks, which is a medium-density
17 subdivision with lot sizes around 30,000 square feet.
18 To the west, across St. Johns Road, are multiple
19 low-density subdivisions with lots over five acres in
20 size.

21 The properties to the south are
22 primarily low-density residential properties mixed
23 with a few undeveloped parcels.

24 This property will have access to St.
25 Johns Road. St. Johns Road is a County-maintained

1 road.

2 This property is located within Public
3 Water Supply District No. 3.

4 Staff Comments: This property appears
5 to be Non-Urban on the Future Land Use Map.

6 Rezoning is allowed in our regulations
7 due to the ever-changing conditions that exist in the
8 county and elsewhere. According to Article 14,
9 Section 321, any such change must promote the health,
10 safety, morals, comfort, and general welfare of
11 Franklin County by conserving and protecting property
12 and building values, by securing the most economical
13 use of land and facilitating the adequate provision
14 of public improvements in accordance with the Master
15 Plan adopted by Franklin County.

16 CHAIRMAN EVANS: Thank you.

17 Is the applicant here?

18 Will you please state your name and
19 address. Sign in, please.

20 (Thereupon, the witness was
21 sworn.)

22 MR. CAMERON LUEKEN: Good
23 evening. My name is Cameron Lueken, with Wunderlich
24 Survey and Engineering, representing the client
25 tonight regarding the rezoning of the Eastland Oaks

1 property, which is going to be known as Eastland
2 Valley to the south of the existing Eastland Oaks.

3 There's 24 acres to the south of the
4 existing Eastland Oaks that's going to -- we're
5 proposing to rezone from RD to RD1.

6 That is to satisfy a need for the RD1
7 housing. So -- and what this looks like in totality
8 is this is existing Eastland Oaks up here to the
9 north. We're proposing to rezone about 24 acres down
10 here to the south, RD1. In between those two
11 subdivisions is -- this is actually an existing
12 common ground buffer that exists on the plats of
13 Eastland Oaks currently.

14 So the proposed rezoning will be
15 buffered by the existing common ground.

16 So what is the differences. Kind of at
17 the top of the page there, this says RD versus RD1.
18 So we're going to look at the RD, which is the
19 allowed uses, versus the proposed use.

20 So in the existing use, the minimum lot
21 are is 30,000 square feet. In the proposed use, the
22 minimum lot area is 10,000 square feet. The existing
23 use allows one dwelling unit per 10,000 square feet.
24 The proposed use allows for 1 dwelling unit per
25 10,000 square feet. No difference in density

1 proposed.

2 The existing use does allow multi-family
3 dwellings. So what's to the south of Eastland Oaks
4 right now does allow multi-family dwellings. The
5 proposed use does not, only single-family dwellings.
6 That's something pretty important to remember.

7 So by way of example, in this existing
8 use, a triplex could be allowed every lot; whereas,
9 on the proposed use, only one home is allowed on
10 every lot. The existing use does allow two-family
11 dwellings. The proposed use is only single-family
12 dwellings.

13 The existing use does allow for mobile
14 homes. The proposed use allows for site-built homes.

15 So basically you can see the proposed RD
16 offers more protection for the ad-joiners in the
17 event that someone would try to sell off the southern
18 portion there, they would be allowed to do this.

19 So we're proposing a more restricted
20 situation.

21 RD1 was created to allow a lesser lot
22 size and more coverage or more protection for the
23 ad-joiners. This has been utilized south of
24 Washington on Highway A off Walnut Ridge. We rezoned
25 that RD1 in 2014. Rezoned another piece in 2017. So

1 how does that look like; what happened with that?

2 On November 26, 2013, the street was in,
3 the lots were available for sale. There's zero
4 houses shown there. This is an example of the
5 Eastland Oaks, same day, same picture. There are 46
6 homes present there.

7 We look back about three years later, so
8 to November 21, 2016, and there are -- that's the
9 area we're looking at there that is highlighted.
10 There was 23 homes. There was 23 homes built in that
11 timeframe. At Eastland Oaks during the same time,
12 there was 52 houses. So that was an increase of, I
13 believe, six.

14 So we compare that to satisfy the need.
15 We look at Walnut Ridge compared to Eastland Oaks.
16 On November 26 versus October 21, 2016, there was 23
17 houses placed in that timeframe.

18 So how does that compare? So the RD1,
19 that component of that lot feature, there was 23
20 homes built there compared to 6 in Eastland Oaks. So
21 those were marketed basically by the same marketing
22 team but at a different price point. So the RD1 had
23 four times more growth. That shows there's a need
24 for this type of homes in that area.

25 We look at a census. This is the 2010

1 census. We've got 2016 census, University of
2 Washington. Basically there was about 19 times more
3 growth in Union in that timeframe. Why is that?

4 We look at the median income or the
5 median value of an owner-occupied housing unit, 156
6 versus 139. Basically people were driven to those
7 more affordable homes. It's about a \$16,000
8 difference.

9 So the need is there for the affordable
10 homes.

11 So in conclusion, we have a buffer
12 between RD and RD1. The need exists for RD1 lots.
13 That's been proven. The recent market trends show
14 the higher demand for RD1 lots. And that's about the
15 end of my presentation.

16 Any questions for me? There's also the
17 owner is here tonight as well as the -- another
18 representative.

19 CHAIRMAN EVANS: Commissioners
20 have any questions for Cameron?

21 (NONE)

22 This is the same -- excuse me.

23 MR. LUEKEN: Yeah.

24 CHAIRMAN EVANS: This would be
25 the pretty much exactly the same was presented in

1 April?

2 MR. LUEKEN: Correct. This is
3 exactly the same situation. Nothing's changed.

4 CHAIRMAN EVANS: Okay.

5 Any other questions, comments from the
6 Commissioners? Bill?

7 COMMISSIONER McLAREN: You
8 know, we've got a lot of stuff that was handed to us
9 when we came in this evening, and I will say on this,
10 my biggest question is going to what was presented
11 from the Fire Department about water service.

12 MR. LUEKEN: Yeah, so --

13 COMMISSIONER McLAREN: It
14 looks -- my quick math says that, you know, how --
15 there's potential for a lot more demand on water
16 services. Is that not correct?

17 MR. LUEKEN: Yeah, I mean, to
18 answer your question, Bill, the originally there --
19 and I may get this wrong. We haven't gotten to the
20 preliminary plat stage and things, but basically in
21 about 2003, 2002, 2003, 2004, something like that,
22 there was a large water main extended from, I want to
23 say, about the Jones Lane area. Let's get back up
24 here, and I'll show you kind of where it's at. Down
25 to the south and terminated on the southeast property

1 line of this proposed development.

2 So we get back to the bigger picture
3 here, Bill, just a second. So, Bill, this is Jones
4 Lane up here, and there was the water line. I think
5 it may have been run -- it was run down Jones Lane or
6 St. Johns Road. It ran all the way down and
7 terminated right at this point. There's a -- I think
8 it's an 8-inch line, perhaps even a 10-inch line.
9 I'm not sure on the line size.

10 So I guess to answer your question, we
11 haven't gotten in to the preliminary plat stages yet,
12 but I don't expect this -- that's lower elevation. I
13 don't expect there's going to be any fire flow issue
14 there. I do not anticipate that.

15 CHAIRMAN EVANS: Any other
16 comments or questions from the Commissioners?

17 (NONE)

18 All right. Thank you, Cameron.

19 MR. LUEKEN: Thank you.

20 CHAIRMAN EVANS: Anyone else
21 wishing to speak in favor of this rezoning, in favor?

22 (NONE)

23 If not, is there anyone here wishing to
24 speak in opposition?

25 Would you please state your name and

1 address, and sign in please.

2 MS. ARLENE BRIGGAMANN: My
3 name is Arlene Briggamann, and I live on St. Johns
4 Road.

5 CHAIRMAN EVANS: Okay.

6 MS. BRIGGAMANN: 4831 St.
7 Johns Road.

8 CHAIRMAN EVANS: And before
9 you start, one thing I should have mentioned which
10 is true of both rezoning files that we're looking at
11 tonight, is that the Planning and Zoning Commission
12 makes a recommendation to the County Commission. And
13 they are just simply a recommendation. They will
14 make the final decision.

15 So there's a public hearing tonight, and
16 because of the legal decisions that have been made,
17 we have a public hearing. Our recommendation,
18 whether for or against, will be sent to the County
19 Commission, who will then have their own public
20 hearing. And because rezoning is a legislative act,
21 only they can make the final decision. So just kind
22 of remember that on both of the rezonings we're
23 looking at this evening.

24 Sorry to interrupt. Go ahead.

25 (Thereupon, the witness was

1 recreation. Will their recreation end up coming onto
2 a surrounding properties, which could be a very big
3 hazardous (sic) also.

4 You know, we -- we are on the total
5 south side of this, and you know, our family, we do
6 target shooting and things like that. And the creek
7 surrounds back there and a woods, it's very tempting
8 for this to happen. And we shouldn't have to worry
9 about that, but it is a concern to us.

10 And also I don't know. They keep
11 calling this common ground, that woods between there,
12 which is common grounds, but is that going to be an
13 extra play area, picnic area for the families?
14 Because obviously 10,000 square feet doesn't give you
15 much room if you're going to have a house on it.

16 And another safety issue is I had put in
17 your folders a letter from August 10, 1999 from the
18 Fire Department, which I did hear them address. So
19 to make sure that the fire flow will be adequate.

20 And then another thing from back then
21 was that the street. The Fire Department recommended
22 that the street should be 35 feet and to allow two
23 10-foot drive lanes and two 7.5-foot parking lanes
24 with extra vehicles, if there becomes an emergency so
25 that they will be able to protect the -- you know, to

1 get in there and not be, you know, stumbling and not
2 being able to get where the action needs to be.

3 And the fire flow, which he said, and I
4 didn't know if it was updated or not. At the time,
5 it wasn't, I don't think, you know, when this all
6 came about. So I can't address that.

7 And another issue is I don't know if
8 this development is going to be connected to the
9 other Eastland Oaks sewer system. And if it is, I
10 recall that they could only have 78 lots total
11 between both areas. And I do have, you know, some
12 resources on that, but I did not print that all out
13 from the Natural Resource Department.

14 Okay.

15 CHAIRMAN EVANS: I ask you to
16 wrap it up quickly.

17 MS. BRIGGAMANN: Okay. I have
18 given you photos to show that actually this cluster
19 zoning does not fit there when you look across the
20 street with the five plus acre people and so forth.

21 And you also found in your packets over
22 a hundred signatures of people not wanting this --
23 this cluster zoning in the area.

24 CHAIRMAN EVANS: All right.
25 Thank you.

1 MS. BRIGGAMANN: Thank you.

2 MS. EAGAN: Bill, check your
3 mic.

4 CHAIRMAN EVANS: Anyone else
5 wishing to speak in opposition?

6 Will you please state your name and
7 address please.

8 MR. WILLIAM BRIGGAMANN:
9 William Brinkman. 4831 St. Johns Road, Washington,
10 Missouri.

11 (Thereupon, the witness was
12 sworn.)

13 Okay. Well, I know we have lived here
14 since 1973 on St. Johns Road. And like my wife said,
15 our property does totally border the south side of
16 this proposed subdivision.

17 We have 12 acres, 9 and 1/2 in crops,
18 and I know they -- it was mentioned Hilltop has 3
19 acre plus lots to the west across the road GG Lane,
20 and that would be east and southeast. Their lot
21 sizes are 3 acres to 10 acres.

22 And to the south, there's mainly all
23 farm ground. And anyway, this is taking away country
24 living to me, having lot sizes 10,000 square feet,
25 you know, houses right beside each other. Which is

1 going to ruin our scenery. There's going to be noise
2 and lights and not no country -- not country living
3 anymore, the way we know it.

4 And also with houses at the last meeting
5 I heard could be up to 46 homes.

6 Anyway, with all them roofs and the
7 streets, right now a lot of water soaks in the
8 ground. I do not want my property eroded.

9 Anyway, I just like to say I'm against
10 cluster zoning. I don't think we need that many
11 houses out in the country if we're not in city
12 limits. I'm sorry. But anyway, thank you very much.

13 CHAIRMAN EVANS: Thank you,
14 Mr. Briggamann.

15 MR. BRIGGAMANN: One more
16 thing. I wouldn't -- would like the Planning and
17 Zoning, if they had time, to please drive out St.
18 Johns Road and take a look and see for yourself. You
19 know, see what it looks like out there. I'd
20 appreciate it. Thank you.

21 CHAIRMAN EVANS: Okay.

22 MR. BRIGGAMANN: Thank you.

23 CHAIRMAN EVANS: Thank you.

24 Anyone else present wishing to speak in
25 opposition?

1 (NONE)

2 If not, Cameron, do you have any
3 rebuttal or answers to those issues?

4 MR. LUEKEN: Thanks for the
5 opportunity to rebut. At this time, I really don't
6 have anything else to add unless you guys have any
7 questions. Is there any questions of me?

8 CHAIRMAN EVANS: Basically our
9 highway director isn't here. With the fire access,
10 lane width and everything, is adequate included in
11 the plan?

12 MS. EAGAN: At this stage,
13 that's nothing we look at. We don't look at the Fire
14 District requirements until a preliminary plat comes
15 through.

16 CHAIRMAN EVANS: Okay.

17 MR. LUEKEN: So I would just
18 -- I would just add, as you mentioned earlier to
19 night, this Commission's already seen the facts in
20 this case before and recommended approval, and we'd
21 like to see the -- we'd like to see the same thing
22 tonight if at all possible.

23 Thank you.

24 CHAIRMAN EVANS: All right.

25 Thank you.

1 And again, we should mention with the
2 rezoning that we don't look at the -- we have the
3 particular use, but we also look at all the permitted
4 uses there.

5 And Cameron, I think, explained the
6 difference between the RD and RD1, what was allowed.

7 COMMISSIONER REINHOLD: Bill,
8 the one thing I guess we want to make sure that right
9 now, the way it's zoned, they could put a duplex or a
10 triplex on that same lot and have three families or
11 with more people than single.

12 COMMISSIONER McCREARY: You
13 can put a triplex, but the lot has to be 30,000
14 square feet. Whereas, you can put a single house on
15 10,000 square feet. So roughly you can put a triplex
16 on there, but the lot has to be three times bigger.
17 It's not the same lot.

18 COMMISSIONER REINHOLD: But
19 you still have three families on that.

20 COMMISSIONER McCREARY: Right,
21 but --

22 CHAIRMAN EVANS: Right,
23 duplex, triplex or -- or a mobile home.

24 COMMISSIONER McCREARY: Yeah.
25 I mean, the only difference I saw was basically

1 mobile homes were allowed on 30,000 square foot lots,
2 and a triplex is allowed, but it has to be a 30,000
3 square foot lot and not a 10,000 square foot lot.

4 So the number of households, I guess,
5 would be the same, but you'd have a triplex on a
6 30,000 foot -- a lot three times the size of what
7 they're proposing. So I guess the residential
8 density would be the same, but --

9 CHAIRMAN EVANS: Yeah, the
10 density would be the same, the RD1 what you would get
11 is single-dwelling, --

12 COMMISSIONER McCREARY: Right.

13 CHAIRMAN EVANS: -- stick
14 built on premise.

15 COMMISSIONER McCREARY: On a
16 10,000 square foot lot, not a 30,000.

17 CHAIRMAN EVANS: Right.

18 COMMISSIONER McCREARY: Right.

19 CHAIRMAN EVANS: But still --
20 yeah.

21 Any other discussion?

22 COMMISSIONER McLAREN: Mr.
23 Chairman, I would -- you know, I'm going to apologize
24 I think a little bit. As I said, we get all this
25 material handed to us tonight, and I did not look at

1 the date on my comment about the Fire Department. I
2 feel a little bit not at ease when I'm looking at
3 something from 1999.

4 I did look at the date. I tried to look
5 at as much stuff as was handed to me, but I think I
6 don't -- I don't know how comfortable I feel with the
7 comment that I made a little while ago.

8 So I'd kind of like that to be on the
9 record, --

10 CHAIRMAN EVANS: Sure.

11 COMMISSIONER McLAREN: -- that
12 I don't know if I feel quite as strongly on my
13 comment on something that's 20 years old.

14 CHAIRMAN EVANS: And as
15 Scottie mentioned, we're looking at the rezoning, and
16 the details on that, roads and everything, are not
17 considered in the rezoning. They would be included
18 in the preliminary plat that would come before the
19 Commission after the rezoning occurs.

20 Am I correct?

21 MS. EAGAN: Yes.

22 CHAIRMAN EVANS: Any other
23 questions or comments?

24 (NONE)

25 If not, again, we are making a

1 recommendation to the County Commission, who will
2 then have their own public hearing. At which time,
3 anyone can speak in front of them and/or provide
4 additional information if they have it.

5 So before us we have the option to
6 recommend approval of the rezoning or recommend
7 denial.

8 COMMISSIONER McLAREN: Mr.
9 Chairman, you know, I think these -- these rezonings
10 are difficult things, and I would like to ask Cameron
11 if he has any more compelling information he'd like
12 to share with us, more than what was -- he presented
13 as far as the demand.

14 I would hope that we would have
15 something more to consider than just the demand to
16 municipalities as far as making this decision.

17 CHAIRMAN EVANS: Please state
18 your name and address and sign in, please.

19 MR. WILLIAMS ECKLEKAMP:
20 William Ecklekamp, 200 West Main Street, Washington,
21 Missouri.

22 (Thereupon, the witness was
23 sworn.)

24 CHAIRMAN EVANS: Please go
25 ahead.

1 MR. ECKLEKAMP: Planning and
2 Zoning Commission, I think I'm in a little better
3 position to answer your question, Bill, than -- than
4 Cameron is.

5 My family is the one that's doing the
6 development out here. Obviously we've done Eastland
7 Oaks, which is the minimum of 30,000 square foot
8 lots. Our idea here is not to do 10,000. That's the
9 minimum. That's the next step down in the zoning
10 ordinance. Our idea would be somewhere around 15,000
11 square foot lots, give or take, in that general
12 vicinity.

13 Our market research at the time, which
14 is now, shows that there is a demand for these
15 smaller lots that you can build a \$275,000 to
16 \$350,000 homes that have central water and central
17 sewer.

18 All of these lots that are around here
19 are on septic or on wells. They may be on public --
20 public utilities to some degree, but those public
21 utilities aren't stretching out into these pieces of
22 property where people on the east end of town, people
23 desire to live on the east end of Washington so that
24 they have the ability to commute.

25 Matt Collins is here who is part of our

1 marketing team on this. If you have any questions of
2 him, it's -- I don't know if I fully addressed your
3 question exactly, and I didn't hear you completely
4 when you asked the question. Something about other
5 than demand, I think is what you said.

6 COMMISSIONER McLAREN: I think
7 it's important when we're rezoning stuff, and I think
8 it becomes more critical and more important as we go
9 along to really show the public benefit. I think
10 that's our charge, is to show the public benefit as a
11 reason for us to consider rezoning a piece of
12 property.

13 So -- and I may be misinterpreting what
14 I read into the public benefit, but I would think
15 part of that public benefit is, you know, water lines
16 get extended, sewer lines get extended, facilities
17 are available to more than just this single project.

18 It's kind of I'm looking at we got to
19 have a -- more of a benefit for the county.

20 MR. ECKLEKAMP: So you're
21 saying that the developer should potentially extend
22 water lines? I'm not arguing with you. I'm just --

23 COMMISSIONER McLAREN: No.

24 MR. ECKLEKAMP: -- trying to
25 understand the question.

1 COMMISSIONER McLAREN: I'm not
2 saying that the developer -- I used that as an
3 example.

4 You know, I think that our charge, was
5 we read it, is to say, you know, this benefits the
6 social and economic welfare of the county. So more
7 than just saying there's a demand for these lots, I
8 think moving forward we need to know this is how this
9 really benefits the economic development of the
10 county.

11 MR. ECKLEKAMP: Well, you saw
12 from Cameron's presentation that Washington and the
13 surround area has a -- basically no growth over the
14 last however many years. People have been
15 gravitating south of Washington towards Union, St.
16 Clair, that area. His graphic only showed Union, but
17 at that point, there's -- it's been pretty stagnate
18 because there aren't any lots available.

19 I can't say any, but for the vast
20 majority, there are not lots available around
21 Washington. There's a lot of desire to live in
22 Washington or around Washington, especially on the
23 east end of town.

24 I think as you see Washington expand,
25 you will see it expand to the east, which will

1 ultimately bring in more of those types of services
2 that you're talking about.

3 Just a couple of years ago, and I'm not
4 sure exactly what the internet service provider is,
5 they came out and they put a tower up on Eastland
6 Oaks. Before you couldn't get any high speed
7 internet. All right.

8 Because there was enough people in that
9 area, in that Eastland Oaks area, they were willing
10 to put a tower to bring high speed internet, and in
11 doing that, they brought it out. It goes all the way
12 down Hidden Ridge. I know there's people that get it
13 out there now.

14 So if that's the type of thing that
15 you're asking for, specific that Eastland Oaks has
16 brought, and these types of developments, you'll see
17 that continuing on. When you have these bigger lots
18 and very, very lot density, the cost of the
19 infrastructure to expand it is just astronomical.

20 And they -- a lot of these utility
21 companies aren't going to be willing to do big
22 developments or big expansion projects.

23 Again, we're not looking to build 10,000
24 square foot houses -- or I'm sorry, 10,000 square
25 foot lots, and I think Cameron's graphic was a little

1 misleading in that the median household house cost in
2 Washington is \$150,000. We're not building \$150,000
3 houses. You know, we're doing something that's going
4 to compliment Eastland Oaks. It's a step down, you
5 know.

6 There's a lot of people that can't
7 afford the \$350,000 to \$500,000 houses that can
8 afford a \$275,000 to \$350,000 house, you know, and
9 that's what we're looking at doing in this general
10 area. Obviously that will come in the preliminary
11 plat phase, but again, I hope I answered your
12 question.

13 The last thing I would ask is that we
14 move this to Old Business tonight. We've been
15 through this once. You guys unanimously approved it
16 in April, and we would ask that we just continue on
17 with this.

18 Any other questions for me?

19 CHAIRMAN EVANS: Thank you.

20 MR. ECKLEKAMP: Thank you.

21 CHAIRMAN EVANS: Again,

22 Scottie, correct me if I'm wrong, but we don't send
23 zonings to Old Business, we just do recommendation?

24 MS. EAGAN: I want to say in
25 the past we have moved rezonings to Old Business for

1 recommendations. I could be wrong. Mary?

2 COUNTY ATTORNEY ZASTRO-HIATT:

3 The rule says when in the case of conditional use
4 permit in subdivision applications. So it doesn't
5 say rezoning, but if that's what's been done in the
6 past, I would continue to do that.

7 MS. EAGAN: Do you remember?

8 MS. ZIELKE: I think we took
9 rezonings out when they were no longer public
10 hearings.

11 So --

12 MS. EAGAN: Bill, I would say,
13 to be safe, let's move it to Old Business.

14 COUNTY ATTORNEY ZASTROW-HIATT:
15 I agree.

16 MS. EAGAN: And then we'll
17 figure it out because we're still dealing with this
18 whole public hearing issues.

19 CHAIRMAN EVANS: Okay. So the
20 -- any comments or questions?

21 (NONE)

22 If not, the Chair would entertain a
23 motion to move this to Old Business.

24 COMMISSIONER SCHULTEHENRICH:

25 Mr. Chairman, we do, I think -- I mean, I think at

1 the last whatever approval at which this was
2 presented at a prior meeting as well, I think I noted
3 and I will note again tonight that I -- I'm glad to
4 see the buffer between the two -- the -- let's say
5 the larger homes and these that will be on the
6 smaller home size. I'm glad to see the buffer. I
7 expressed that the last time.

8 I think some of the concerns that were
9 raise, Ms. Briggamann, are certainly things that the
10 Commission needs to look at when it comes to the
11 preliminary plat. Okay. Not on the rezoning request
12 that you have brought up to us this evening.

13 In regards to driving on St. Johns Road,
14 yes, I've driven on St. Johns Road. I am familiar
15 and went by and did take a look at whether or not
16 it's winding, et cetera on there. Okay. And I don't
17 see it as being that winding. I must say -- and I
18 think that is where Eastland Oaks somewhat fits in to
19 that area out there to be exact.

20 So noting that, okay, Mr. Chairman, if
21 you're looking for a motion, I'll make the motion to
22 move it -- move this matter to Old Business for this
23 evening.

24 COMMISSIONER REINHOLD: I'll
25 second it.

1 CHAIRMAN EVANS: We have a
2 motion and a second to move File 180121 to Old
3 Business. All in favor signify by saying aye.

4 COMMISSIONER REINHOLD: Aye.

5 COMMISSIONER VOSS: Aye.

6 COMMISSIONER McLAREN: Aye.

7 CHAIRMAN EVANS: Aye.

8 COMMISSIONER SCHULTEHENRICH:
9 Aye.

10 COMMISSIONER McCREARY: Aye.

11 CHAIRMAN EVANS: Opposed?

12 (NONE)

13 Motion is carried.

14 (Thereupon, Commissioners
15 Boland and Tobbin returned.)

16 Moving on to File 180082. Muckler,
17 Robert.

18 Scottie, will you please give us the
19 details.

20 MS. EAGAN: Just a quick
21 question before I go. Do you want them to set up
22 their presentation before the staff report or after
23 the staff report, because I know they have a
24 presentation as well they need to set up.

25 I can go ahead and read the staff report

1 and then we let them set it up, or we let them set it
2 up and then I read my staff report.

3 CHAIRMAN EVANS: I think we
4 let them go ahead and set it up while we're -- you're
5 reading your staff report.

6 MS. EAGAN: Okay. You're fine
7 with that?

8 CHAIRMAN EVANS: Yeah, that's
9 fine.

10 MS. EAGAN: This is File
11 180082. The applicant is Robert Muckler.

12 The applicant requests to rezone a
13 portion of one parcel from Suburban Development to
14 Non-Urban and Agricultural.

15 The property is located off of Highway
16 00, approximately 3/10 mile north of Spring Valley
17 Road, in Boles Township.

18 Facts: The total area for rezoning is
19 approximately 13.94 acres. The whole parcel is
20 approximately 30 acres.

21 The zoning of this property is Suburban
22 Development. The applicant would like to rezone to
23 Non-Urban and Agricultural.

24 Non-Urban and Agricultural zoning allows
25 agricultural, recreational, wildlife, forestry, open

1 space, farming and related uses to mix with
2 low-density residential development.

3 The properties around the proposed site
4 are zoned Suburban Development.

5 This property is approximately 1,000
6 feet north of the city limits of Pacific.

7 This property is surrounded primarily by
8 low-density residential land and undeveloped land.

9 This property has access to Highway 00,
10 which is a State-maintained road.

11 The applicant is not the current owner
12 of the property, but they do have permission from the
13 owner to apply for the rezoning.

14 This property is located within Public
15 Water District No. 3 boundaries.

16 Staff Comments: The Future Land Use Map
17 shows this property as being non-urban.

18 Rezoning is allowed in our regulations
19 due to the ever-changing conditions that exist in the
20 county and elsewhere. According to Article 14,
21 Section 321, any such change must promote the health,
22 safety, morals, comfort, and general welfare of
23 Franklin County by conserving and protecting property
24 and building values, by securing the most economical
25 use of land and facilitating the adequate provision

1 of public improvements in accordance with the Master
2 Plan adopted by Franklin County.

3 CHAIRMAN EVANS: Thank you.

4 Is the applicant present?

5 MS. ANDREA LOMEYER: Yes.

6 CHAIRMAN EVANS: Pardon?

7 MS. LOMEYER: I said he is.

8 I'm representing him.

9 CHAIRMAN EVANS: Okay.

10 If you would state your name and address
11 and sign in, please.

12 MS. LOMEYER: Andrea Lomeyer,
13 538 East Independence, Union.

14 (Thereupon, the witness was
15 sworn.)

16 Good evening. I am going to hopefully
17 get through this in under five minutes. Maybe.

18 I just wanted to quickly go over the
19 property information. It's currently zone Suburban
20 Development. It's 30.94 acres. It currently has no
21 structures located on it, and they do not have any
22 records of any structures been on it previously.

23 It's located north of the city limits of
24 Pacific, about a thousand feet. The property itself
25 is surrounded primarily by low-density housing, as it

1 states there, equal to or less than one dwelling per
2 40,000 square feet, residential land and undeveloped
3 land.

4 They're proposing to rezone 13.84 acres
5 to create an -- and within that I have a site plan
6 that shows there's a 200-foot buffer along the sides
7 of that property. So you can kind of see where the
8 site is shown there north of the city of Pacific.

9 This is just showing what the proposed
10 site looks like in the current zoning map and then
11 the future zoning map. It's future is being proposed
12 for Non-Urban and Agricultural, which is what we're
13 going -- we're proposing to rezone the property as,
14 and just showing that it conforms to the Future Land
15 Use Map.

16 Since it has not had any structures on
17 it, there's actually currently no utilities to that
18 area, and a lot of the housing around it is currently
19 on private water or septic systems. So the closest
20 sanitary line is about a half a mile to the city of
21 Pacific. So they would either have to extend a
22 sanitary line from the city limits or put in a septic
23 system.

24 The water closest 8-inch main is through
25 the public water supply district, and that's 1.6

1 miles to the north.

2 And then there's also a 6-inch water
3 main from the Public Water Supply District No. 3
4 that's with Franklin County, that's 1.4 miles to the
5 south.

6 There's also water possibly from the
7 City of Pacific, but they're outside the city limits.
8 So we'd have to get permission from them for that.
9 That's about a half a mile away to the south.

10 Again, there's also the option that they
11 could do a well if it would suit the needs of
12 whatever the land is developed as.

13 And then there is electric along the
14 east border of the property.

15 I'm just going to go through the
16 justification for the rezoning that I'd like to
17 outline for you.

18 The purpose of the rezoning district as
19 it states for Non-Urban and Agricultural is that this
20 district is to allow agricultural, recreational,
21 wildlife, forestry, open space, farming and related
22 use to mix with low-density residential development.

23 As we have looked at the aerial map
24 earlier, the surrounding area is an existing
25 low-density residential, and the proposed rezoning

1 would keep the open space and wildlife and forestry
2 and some of the agricultural uses that are surrounded
3 there currently.

4 It conforms with the Franklin County
5 Master Plan future use. There are some outlines for
6 the purpose of the Franklin County Master Plan to
7 prepare for the future and building with an awareness
8 of what's happened in the past. And then as Franklin
9 County continues to grow and develop, that we're
10 implementing changes that go toward the goal that's
11 -- I can read through all those. I think you have
12 them all, so in the sense of time, I'm going to
13 but...

14 And as I said, the future land use
15 comparison as it does comply with that, is it shows
16 it as Non-Urban and Agricultural.

17 Some changes to the area. Highway 00
18 actually connects the City of Pacific to Manchester
19 to the north, or Highway 100, and so there are some
20 different areas of growth going along either side of
21 this property that gives it the opportunity for this
22 -- the growth that Franklin County has continued to
23 see.

24 What's this. Oh, oops.

25 This is just stating the immediate

1 vicinity compatibility again.

2 The surrounding area is zone Suburban
3 Development. It consists of low-density housing,
4 open space, forested areas, agricultural areas and
5 wildlife. And the current mix, current conforms of
6 the purpose of the Non-Urban and Agricultural zoning,
7 as I stated previously.

8 And just to talk about a couple of the
9 things that would promote the health, safety and
10 general welfare of Franklin County, the property
11 owners did purchase the property in the last year to
12 do something. And so doing -- the project currently
13 has nothing on it.

14 Oh, man. I'm just going to go to that,
15 and not say anything else.

16 CHAIRMAN EVANS: Please wrap
17 it up.

18 MS. LOMEYER: Okay. This is
19 just a proposed site, so you can see the 200-foot
20 buffer that we're showing on three sides, and
21 actually to the north, there's more than 200 feet.
22 So the area in the middle would be the area we're
23 proposing to rezone. And that's to benefit the
24 property itself and the surrounding area.

25 That's it. It's close.

1 CHAIRMAN EVANS: Any
2 questions?

3 I guess I would have one that on your
4 purpose the intent of the district is to allow
5 agricultural, recreational, wildlife, forestry, open
6 space, farming, and related uses to mix with
7 low-density residential development.

8 Obviously that is not all-inclusive.

9 MS. LOMEYER: Correct.

10 CHAIRMAN EVANS: So like as
11 far as --

12 MS. LOMEYER: Yes.

13 CHAIRMAN EVANS: -- what
14 you've chosen to show NUA is --

15 MS. LOMEYER: Uh-huh.

16 CHAIRMAN EVANS: -- since
17 there are multi-other --

18 MS. LOMEYER: Right.

19 CHAIRMAN EVANS: -- permitted
20 uses.

21 MS. LOMEYER: Right, yes. And
22 that was part of the reason they wanted to move to
23 Non-Urban and Agriculture, because there are more,
24 since it was purchased to develop. There's more
25 options for them under that zoning.

1 CHAIRMAN EVANS: Okay. I just
2 wanted everybody to understand that under the purpose
3 that you haven't included everything.

4 MS. LOMEYER: Okay.

5 CHAIRMAN EVANS: Especially
6 since we're talking recreation, wildlife and
7 forestry, probably wouldn't create new jobs.

8 MS. LOMEYER: Fair enough,
9 yes.

10 MS. EAGAN: Bill, can I
11 clarify one thing real quick?

12 CHAIRMAN EVANS: Yes.

13 MS. EAGAN: The purpose that
14 she read in her presentation is exactly the purpose
15 of that district, but she wasn't talking about
16 permitted uses.

17 CHAIRMAN EVANS: Right.

18 MS. EAGAN: Okay. I just
19 wanted to make sure everyone was clear on that.

20 CHAIRMAN EVANS: Yeah.
21 Nothing. That's what I meant to say is that that is
22 the purpose, but there are multiple other permitted
23 uses in there.

24 MS. EAGAN: Sure.

25 CHAIRMAN EVANS: There are

1 things besides listed.

2 Jay?

3 COMMISSIONER SCHULTEHENRICH:

4 What you're proposing is just to the north of the
5 city of Pacific, I see.

6 MS. LOMEYER: Correct.

7 COMMISSIONER SCHULTEHENRICH:

8 Where do you expect most of your -- your utilization
9 of your facility, rental of your facility, that
10 basically to come from people in St. Louis County we
11 suspect or so?

12 MS. LOMEYER: I, not knowing
13 what their specifically going to put on there, I
14 couldn't say. And maybe it would be a better
15 question for someone else. I'm not sure.

16 CHAIRMAN EVANS: Jay, you have
17 to remember again we can't --

18 COMMISSIONER SCHULTEHENRICH:

19 Can't refer back to what we had already previously
20 heard, can we?

21 CHAIRMAN EVANS: That's right.

22 You have to unhear that, Jay.

23 COMMISSIONER SCHULTEHENRICH:

24 I guess I better not further the questioning.

25 Thank you very much.

1 CHAIRMAN EVANS: Bill?

2 COMMISSIONER McLAREN: Can I
3 -- can I give this a littler try and ask you to
4 answer what you got cut short on this. My questions
5 would be about the health, safety and general welfare
6 of Franklin County. So --

7 MS. LOMEYER: Okay.

8 COMMISSIONER McLAREN: -- I
9 would, in a roundabout way, give you a little bit
10 more time to answer that than what the phone did, --

11 MS. LOMEYER: Oh, okay.

12 COMMISSIONER McLAREN: -- or
13 timer did. So let's, you know, I -- in this process,
14 do we expect utilities to be extended so they're
15 available for more people, or --

16 AUDIENCE MEMBER: Can you
17 speak in the mic, please.

18 COMMISSIONER McLAREN: I'm
19 sorry.

20 As far as do we expect the utilities to
21 be extended so they're available to more people? I
22 think, to me, this is a critical part of stuff, that
23 is what we're doing is to promote the health, the
24 safety and the general welfare of the county and not
25 take away from the health, safety and general welfare

1 of the county.

2 MS. LOMEYER: Yeah. In the
3 development of the property itself, they're looking
4 at -- that's why we looked at where all the utility
5 locations were, and so they're evaluate the cost of
6 extending certain utilities to the property,
7 depending on what the final use -- you know, what the
8 final development is. So there is a good chance that
9 the water line and sewer line would need to be
10 extended to the property because currently there's
11 nothing there.

12 Is that what you -- does that answer
13 your question?

14 COMMISSIONER McLAREN: Yeah.

15 I'm trying to -- I'm trying to do the
16 same thing I asked on the other rezoning, is to
17 figure out why --

18 MS. LOMEYER: Sure.

19 COMMISSIONER McLAREN: -- we
20 should do this, what is being presented to us that's
21 going to increase jobs, going to extend utilities,
22 and going to increase taxes.

23 MS. LOMEYER: So --

24 COMMISSIONER McLAREN: I mean,
25 otherwise, I'm sure there's going to be people

1 present that we're going to be taking stuff away from
2 them. So I personally need to -- want to know what is
3 going to be brought that's going to make things
4 better.

5 MS. LOMEYER: Sure.

6 So the property was purchased to
7 develop. So whatever they -- and like I say, they
8 wanted to change it to Non-Urban Agricultural because
9 there were more permitted uses underneath that
10 zoning, giving them more options of whatever they
11 would decide to do there, whether it would be -- and
12 even if it was put homes there for a time, someone is
13 going to be building those homes.

14 So that would increase -- you know,
15 there would be jobs, people working there to create
16 those homes, to build those homes. Whatever the
17 property is developed as, that that's where the
18 increased taxes for whatever the property is used as.

19 Right now it's just open prop- --
20 there's nothing there. So whatever they develop on
21 there will be bringing some form of increased taxes.
22 Again, without knowing what that's exactly going to
23 be, I can't say exactly how much.

24 The same with the local jobs, depending
25 on what they decide to develop on the property, would

1 create job and it may not create jobs if like -- if
2 for instance, they decide to just build homes there,
3 then that wouldn't be creating any new jobs for the
4 county.

5 If they decide to open a business there,
6 then that would be creating new jobs for the county.

7 CHAIRMAN EVANS: Okay. Thank
8 you.

9 Any other questions?

10 COMMISSIONER BOLAND: I just
11 have a question to make sure I understand the --

12 MS. LOMEYER: Sure.

13 COMMISSIONER BOLAND: You're
14 rezoning right in the center of this property?

15 MS. LOMEYER: Yes.

16 COMMISSIONER BOLAND: Are you
17 an engineer?

18 MS. LOMEYER: No.

19 COMMISSIONER BOLAND: No,
20 okay. I was just curious.

21 MS. LOMEYER: I'm from an
22 engineering company though.

23 COMMISSIONER BOLAND: From the
24 engineering company, okay.

25 I was just curious how this made any

1 sense and what the property around this is going to
2 be used for then.

3 MS. LOMEYER: The -- the
4 property around the perimeter is strictly for a
5 buffer, recognizing that there are residences around
6 the perimeter of the property. And if they chose to
7 put a business on there, they were being cognizant of
8 the neighbors, that there would be a buffer between
9 that business and the surrounding residences.

10 That's strictly what it was for.

11 COMMISSIONER BOLAND: So out
12 of the 40 acres, you're going to take 14 acres, then
13 the rest is just going to be --

14 MS. LOMEYER: Green space.

15 CHAIRMAN EVANS: Any other
16 questions? Jay?

17 COMMISSIONER SCHULTEHENRICH:
18 But isn't that conditioned upon what is going to
19 potentially the property used for? I mean, can't you
20 basically -- you're presenting that to us today with
21 us not knowing what it's going to be utilized for.

22 MS. LOMEYER: Uh-huh.

23 COMMISSIONER SCHULTEHENRICH:
24 And therefore, if we were to rezone it, we're
25 rezoning the whole request that you're asking us to

1 rezone. We're not rezoning with a stipulation that
2 there has to be a buffer.

3 MS. EAGAN: They're only
4 requesting the 13.84 in the middle. They're not
5 requesting the out --

6 CHAIRMAN EVANS: All right.
7 The other acreage would remain SD for now.

8 MS. LOMEYER: SD development,
9 yeah.

10 COMMISSIONER SCHULTEHENRICH:
11 That's the buffer we're talking about --

12 CHAIRMAN EVANS: Right.

13 COMMISSIONER SCHULTEHENRICH:
14 -- that would remain SD?

15 MS. LOMEYER: Yeah.

16 COMMISSIONER SCHULTEHENRICH:
17 Okay. Then I -- can I go back to something that was
18 one of the reasons why this came about to be brought
19 back to us from the County Commission because I think
20 the County Commission would vote upon it being
21 rezoned only in a lower acreage than what they're
22 presenting tonight. And I'm just curious.

23 Can I ask the question as to why they're
24 asking for additional acreage now to be rezoned.

25 MS. LOMEYER: We took --

1 COMMISSIONER SCHULTEHENRICH:

2 Am I okay with asking that question?

3 MS. EAGAN: I don't think it
4 matters considering this is a new application. This
5 file was sent back to us, from my understanding --
6 and, Mary, you can correct me if I'm wrong -- is that
7 the court felt that when the County Commission let
8 them change their application at the hearing, it
9 should have started over at that point, and it never
10 did, and we continued with it.

11 Now they -- that case is done, gone.
12 They thought about it again, and they came up with a
13 new plan. And now they're submitting different...

14 COMMISSIONER SCHULTEHENRICH:
15 Well, I didn't see the court ruling. So I thought I
16 read where -- where the applicant was acceptable to
17 the change of a lesser acreage. So I guess that's
18 why I'm asking the question as to why they were
19 acceptable when the County Commission approved to
20 approve it, but now you're asking for additional --
21 the additional increase to be rezoned.

22 I guess that's the question that I'm
23 somewhat getting --

24 CHAIRMAN EVANS: And I think
25 that it's actually the same acreage that they had

1 requested from the Commission when they downsized
2 from the 30 acres to the 14. So what they're really
3 asking for is what they agreed to with the
4 Commission, which -- Mary, correct me if I'm wrong --
5 this is what was actually returned to us then.

6 So this is what they actually agreed to
7 with the Commission.

8 MS. EAGAN: This is -- this is
9 a different file. Ignore the other rezoning. This
10 is a complete new application. It's in a new place
11 on the property. It's a different acreage than the
12 other one.

13 This file has nothing to do with the
14 other one except they have to go through the process
15 again.

16 COMMISSIONER SCHULTEHENRICH:
17 Okay. Then I'll stop all the questions that I'm
18 trying to obtain and answer from.

19 Thank you.

20 CHAIRMAN EVANS: And again,
21 some of this is a little bit awkward because we can
22 comment and said file was approved by this Commission
23 but then was kicked back from the County Commission.

24 So it is a different file, but like I
25 said, we can comment on it. But it is different

1 acreage, but I would say it was similar to what was
2 agreed to at the County Commission and then in court
3 ruled unacceptable.

4 If that makes sense.

5 COMMISSIONER SCHULTEHENRICH:
6 That I follow, Mr. Chairman.

7 CHAIRMAN EVANS: It's not
8 common sense, but...

9 COMMISSIONER SCHULTEHENRICH:
10 That I follow.

11 CHAIRMAN EVANS: Any other
12 questions?

13 (NONE)

14 All right.

15 MS. LOMEYER: Thank you.

16 CHAIRMAN EVANS: Thank you.

17 MS. LOMEYER: Thank you.

18 CHAIRMAN EVANS: Anyone else
19 wishing to speak in support of this file?

20 MR. ANDREW LAMMERT: Andrew
21 Lammert on behalf of the applicant.

22 (Thereupon, the witness was
23 sworn.)

24 CHAIRMAN EVANS: State your
25 address also, please, for the record.

1 MR. LAMMERT: 144 Royalty
2 Drive, St. Louis, Missouri. Let me sign the sheet.

3 I just want to talk to the Commission a
4 little bit about why my clients proposed rezoning of
5 the property is in accordance with the standards set
6 forth in Section 321 of the Land Use Regulations.
7 That's Article 14, and I want to repeat. I know
8 Scottie read portions of that, but it starts off by
9 stating:

10 "Due to the ever-
11 changing conditions which
12 exist in Franklin County,
13 it is hereby acknowledged
14 that it will, from time
15 to time, be necessary to
16 adopt amendments to the
17 Unified Land Use Regulations
18 of Franklin County."

19 Section 321 starts out by acknowledging
20 the county is ever changing. I think that goes for
21 most real estate, especially any counties of this
22 size.

23 But then it goes on. The next sentence
24 states:

25 "Any such amendment

1 must promote the health,
2 safety, morals, comfort
3 and general welfare of
4 Franklin County by conserving
5 and protecting the property
6 and building values, by
7 securing the most economical
8 use of the land and
9 facilitating the adequate
10 provision of public
11 improvements in accordance
12 with the Master Plan adopted
13 by Franklin County."

14 And I know you've all heard that plenty
15 of times, but what I want to focus on out of those
16 essentially three different parts of that sentence it
17 is the general welfare of Franklin County.

18 Not the welfare of neighboring
19 landowners or a few residents of this county. The
20 general welfare of the entire county.

21 That sentence goes on to state that the
22 rezoning in this instance because it is a proposed
23 rezoning would need to conserve and protect building
24 values.

25 Now, what you've heard Ms. Lomeyer get

1 up here and talk about today is that as of right now,
2 my clients are keeping their options open as to what
3 the proposed use will be.

4 My understanding is under these
5 regulations, that will come under the Conditional Use
6 Permit procedure. But I can assure this Commission
7 that my clients are not seeking to rezone this
8 Non-Urban Agricultural and to have some use upon that
9 property that is going to damage property value.

10 Now, this particular parcel of land is
11 in a low-density populated area, density that is
12 equal to or less than one dwelling per 40,000 square
13 feet of residential land and undeveloped land.

14 Locating -- well, the rezoning and
15 locating my clients -- and again, there's no secrete
16 here. This is going to be a commercial endeavor of
17 some sort. They purchased the land for that purpose,
18 but locating this commercial endeavor in a
19 low-populated area, I can't think of a better place
20 where it would be located.

21 I mean, obviously dropping a commercial
22 endeavor in the middle of a densely populated area
23 would, I assume, trigger a lot of issues under the
24 Regulations and also probably from neighboring
25 landowners. But this is a situation where it's lowly

1 densely populated.

2 Now, the second -- well, the third part
3 of that sentence I read of Section 321 states that
4 the rezoning, and again in this situation, must
5 secure the most economical use of the land.

6 The current use of the land is not
7 economical at all. It's my understanding it's been
8 sitting vacant for 60 years. Rezoning to Non-Urban
9 Agricultural and allowing my clients to operate a
10 business thereon that stimulates the economy to an
11 extent, as any business would, would make the most
12 economical use of that land by creating tax dollars,
13 jobs, depending on the use, and income for residents.

14 Most importantly, the Future Land Use
15 Map shows the property is zoned or should be zoned or
16 will be zoned as Non-Urban Agriculture in the future,
17 which demonstrates that Franklin County contemplates
18 the property being zoned to that -- to the proposed
19 rezoning use -- well, the proposed rezoning category
20 that my clients are seeking to have it rezoned.

21 The Master Plan of Franklin County
22 provides the following information, which I just want
23 to put before this Commission.

24 Franklin County is located only 40 miles
25 -- I'll wrap it up -- is located only 40 miles west

1 of downtown St. Louis and is a prime place for
2 business development.

3 Franklin County is a pro-growth county
4 in its prime for business development. Encourage the
5 growth of new and existing commercial and industrial
6 uses through zoning is one of the land use
7 implementation strategies and one of the economic
8 development strategies described for a diverse
9 economy with focus on sectors that create jobs and
10 boost the economy.

11 Finally, there are going to be
12 neighboring landowners that are not going to like any
13 proposed rezoning, I would suspect. At least that's
14 been my experience in attending land use hearings in
15 this county and other counties.

16 But the progress without change is
17 impossible. The Master Plan speaks of progress and
18 forward movement for this county, including future
19 commercial endeavors.

20 My clients' property is perfect for such
21 an endeavor. Again, it's in a lowly densely
22 populated area.

23 CHAIRMAN EVANS: Let's wrap it
24 up, please.

25 MR. LAMMERT: But in closure,

1 this proposed rezoning is -- does consider and take
2 into account it is for the general welfare of this
3 county.

4 CHAIRMAN EVANS: Thank you.

5 Any questions, comments from the
6 Commissioners?

7 (NONE)

8 Thank you.

9 Anyone else wishing to speak in support
10 of this file?

11 (NONE)

12 If not, anyone wishing to speak in
13 opposition? Will you please state your name and
14 address and sign in, please.

15 MR. JOHN HOLTS: John Holts,
16 2802 Spring Valley Road, Pacific. And I have also 12
17 copies of a statement by my wife, Sophia Chung and I.

18 MS. EAGAN: Can you wait just
19 one second so we mark these.

20 (Thereupon, evidence was
21 marked for identification and
22 presented for the record as
23 Exhibit E.)

24 (Thereupon, the witness was
25 sworn.)

1 MR. HOLTS: And thank you,
2 Chairman Evans.

3 I just wanted to actually clarify this
4 has been a little closer to my property and hard,
5 perhaps and you, as the Commissioners, see quite a
6 large number of cases, and I will not give you dates.
7 But the original request by the -- by Mr. Muckler was
8 to rezone the entire 31 acres NUA. At the Commission
9 level, it was decreased to a 10-acre request at the
10 top of the hill, which is part of one of the issues.

11 And the current request is for 14 acres.
12 So this is a 40 percent increase, and I have to say
13 I'm -- when the applicant came forward previously,
14 they did have a very well formed program in terms of
15 building an event venue, which is one thing I would
16 speak as -- of as incompatible with the area and a
17 real eye/ear sore to the neighbors and a threat to
18 public safety.

19 But you know, now we are presented with
20 a possibility that they want NUA zoning for 14 acres
21 with no stated plan. I distributed Article 7.
22 You're well aware that the permitted and conditional
23 uses of a property are extensive, and as we observed
24 previously with zoning, it's hard to even stop a
25 conditional use.

1 So this is what I think Chairman
2 Griesheimer referred to. He was quite disturbed at
3 the commissioner level and talked about the real
4 Pandora's Box of NUA zoning, because many of these
5 uses are not really agricultural. They're much more
6 commercial type uses.

7 As a commercial site that would have
8 traffic in and out, you have a professional road
9 assessment there, and I know the Commissioners in
10 Planning and Zoning don't want to make road
11 decisions.

12 On the other hand, there is no suitable
13 entry/exit on this -- these blind curves. It would
14 require a major modification of the road with turn
15 lanes, probably moving the creek over to actually
16 make this safe. This is a professional study by a
17 professional traffic engineer that was done on the
18 previous request, but it's certainly valid because it
19 overlaps. Certified appraisers have looked at this.

20 I think NUA zoning is a real threat to
21 the value and marketability of nearby properties.
22 The planned with the venue previous 150 some 60 some
23 parking spots, you know, the lighting to this has to
24 be to the same standard as Walmart. If somebody
25 falls, you got to have a certain number of lumines

1 per square foot, or you did not light that parking
2 lot. So Paddy Kerr would never be able to go to
3 sleep with it unless he gets some heavy drapes.

4 There are potential environmental
5 issues, and I think the thing -- I think Ms. Lammert
6 -- or Mr. Lammert and Ms. Lomeyer actually made a
7 strong argument against this rezoning in many ways.
8 They're -- you know, the paving over or whatever
9 plans to be done with 4 acres is not going to promote
10 wildlife and forestry. I think this is very
11 incongruous, and they referred to the Future Land Use
12 Map as a zoning map.

13 If you look at that map, it says that
14 map of future land use describes this as non-urban
15 (agriculture and lots over three acres), referring to
16 residential. So which is the definition of suburban
17 development.

18 This is a sea of development property
19 out here. To stick a little island of NUA that
20 allows all of these four pages of permitted uses and
21 conditional uses, is -- would really be an egregious
22 example of spot zoning and would clearly be the
23 benefit of this landowner and to the detriment of the
24 surrounding landowners.

25 Thank you.

1 CHAIRMAN EVANS: Thank you.

2 Anyone have any questions?

3 (NONE)

4 Thank you.

5 Anyone else wishing to speak in
6 opposition? Please state your name and address and
7 sign in, please.

8 MS. DOTTIE Van DEVAN: Dottie
9 Van Devan, 2738 Forest Glenn Drive.

10 CHAIRMAN EVANS: Hey, Scottie,
11 let me ask you one question. On the proposed land
12 use map, that is going to be the proposed zoning for
13 that area when we look at -- as he's saying, the
14 Future Land Use Map.

15 MS. EAGAN: The Future Land
16 Use Map, it's just what we look at when we see
17 development in Franklin County. That's what you all
18 and the County Commission saw when that Master Plan
19 was done of the future of the county, not the zoning
20 of the county.

21 CHAIRMAN EVANS: But that's
22 what I want to clarify. That's what you're -- you're
23 perceiving as the use for that -- land use for that
24 area is NUA?

25 MS. EAGAN: Correct, for the

1 future, yes. Well, agricultural, let me clarify
2 that, is what it says in the Master Plan.

3 CHAIRMAN EVANS: Okay.

4 MS. EAGAN: So two different
5 things, use and zoning.

6 CHAIRMAN EVANS: Correct.

7 (Thereupon, the witness was
8 sworn.)

9 MS. VAN DEVAN: I'm concerned
10 about the safety of this road. OO is hilly, winding,
11 no shoulder road. If somebody is on that road and
12 has any kind of car problem, there is no place to
13 pull over. They're going to be on a curve possibly.
14 Coming from 44, you've got drop-offs on the road that
15 go down into the woods. And coming from 100, the
16 little sign that says OO is like this (indicating).
17 Okay.

18 And at night -- you want me to stop?

19 CHAIRMAN EVANS: Quick

20 question. OO is a State --

21 MS. EAGAN: Correct.

22 CHAIRMAN EVANS: -- is a State
23 road, which MoDOT has control over. We have nothing
24 to do with the road.

25 MS. VAN DEVAN: But if you're

1 going to have people coming on this road, you're
2 going to be adding more people driving on this road.

3 Aren't you going to have a potential of
4 more accidents? If you've got a hundred people
5 coming on a road that maybe only 75 -- a hundred more
6 coming on the road where maybe only 75 use it during
7 the day, you're going to have a potential of more
8 accidents.

9 And the safety of these people is going
10 to be in danger is what --

11 CHAIRMAN EVANS: And that --
12 and that would have to be addressed by MoDOT.

13 MS. VAN DEVAN: Okay. But
14 it --

15 CHAIRMAN EVANS: Not even the
16 highway director, but by Missouri Department of
17 Transportation.

18 MS. VAN DEVAN: Okay.

19 But I --

20 CHAIRMAN EVANS: Because we
21 look strictly at land use.

22 MS. VAN DEVAN: Okay. Okay.

23 But if you're using the land and more
24 people are going on it -- on using it, then it's
25 going to affect what happens on this road, even

1 thought it's a county road or a state road. It may
2 be more accidents, which is going to affect the
3 police and ambulance, et cetera. Okay.

4 Thank you.

5 CHAIRMAN EVANS: Yes. Thank
6 you.

7 MS. EAGAN: Bill, I'm sorry.
8 Can I clarify my statement again.

9 The Future Land Use Map does guide us
10 when we're looking at zoning the county, but again,
11 it's still not what is the zoning, but it is to guide
12 us.

13 CHAIRMAN EVANS: Right. So it
14 is more the strategic view --

15 MS. EAGAN: Correct.

16 CHAIRMAN EVANS: -- of
17 forward --

18 MS. EAGAN: Yes.

19 CHAIRMAN EVANS: -- forward
20 looking.

21 MS. EAGAN: Yes.

22 CHAIRMAN EVANS: Okay.

23 Anyone else wishing to address the
24 Commission in opposition? Can you state your name
25 and address and sign in, please.

1 MR. PADRICK KERR: Padrick
2 Kerr. As I said, my name is Padrick Kerr. Oh, I'm
3 sorry.

4 (Thereupon, the witness was
5 sworn.)

6 Like I said, my name is Padrick Kerr. I
7 may be referred to as Paddy, as Mr. Holts, Dr. Holts
8 referred to me as.

9 I live at 1705 Highway 00, Pacific,
10 Missouri 63069. I'm also co-owner of 1801-1805
11 Highway 00, Pacific, Missouri 63069.

12 I am against the rezoning of the Muckler
13 property. My family and I and along with many people
14 here tonight, will be significantly impacted by the
15 change of zoning from suburban development to
16 non-agricultural -- non-urban agriculture.

17 Light and noise pollution of such a
18 proposed venue will destroy the peace and tranquility
19 of our area, which is a pinnacle feature of all the
20 properties off of 00.

21 The increase of traffic on an already
22 dangerous driving road would be a complete disregard
23 to the safety of all those who live off 00 and all
24 those who travel it.

25 My main concern is that I have -- but my

1 main concern I will have loss of property value or
2 economic obsolescence. My property is the largest
3 investment of my life, and I plan to see if rise and
4 not fall.

5 Subdivided in 2015, my property 1705 and
6 the Muckler property were once one property at the
7 Portner Farm. The construction of a commercial venue
8 next door will adversely affect my daily life. I
9 will be subjected to light and noise pollution each
10 time there's an event, loud music. Parking lot
11 lights and intoxicated patrons are just a few
12 examples of the undesired effects to my property.

13 And during such conditions may keep me
14 from maintaining proper rest. My job requires me to
15 work long hours, and I rely on a consistent sleep
16 schedule to perform on a daily basis.

17 The increased traffic on Highway 00 is a
18 dangerous proposition, especially to those who are
19 unfamiliar with the route. Adding hazards of alcohol
20 consumption and nighttime driving conditions, put all
21 of us who live along the highway at a great deal of
22 risk.

23 It is likely that those who miss the
24 entrance to Mr. Muckler's venue heading north on 00
25 will attempt to turn around in my driveway, adding to

1 another nuisance of my property.

2 Along with being subjected to light and
3 noise pollution, as well as dangerous traffic
4 conditions, my family and I also face property value
5 loss. I've worked hard to obtain my property, and
6 I'm proud to call it home.

7 A change of zoning to the Muckler
8 property from Suburban Development to Non-Urban
9 Agricultural provides no public benefit to our
10 neighborhood. He has everything to gain, and we have
11 everything to lose.

12 Thank you.

13 CHAIRMAN EVANS: Thank you.

14 Any questions?

15 (NONE)

16 Thank you.

17 Anyone else present wishing to speak in
18 opposition? Will you please state your name and
19 address and sign in, please.

20 MS. KAREN FOOSE (ph.): Karen
21 Foose (ph.), 2049 Highway 00, Pacific, Missouri.

22 (Thereupon, the witness was
23 sworn.)

24 I live at 2049 Highway 00. I live north
25 of his proposed development that we're not saying

1 what the development is tonight, but I was told
2 previously that it was going to be a wedding venue.

3 I travel on Highway 00 to Pacific pretty
4 much daily. It is a two-lane, no-passing zone road
5 from Highway 100 to Pacific. Every day that I travel
6 on that highway people pass me. There are no place
7 for you to have sheriffs out there to protect us.
8 People speed. We are in danger on that road.

9 I don't care who owns the road. It is a
10 dangerous road. Every morning I get passed on that
11 going 45 and 50 miles an hour. I -- I cannot see
12 where it is safe for any resident of Franklin County
13 to have a wedding venue up there where people will be
14 drinking, not knowing the community, not knowing the
15 road, not knowing the 30-foot, 40-foot falls off the
16 sides of the road.

17 I just think that we need to rethink
18 about the safety.

19 I also would like to talk about the
20 noise pollution. We already have noise pollution
21 from the wedding venue on Highway 100. Now we're
22 going to stick another wedding venue on the other
23 side that's totally outside.

24 CHAIRMAN EVANS: Ma'am, I'll
25 have to interrupt you and say that we're not

1 addressing whether it's a wedding venue or not.

2 MS. FOOSE (ph.): Okay. Well,
3 but we need some consideration for the neighborhoods
4 for what kind of developments we do in Franklin
5 County. If there's residents, they should have the
6 right to be able to sleep at night without hearing
7 noise, music, fireworks.

8 And that's all I have to say. Thanks.

9 CHAIRMAN EVANS: Thank you.

10 Anyone else present wishing to speak in
11 opposition? Will you please state your name and
12 address and sign in, please.

13 MR. JERRY WILDING: Jerry
14 Wilding, 2182 Timberline Valley Drive, Wildwood.

15 (Thereupon, the witness was
16 sworn.)

17 Good evening. My name's Jerry Wilding.
18 My wife and I own the property immediately south of
19 the proposed rezone area. I come here tonight to
20 speak in opposition to this rezoning for a number of
21 reasons.

22 First off, I just want to say I disagree
23 with the notion that somehow increased taxes or
24 increased employment is necessarily and absolutely an
25 improvement to the welfare of Franklin County in all

1 areas.

2 This particular area is primarily
3 agricultural and light residential in nature. To add
4 a venue like the movents are proposing here tonight,
5 would completely change the character of this area.
6 The light, the noise, the constant disruption,
7 especially in the evening hours of every single
8 weekend will make this practically unlivable for
9 those of us who own the property around it.

10 A venue such as this would be better
11 located in an industrial or populated city portion
12 instead of someplace out in the country like this.

13 Just since the frist of this year, there
14 have been two vehicles that have crashed off the road
15 and come through the fence on my property. I know
16 it's been addressed before, but adding more vehicles
17 to this area is going to hurt the general welfare and
18 the people who own property along this roadway.

19 I would venture to guess that the only
20 people here tonight in favor of this are the Mucklers
21 and the people that they've hired on their behalf.
22 Everyone else in this room, I believe, is against it,
23 and that's because it's going to hurt this area.

24 Thank you.

25 CHAIRMAN EVANS: Thank you.

1 Anyone else present wishing to speak in
2 opposition? Would you please state your name,
3 address and sign in, please.

4 MR. KEN SCHLUMPER (ph.): Ken
5 Schlumper (ph.), 1920 Highway 00, Pacific, Missouri,
6 known as Schlumper's Farm. Been in our family for
7 over 120 years. It's --

8 MS. REPORTER: Just a moment.

9 MR. SCHLUMPER (ph.): Oh, I'm
10 sorry.

11 (Thereupon, the witness was
12 sworn.)

13 Yeah, been in the family for a long
14 time. This piece of property that they're proposing
15 actually we put hay up off that piece of property
16 when it was Pertiner's (ph.) adjoining to Jerry's
17 property, because that was Glenny and his brought had
18 a property there. And we put hay up off of that.

19 There's approximately 300 acres from the
20 top of Highway 100/00 down to the covered bridge
21 there where Hopper owns, that we put hay up off of.
22 And travel Highway 00, which you're heard quite a few
23 different people say how 00 is.

24 We put a farm sign up at the top of the
25 hill. It's got a farm tractor, given to us by MoDOT

1 to try to slow traffic down. When you're driving a
2 tractor on that road, it's -- people do what they
3 want to do. It's their own choice. It's -- it's not
4 a -- it's not an easy toll, but that's where our farm
5 is.

6 The more ground that we keep covering up
7 with parking lots, venues, buildings, they don't make
8 ground no more. Land is not available. You don't
9 make any more of it. What's here is here. The more
10 you keep covering up, the less you're going to have.

11 I understand we have residential people
12 that have come into the area, which is fantastic.
13 It's a great thing. We have new neighbors with the
14 Kerrs. His daddy now is building on that piece of
15 property, which is awesome.

16 If these people that bought this want to
17 build a house on that, fantastic. That's perfect.
18 That area is built for farm ground. That area is
19 built for residential property only.

20 I think that's all I have. Thank you
21 for your time.

22 CHAIRMAN EVANS: Thank you.

23 Anyone else wishing to speak in
24 opposition? If you would state your name and address
25 and sign in, please.

1 MR. EDWARD DINAN: Yes. My
2 name is Ed Dinan, and my address is 1843 Manner Hill,
3 and that's 63131.

4 (Thereupon, the witness was
5 sworn.)

6 My name is Ed Dinan. I am a
7 professional real estate consultant and appraiser,
8 and I've been in the business for about 46 years.
9 I'm also a real estate broker licensed in the state
10 of Missouri and the state of Illinois.

11 We prepared an in-depth study of this
12 property over six months ago, and it was predicated
13 upon a specific use, commercial use venue. Tonight
14 we understand that that's not what we're considering.
15 We're considering any commercial use.

16 I would point out that historically,
17 traditionally, commercial uses are located, situated
18 near other commercial uses, not in the middle of an
19 agricultural or semi-agricultural area.

20 Since the original research that we
21 conducted, we have conducted additional collateral
22 research, and we've studied this in-depth. The key
23 factors that I'd like to point out is one of the
24 issues is that I have interviewed and spoken with
25 many knowledgeable residential brokers, all of whom

1 find a flaw in this type of use in an area like this.

2 All of them talked in terms of
3 diminished property values and at a minimum, at a
4 minimum, elongated marketing periods. So that when
5 you have an elongated marketing period for a home,
6 days on market is the key phrase. Then you're
7 discounting the value of the property because the
8 property owner doesn't receive the sales price at the
9 original marketing period time.

10 We also reviewed numerous articles from
11 coast to coast, from Texas to Minnesota, and all of
12 these articles indicated, all of this research that
13 was conducted, indicate a diminution in value.

14 I also studied a report by the National
15 Association of Realtors that also looked at
16 inharmonious land uses where you have a problem with
17 quiet enjoyment and you have these non-harmonious
18 land uses. These reports -- and they compared this
19 to a variety of different uses from power lines,
20 pipelines and so forth, highways were just a sum --
21 were just some of them. But all of these reports
22 indicated diminution of values in a range of 10 to 15
23 percent.

24 And the bottom line to all of this is
25 that one of the basic elements in the right of

1 ownership of property is quiet enjoyment, and I think
2 that is what is at danger with this type of issue.

3 Thank you.

4 CHAIRMAN EVANS: I do have one
5 question for you.

6 MR. DINAN: Sure.

7 CHAIRMAN EVANS: In those
8 studies, do you have any particular data?

9 MR. DINAN: Yes. We have -- I
10 brought all those reports with me.

11 CHAIRMAN EVANS: Were these
12 submitted as evidence?

13 MR. DINAN: I can submit them.
14 (CROSSTALK)

15 CHAIRMAN EVANS: And can these
16 reports (unintelligible)?

17 MS. EAGAN: Question for Mary.

18 CHAIRMAN EVANS: Question for
19 Mary.

20 COUNTY ATTORNEY ZASTROW-HIATT:
21 Were they submitted -- did Dr. Holts submit them in
22 his packet?

23 MR. DINAN: No, he did not.

24 MS. EAGAN: If he has enough
25 copies for everybody, we can take it as exhibits.

1 MR. HOLTS: I do not have 12
2 copies, though.

3 CHAIRMAN EVANS: Okay.
4 Again --

5 MR. DINAN: I've got copies of
6 the reports if you want them, but I don't have
7 multiple copies.

8 CHAIRMAN EVANS: Well, that's
9 what it requires, one for each Commissioner.

10 And I will mention again that we are
11 making a recommendation to the County Commission.
12 While we are having a public hearing tonight, there
13 will be another public hearing in front of the County
14 Commission; at which time, additional testimony and
15 evidence can be received.

16 MR. DINAN: Sure. Thank you.

17 CHAIRMAN EVANS: Thank you.

18 Anyone else wishing to speak in
19 opposition? Please state your name and address and
20 sign in, please.

21 MR. BOB KERR: My name's Bob
22 Kerr. I live at 66 Oak Hill Drive, Ellisville,
23 Missouri.

24 (Thereupon, the witness was
25 sworn.)

1 As you see by the map there, you have
2 Kerr Lane there, and that square is about 6.106 acres
3 that we separated from the 35 or so, and I'm here on
4 the behalf of Paddy, who owns that triangle.

5 My other son and him own the property
6 just north of there, about 35 acres. We cut the 6
7 off, so about 29 acres, and we went through the
8 Planning and Zoning. And Nichole helped us a great
9 deal of separating that, and that's a mini
10 subdivision, I guess, is what it's called.

11 I was up there. We poured the concrete
12 30 days or so ago, and that -- that section -- that
13 six acres slopes about 15 percent straight down on
14 the creek. There's nothing in it but grass that
15 high, and then a little bit of a treeline, and then
16 the creek meanders down there. And Paddy's house
17 sits there.

18 And I was sitting there by myself, and I
19 hear two people talking. That's 750 feet from where
20 I was standing to the creek, and they were across
21 that division line, across the creek from Paddy's
22 house, and I could hear them distinctly.

23 It was a woman and a man. I couldn't
24 tell what they were saying, but I heard them
25 distinctly talking from about -- that was probably

1 800 fee.

2 So if you slam 300 people on top of that
3 hill -- have you ever sat -- have you ever stood out
4 on that hill? Has anybody ever gone out on that hill
5 and stood there? You could stand on that hill and
6 where they're proposing this event, and I can stand
7 on that property right there, and I can yell at you
8 and you could hear me plain as day, just like I heard
9 those people.

10 I'm not sure who they were. You put 300
11 people on that hill, I'll be hearing clanking glasses
12 all night. I'm building a 2,400 square foot house
13 right there, right at the top of that six acres that
14 has 52 feet of windows that look right at that hill.
15 That's what I'm going to see.

16 Now, I know you're not going to decide
17 on emotion, but the question is -- and I'm new to
18 that area. We're relatively new to this area, a
19 couple of years. And that road is bad. I'm a --
20 white-knuckle it when you drive your truck down there
21 past the Schimplers'. There's a little wobble there
22 by the creek.

23 You put 300 people on that hill, it
24 doesn't belong there. And the question a couple of
25 questions I have that were presented.

1 Will Pacific extend the sewer and water
2 to us north of that property if they do that? I know
3 it's not your decision. I just heard that if they
4 come out that far, will they stop right at that hill?
5 Or just for the benefit of them?

6 The buffer will do nothing. When we
7 stood in from of the BOZA, the answer of one of the
8 Commissioners was, "Well, just build a buffer with
9 some trees. Just build a berm."

10 Build a berm. Have you ever stood on
11 that hill? No. I have. The berm, you'd have to
12 build it a hundred feet tall. And that wouldn't even
13 knock down that noise. This is going to be a
14 commercial endeavor. There is no public welfare
15 whatsoever in this thing, none whatsoever.

16 And to echo on -- and I'll be done with
17 this. To echo what Mr. -- Dr. Holts said, the courts
18 in Missouri said if an arbitrary and unreasonable
19 devotion to a small area to a use inconsistent with
20 the uses to which the rest of the district is
21 restricted and made for the sole benefit of a private
22 interest of the owner, it is invalid. That is spot
23 zoning.

24 And that's what -- it's a sea of green
25 on your map. It's a sea of green -- it's a sea of

1 yellow on mine, and then you're going to stick that
2 little Wrigley Field in there. That's what you're
3 going to do.

4 Thank you.

5 CHAIRMAN EVANS: Thank you.

6 Anyone else wishing to speak in
7 opposition. If you'd state your name and address and
8 sign in, please.

9 MR. KEVIN SULLIVAN: Kevin
10 Sullivan, 1 North Brentwood, St. Louis, Missouri
11 63105.

12 (Thereupon, the witness was
13 sworn.)

14 I'll try to be as brief as possible.
15 Thank you very much for your time and for listening
16 to everyone. I represent John Holts, Sophia Chung,
17 Paddy Kerr and other neighbors opposing this
18 application.

19 By way of background, I just want to
20 restate that the application to rezone was actually
21 unanimously rejected by this Commission on November
22 15, 2016. Just talking about the rezoning, not the
23 conditional use permit.

24 If I could just talk about a couple of
25 things that have been touched on. There's been talk

1 about the Master Plans, existing Land Use Map and the
2 Future Land Use Map and how it's being represented as
3 being shown Non-Urban Agricultural.

4 Well, actually the future use map just
5 calls it Non-Urban, and that includes both
6 agricultural uses and then residential uses for three
7 acres. It doesn't get down to the details of what
8 that zoning can be, whether we're talking suburban
9 development, whether you're talking about non-urban
10 agricultural, community development or some type of
11 other residential development.

12 So I guess my purpose would be that if
13 their -- if the future use is non-urban agricultural,
14 then what's the point of having suburban development,
15 which it currently is and which is a much more
16 restricted use which is going to respect the current
17 use, which is agricultural and people who have large
18 acre and land parcels and they built -- and they have
19 come here to build their homes on.

20 I'd further like to state that this
21 proposed rezoning is in no way in comportment with
22 the County's Master Plan. Land use goal number three
23 is to "ensure contiguous land uses are compatible."

24 What has been admitted by the applicant
25 to be a commercial or an industrial use, which

1 industry would be allowed in the Non-Urban
2 Agricultural zoning, it's right there in the
3 permitted use, that's just dropping an island of
4 non-urban agricultural into a sea of suburban
5 development. And this is just spot zoning of the
6 parcel that is completely contrary because it's going
7 to be commercial, and that's been said, to what's in
8 the area.

9 Moreover, the land use implementation
10 strategy goal 2 objective 2, strategy 1, states that
11 large commercial developments, which that's what's
12 going to happen here whether it's a wedding venue, a
13 convenience store, it could be a micro-brewery. It
14 could be a distillery. It could be a winery.
15 Whatever it's going to be, they should be near major
16 intersections, along major transportation corridors
17 and in areas designated commercial on the Future Land
18 Use Map.

19 The Muckler property falls into none of
20 these categories. Highway 00, that's not a major
21 transportation corridor. It's not near any major
22 intersection, and importantly, nowhere in any
23 existing use or future use is this shown as being
24 used as a commercial entity.

25 Just to touch on Section 321 of the land

1 use, which does require for rezoning purposes, that
2 you're to consider and promote the health, safety,
3 morals and general welfare of Franklin County, we
4 haven't heard what this development is going to be.

5 So I don't think the applicant has met
6 their burden of showing what the welfare is going to
7 be. They're going to say well, it could be
8 something, there could be increased taxes, there
9 could be jobs. They're not saying what it is. So
10 this Commission does not know what it is.

11 What we do know from the past is that if
12 it's going to be a wedding venue or any other type of
13 wedding venue, we've heard it from people here today,
14 first it's going to endanger safety just because of
15 00. I know you don't know have any control of it,
16 but where this is located has to be considered, and
17 there's no guarantee that MoDOT is going to do
18 anything to expand, add shoulders, add turning lanes,
19 what have you.

20 Furthermore, we do have the -- there's
21 the study by Brad Loomis which goes into -- which was
22 submitted by Dr. Holts, which goes into detail
23 specifically about the volumes that's going to be
24 included and the danger in the stopping times just
25 because of the undulations and the curves that go on

1 Highway 00 as it would approach this venue.

2 Further, we've heard about -- a bit
3 about noise, and I wanted just to speak and point out
4 to something that should be in the record and that
5 was submitted by William and Laurel Elzinga.

6 And Bill Elzinga is a -- an
7 environmental consultant and scientist who's been
8 doing it for over 30 years. And he's put in a very
9 detailed well-founded report on standards just with
10 respect how much noise the decibel increase that's
11 going to come off of this property and how that has a
12 direct correlation to lowering the land values of the
13 six surrounding property owners.

14 CHAIRMAN EVANS: Wrap it up.

15 MR. SULLIVAN: Just wrap it
16 up. Thank you.

17 So I would just like to say that looking
18 at Section 321, this isn't going to be a public
19 benefit, because we don't know what that benefit is
20 going to be. It's going to be a public detriment to
21 the people who are sitting back here and who have
22 chosen to either remain in the area or have come to
23 build in the area and enjoy its serene atmosphere.

24 Thank you.

25 CHAIRMAN EVANS: Thank you.

1 Is there anyone else wishing to speak in
2 opposition? If you'd state your name and address and
3 sign in, please.

4 MR. JERRY VAN DEVAN: Jerry
5 Van Devan, 2738 Forest Glen Drive.

6 (Thereupon, the witness was
7 sworn.)

8 I don't have a whole lot to say. I
9 think everything was already said. But I do think
10 it's going to be very dangerous on that road, and I'm
11 very much against the project.

12 Thank you.

13 CHAIRMAN EVANS: Thank you.

14 Anyone else wishing to speak in
15 opposition?

16 (NONE)

17 Okay. Thank you. Does the applicant
18 have any rebuttal to any of the things that were
19 said?

20 MR. LAMMERT: Andrew Lammert
21 again on behalf of the applicant.

22 I don't have too much to say other than
23 we heard Kevin get up here and talk about how this
24 affects the six landowners in the area, and then --
25 on the other hand, he talks about how that is not the

1 general welfare of Franklin County.

2 Six landowners does not constitute the
3 general welfare of Franklin County. The Future Land
4 Use Maps shows this is Non-Urban Agricultural, and
5 part -- I mean, a convenience store, that's not -- I
6 can tell you right now that's not something that's
7 being contemplated. But that is what the Future Land
8 Use Map shows. Wait one second here.

9 In addition to -- and again, the future
10 -- because the Future Land Use Map shows it as
11 Non-Urban Agricultural, these are the various
12 contemplated uses that can be done in an NUA zone.
13 Convenience stores, daycare group, educational or
14 cultural or religion uses, farm equipment, fraternal
15 or private clubs.

16 CHAIRMAN EVANS: We all have a
17 copy of this.

18 MR. LAMMERT: Hospitals and
19 nursing facilities. Again, it's a low-density
20 population area, only affecting these six landowners.

21 Thank you.

22 CHAIRMAN EVANS: Thank you.

23 AUDIENCE MEMBER: Can I just
24 clarify?

25 CHAIRMAN EVANS: No, actually

1 not.

2 AUDIENCE MEMBER: I thought it
3 was jus t-- all right.

4 CHAIRMAN EVANS: No. That's
5 the way our procedures are. You are for or against,
6 and then they have rebuttal, and that's the way the
7 procedures are.

8 Any comment or discussion? Certainly
9 there has to be some discussion.

10 COMMISSIONER McCREARY: Yeah,
11 first off, I'd like to say that must be the most
12 dangerous highway. It is -- it is bad. I've worked
13 out there before. It is a rough road. As far as
14 whether it would be 300 people at a venue or 300 new
15 homes up and down Pacific, again, I think, Bill, you
16 pointed out that we can't do anything about that
17 road.

18 Growth will come, but as to whether this
19 is proper or not, me myself, in light of what was
20 just handed to us, I'm not comfortable really making
21 a decision on this tonight. I haven't read any of
22 this. I've used the time to listen to the people
23 speak their mind.

24 CHAIRMAN EVANS: Jay?

25 COMMISSIONER SCHULTEHENRICH:

1 Well, I listened to some -- all of the evidence I
2 guess and statements and concerns and support. And
3 when I look at Article 1 in our Regulations, General
4 Provisions, it talks about sort of what our
5 responsibilities are. And it talks about the general
6 welfare of the present and future inhabitants of the
7 county.

8 Unless I'm looking at something that is
9 outdated, but I don't think it is because this has
10 been presented to us. I mean, we talk about the
11 inhabitants. We're not talking about just the -- the
12 overall that's trying to be convincing to us of --
13 for the overall for the county. It specifically also
14 identifies the present and future inhabitants of the
15 county.

16 I think that is a concern that was
17 validly raised, and I also -- I find it difficult to
18 really understand when we're asked to make a decision
19 or here to give a recommendation to the County
20 Commissioners, that we say okay, what are you going
21 to do in regards to improving the welfare of the
22 community, and yet, we don't know what. There's
23 various uses that this could be used for.

24 So we don't know what it can be the
25 welfare and the benefit is there for -- and

1 therefore, it's difficult for me to understand how we
2 can utilize what our role is without understanding
3 what specifically is being intended to be utilized.
4 And that -- so I have a true issue in regards to what
5 I've heard here this evening.

6 Thank you, Mr. Chairman.

7 CHAIRMAN EVANS: Thank you.

8 We do get caught in a little bit of a
9 Catch 22, and that again, because of when we look at
10 rezonings, we have 40 permitted and 14, I think,
11 conditional use -- uses in this zoning district, but
12 we are not allowed to -- to ask questions on what the
13 particular permitted use is going to be.

14 So I think that's a little bit what you
15 were saying, Jay, that we have to, with our blinders
16 on, say these are all -- and again, it's not
17 commercial. It would be non-residential. That was
18 mentioned a couple of times, but it's in residential.

19 COMMISSIONER SCHULTEHENRICH:
20 Well, in my opinion, if we're going to be doing spot
21 zoning -- and that's basically what we would be doing
22 potentially in here, it means very close to spot
23 zoning if it's not -- then I don't know how -- again,
24 I'm sorry, but I don't know how if there isn't more
25 specifically in regards to consideration, I'm going

1 to have trouble with it in that regard.

2 And, Bill, I hear what you're saying,
3 and I know we can't go into details in regards to
4 what it's going to be the use because it can multiple
5 uses. Okay. Which is all fine.

6 But if some of these multiple uses don't
7 really provide the -- in the opinion of the
8 Commissioners, a benefit potentially to the welfare,
9 okay, then if it's going to be used for that purpose
10 there's no other specify what potentially it can be
11 used for, then again, I seek as to what is the
12 benefit.

13 Okay. And I miss where that occurs
14 from.

15 CHAIRMAN EVANS: Any other
16 comments? Bill?

17 COMMISSIONER McLAREN: You
18 know, I guess I really get uncomfortable when
19 somebody calls something vacant land, and the term
20 vacant land just irritates me to no end when I -- you
21 know, I know somebody's owned it for the last 125
22 years.

23 And that's just a side bar. That makes
24 me really uncomfortable, but you know, it's hard for
25 me to see if there's 14 acres there and on 14 acres

1 there could easily be a minor subdivision that would
2 be what five lots, four lots, and the value of the
3 houses that are being built out in there of the some
4 of the testimony that we've heard, I don't see -- I
5 want to be compelled to where the economic
6 development advantage is for this community.

7 And so far I have not seen that.

8 CHAIRMAN EVANS: Any other
9 comments? Yeah.

10 COMMISSIONER TOBBIN: Mr.
11 Chairman, I got something.

12 CHAIRMAN EVANS: All right.
13 Commissioner Tobbin.

14 COMMISSIONER TOBBIN: I want
15 to start off by saying, you know, I appreciate Mr.
16 Muckler wanting to make the investment in Franklin
17 County. I think it's fantastic, but going along the
18 same thing of Jay here and Bill, I struggle with the
19 general welfare of the inhabitants of Franklin County
20 when you're going from a more restrictive zoning to a
21 more -- that allows more uses and how that really
22 benefits the general welfare.

23 And by no means am I an expert at all,
24 but I think in my head as the highest and best use of
25 this property and I see it as residential. So again,

1 I see a difficulty in convincing myself and seeing
2 the overall health, safety, and general welfare of
3 Franklin County and inhabitants of Franklin County.

4 CHAIRMAN EVANS: Any other
5 comments?

6 (NONE)

7 Question, Scottie. So we move this then
8 to Old Business also --

9 MS. EAGAN: That's correct.

10 CHAIRMAN EVANS: -- before we
11 would take a vote on it?

12 If there are no other comments or
13 discussion -- I would say recognizing OO is a
14 dangerous road, so if you live in Franklin County,
15 hills and curves are the nature of the beast of
16 Franklin County. So OO is not that more -- much more
17 dangerous than the road I live on.

18 So that being said, any other comments
19 and discussion?

20 (NONE)

21 If no other comments or discussion, the
22 Chair would entertain a motion to move this to Old
23 Business.

24 COMMISSIONER BOLAND: I'll
25 make a motion to move it to Old Business File 180082.

1 COMMISSIONER REINHOLD: I'll
2 second it.

3 CHAIRMAN EVANS: We have a
4 motion and a second to move File 180082 to Old
5 Business. All in favor signify by saying aye.

6 COMMISSIONER REINHOLD: Aye.

7 COMMISSIONER VOSS: Aye.

8 COMMISSIONER McLAREN: Aye.

9 CHAIRMAN EVANS: Aye.

10 COMMISSIONER BOLAND: Aye.

11 COMMISSIONER SCHULTEHENRICH:

12 Aye.

13 COMMISSIONER TOBBIN: Aye.

14 COMMISSIONER McCREARY: Aye.

15 CHAIRMAN EVANS: Opposed?

16 (NONE)

17 I would suggest before we move on to
18 File 180060, if there is no objection that we take a
19 seven-minute recess, and we will begin again at 9:15
20 sharp.

21 (Thereupon, a break was taken;
22 after which the proceedings
23 continued as follows:)

24 The Planning and Zoning Commission is
25 back in session, and we will proceed with File

1 180060, Hope Ranch of Missouri.

2 Scottie, if you'd give us the details.

3 MS. EAGAN: This is File 180060.

4 The applicant is Cameron Lueken for Hope Ranch of
5 Missouri.

6 The applicant wishes to create a Planned
7 Unit Development in the Residential Development and
8 Non-Urban and Agricultural zoning districts.

9 The property is located on Highway JJ,
10 approximately one mile west of Interstate 44, in
11 Meramec Township.

12 Facts: The request involves three
13 parcels totaling approximately 195 acres.

14 This Planned Unit Development provides a
15 range of residential units and educational facilities
16 for youth of Franklin County.

17 The proposal shows single-family units
18 and multi-family units on the same property as a
19 school and recreational facilities.

20 This development is going to be done in
21 six phases. The proposed last phase is planned to be
22 completed in 2031.

23 This proposal appears to be surrounded
24 by undeveloped land with medium-density residential
25 properties to the south.

1 please state your name and address and sign in,
2 please.

3 MS. JENNIFER HOPE: My name is
4 Jennifer Hope. My address is 2085 Brookshire Farms,
5 Union, Missouri.

6 (Thereupon, the witness was
7 sworn.)

8 My name is Jennifer Hope, and I'm the
9 board president of the Hope Ranch of Missouri, and we
10 thank you for the opportunity to share and present
11 more about our plan to create -- build, create and
12 operate a special ranch for hurting children of
13 Franklin County.

14 Our goal is to make lasting positive
15 changes in their lives and ultimately in our
16 community.

17 Most of our at-risk children will come
18 from the foster care system, and are risk of
19 repeating the same cycle of dysfunction they have
20 been exposed to. That is why our motto is break the
21 cycle and heal the child.

22 The Hope Ranch is a not-for-profit
23 non-denominational Christian organization. It's
24 actually a grass-roots efforts by local professionals
25 who live, work and own property in Franklin County

1 and are committed to keeping the decisions regarding
2 the Hope Ranch made by local stakeholders in order to
3 protect our kids and our community.

4 We hosted two neighborhood meetings in
5 May at Meramec Caverns with a detailed, much more
6 detailed than this, presentation outlining our
7 programs and then concluded with a
8 question-and-answer session.

9 We invited our neighbors that bordered
10 Hope Ranch property as well as those who lived down
11 -- up and down Highway JJ. All appeared to be in
12 support of the Hope Ranch, with several of them
13 that's actually decided to volunteer.

14 And at this time, we are unaware of any
15 neighbors who are against the youth ranch.

16 We shared with our neighbors the current
17 data on children in foster care here in Franklin
18 County and some of the situations children on our
19 communities have endured. Unfortunately, the hard
20 data actually backs up our stories and the situations
21 we were explaining with them, and most -- right now
22 most of the children aging out of foster care will
23 continue with that cycle.

24 Those -- that data right there basically
25 is because they don't heal. They never had a chance

1 to heal. They're unconsciously dragging their
2 traumatic experiences through their everyday life as
3 adults, and most of them feel helpless with no goals
4 or hope for a different type of future.

5 And unfortunately, again, they repeat
6 the cycle with their children.

7 We also shared with our neighbors that,
8 based on research, and evidence based programs that
9 kids and teens can break that cycle when they have --
10 are in a safe environment with trusted adults who
11 have been trained in trauma and have the opportunity
12 in a safe place to practice new strategies to replace
13 their dysfunctional behaviors.

14 Also with the intensive counseling
15 needed and to address those traumatic experiences and
16 gain confidence to envision a different type of
17 future and how to work toward that.

18 Shifting focus off themselves and in
19 turn helping others is another one of the -- one of
20 the concepts that work, and then finding hope and
21 have faith in God that these kids feel like they're
22 not alone, you know, as they go through -- go through
23 life again.

24 So we basically built our programs
25 completely around those concepts for the Hope Ranch.

1 Our first pillar is family-style homes with only six
2 children and live-in, trauma-trained, house parents
3 so these kids have an opportunity to build
4 relationships and have modeling of what a healthy
5 family looks like.

6 Our ranch homes are built in pairs with
7 connecting hallways for added support and
8 supervision, and our parent -- excuse me. Our
9 neighbors were happy to see that we were building
10 quality homes.

11 Our second pillar is our alternative
12 therapeutic school. It's a small school with only
13 ten classrooms, counseling offices, small class sizes
14 with only 12:1 ratio, individualized instruction, and
15 counselors working with those children throughout the
16 day.

17 And as a side note, we want to let you
18 know we do have the support from our surrounding
19 superintendent or the surrounding districts, both
20 Sullivan and St. Clair. Actually Dr. Allen was going
21 to come when we were on the 19th, but he's on
22 vacation and wasn't able to make it tonight.

23 Our third pillar is counseling, and
24 those kids -- it's a wraparound program with us. I
25 don't have time to go into that, but they're going to

1 receive individual therapy, group, off-site family
2 counsel, after-care -- after-care counseling after
3 they leave the ranch, and then extra goals for
4 independence for kids that are 14 and older to help
5 them prepare and get the skill sets they need for
6 adulthood.

7 Another side note on that is we do have
8 the support from the Lutheran Family Children's
9 Services, CRITER, another local mental health
10 provider, and local pediatricians and doctors. We
11 also had the staff from Children's Division working
12 on us from day one with our planning committees so
13 that -- but they're not allowed to official endorse
14 any organization, but they've been on our planning
15 committee from day one.

16 Our fourth pillar is our community
17 service, basically teaching them to give back, a/k/a
18 volunteering. And our neighbors appreciated that we
19 were going to have -- our neighbors appreciated that
20 each weekend each child and their family, ranch
21 family, will be going out into the communities,
22 different towns, in Franklin County and volunteering
23 so that we can teach them and model the importance of
24 giving back.

25 Our fifth and we call it the most

1 important pillar for us is our faith, and we call it
2 the glue that's going to help them retain and keep
3 those guidance and everything we've taught them when
4 they get back out in the real world when it gets
5 tough again and since we're non-denominational, we'll
6 be working with all local churches and their youth
7 groups.

8 I'll wrap it up. Can I wrap it up?

9 CHAIRMAN EVANS: Yeah.

10 MS. HOPE: This is awful hard
11 to get in five minutes. Okay.

12 The other thing, big, big issue for our
13 neighbors was our application or admissions process,
14 and so it'll be a team that reviews all the records
15 and everything and does the interviews. Kids ages 6
16 to 19, Franklin County top priority, and juveniles
17 with violent tendencies or violations of the Safe
18 Schools Act and deemed unsafe by this team will not
19 be permitted.

20 These are the kids are the victims and
21 not the delinquents.

22 Last thing. Of course, we don't -- we
23 know we can't continue status quo. Our kids need us
24 to help step up and help us stop this thing, stop the
25 cycle, and we want to work with our entire community.

1 There are -- okay. As similar Christian
2 ranches, youth ranches, have done in their community,
3 such as Eagle Ranch in Georgia, Cookson Hills in
4 Oklahoma and Hill Country, Texas, these are ranches
5 that have been around 40, 50 years, based very
6 similar to our approach, we will -- and they are a
7 source of pride in their communities.

8 And then we want to earn that same
9 respect from our community as we work to help our
10 kids.

11 At this time, I'd like to introduce Gary
12 Telkey (ph.), and ask him to come up.

13 CHAIRMAN EVANS: If you'll
14 state your name and address and sign in, please.

15 Kind of afraid to limit you to five
16 minutes.

17 MR. GARY TELKEY (ph.): My
18 name is Gary Telkey (ph.), and my address is 540
19 Honeysuckle Lane in Union, and my purpose for
20 being --

21 (Thereupon, the witness was
22 sworn.)

23 My purpose for being here this evening
24 is to kind of give you an idea as far as what I feel
25 is the need for Hope Ranch and a benefit for Franklin

1 County. But I retired as Sheriff in December of
2 2016, and my career spanned 41 years. And I've seen
3 a lot of change over that 41-year period.

4 And part of that change has been a
5 dramatic increase in forensic science. The things
6 that they have nowadays, the tools that they have are
7 just incredible compared to what I had when I first
8 started.

9 One thing that's happened because of
10 that is the penitentiaries over the past several
11 years have become extremely overcrowded. So what
12 they've done not only just in Missouri but throughout
13 the United States, you know, everybody is trying --
14 we figured out it's supposedly better to put them
15 back into society and try to correct attitudes,
16 whatever it is, that way rather than pay for the cost
17 of incarceration and build new prisons. Nobody wants
18 to build new a prison anymore.

19 As a result of that, there's been all
20 kinds of criteria set forth. The deputies -- one of
21 the frustrations that I had before I left was
22 basically what we call catch and release. You know,
23 you're dealing with -- it's not -- it doesn't have
24 anything to do with immigration, and it's statewide.
25 You're dealing with the same people over and over

1 again, dangerous people that -- that in my opinion,
2 shouldn't be released in the first place.

3 Just to give you an example, I received
4 a call, phone call, just shortly before I retired
5 from Probation and Parole and they said I want to
6 warn you that we're releasing an inmate and this
7 guy's dangerous.

8 And I said, well, what did he do? And
9 well, he was in there for felony assault, and they
10 said about two weeks prior to his release date, they
11 intercepted a letter where he and another guy were
12 planning an ambush whenever he gets out or got out
13 where they were going to kill police officers.

14 And this guy was going to be living in
15 Franklin County. Well, obviously my first question
16 was why are you releasing him?

17 And they said, well, he meets the
18 probation criteria. He's done this. He's done that.

19 I said, well, he's threatening to kill
20 people.

21 Well, yeah, but we just -- we have to
22 abide by the rule. That's the kind of people they're
23 releasing. It's not working. You turn on your TV
24 set tonight, tomorrow morning you're going to hear of
25 a murder in St. Louis. I'll bet you 98 percent of

1 those people that are committing those felonies are
2 on probation or parole.

3 It's just not working. We're trying to,
4 you know, teach old dogs new tricks. Recidivism
5 rate, you know, the first three years of a released
6 inmate, there's a 64 percent of those released
7 inmates are reoffending within the first three years.
8 It's up in, I think, 76 percent are reoffending
9 within five years.

10 In some crimes, it's actually 80 some
11 percent, and that's based on a survey by the National
12 Institute of Justice for, I think, 30 states in the
13 United States. So it's not just here in Franklin
14 County. But we've got to do something different.

15 I sat there before I left. This was
16 just aggravating me to death because things aren't
17 working, and I was trying to think of different ways
18 to correct things. Jennifer comes walking into my
19 office one day, and she starts talking about Hope
20 Ranch.

21 And I've always felt that if you're
22 going to change somebody, you got to change them when
23 they're young. You got to get them while they're --
24 you know yourselves. Who's going to come in to you
25 right now and tell you how to change your life? You

1 know, you got a better opportunity when you're
2 younger.

3 The teachers try. They see these kids.
4 They see the same kids that we do, you know. We see
5 kids come into the system that shouldn't got to
6 prison. They've got a lot of talent. The teachers
7 see these kids growing up, but they don't have --
8 they can't spend 24 hours a day with them.

9 The family environment they're usually
10 involved is basically nil. they have no guidance.
11 That's what Hope Ranch is about, and to me it's a --
12 it's a -- we've got to start working all the other
13 end instead of spending all this money trying to
14 rehab -- teach old dogs new tricks.

15 We need to focus on our youth and
16 getting them started in the right direction, getting
17 them some guidance. That's exactly what Hope Ranch
18 does, and that was exactly what I was looking for, I
19 thought would be a great idea, when Jennifer told me
20 what the program was all about.

21 So I thank you very much for giving me
22 the opportunity to speak to you, and you all have
23 questions or...

24 CHAIRMAN EVANS: Any
25 questions?

1 (NONE)

2 Okay.

3 MR. TELKEY (ph.): I'll go
4 ahead and introduce Glenda Volmert (ph.) with
5 Franklin County CASSA.

6 CHAIRMAN EVANS; Can you state
7 your name and address and sign in, please.

8 MS. GLENDA VOLMERT (ph.):
9 It's Glenda Volmert (ph.). I'm at 571 Krakow Grove,
10 Washington, Missouri.

11 (Thereupon, the witness was
12 sworn.)

13 Good evening. My name is Glenda
14 Volmert, and I'm the director of Franklin County
15 CASSA. CASSA stands for Court Appointed Special
16 Advocate, and what we do is we advocate for children
17 in foster care.

18 In the line of work that I've done in
19 the last 20 years, I've been working in the social
20 service field, either in Children's Division in a
21 position of doing investigations and removing
22 children from their homes or even working with them
23 in foster care. I try to get them back into their
24 homes.

25 And now I'm working in -- with CASSA

1 working as advocate trying to be that one special
2 person for that child as they go through that foster
3 care system.

4 So during that time, I've seen several
5 different scenarios that would justify the need for a
6 place like Hope Ranch. I've seen small children that
7 have been abused to the degree of needing foster care
8 because their parents had broken both of their legs
9 and their ribs at the same time.

10 I've seen parents that have told me
11 stories about why they use methamphetamines, how they
12 use methamphetamines, and how they try to make
13 decisions every day on how to be a good parent. They
14 simply don't have the tools to do so.

15 In that realm of working with the
16 variety of people, there's a couple of things that
17 come as a trend and a couple of things that I've seen
18 that have really been the success for the children
19 and the families that have been beneficial.

20 Two of those things have been
21 consistency. A consistent person in that child's
22 life, whether it be the parent, whether it be a
23 school counselor, whether it be an advocate, but
24 someone that teaches those children that they matter
25 and that they have unique qualities to bring into the

1 world.

2 The other thing that I've seen be
3 successful is that family environment. So you can
4 have that dedicated teacher or that special advocate
5 is working with that child, and they can do the very
6 best that they can with that child, but when they go
7 back home to the environment that is very stressful
8 that work sometimes is undone.

9 Something that I have found when
10 researching and listening to Hope Ranch and the ideas
11 that they have, what they want to bring to the table,
12 is that they want to provide an atmosphere that's
13 going to give that -- that family feeling. It's
14 going to give that individual attention. It's going
15 to give an opportunity for those family members to be
16 a part of this process.

17 Right now there's about 325 children in
18 foster care in Franklin County. Of those children,
19 many of those are placed in residential facilities
20 outside of the county lines. Currently at this time,
21 our agency is working with about 20 of those children
22 outside of our county. They're placed in
23 Springfield, they're living in Farmington, they're
24 living in St. James.

25 Those kids are now removed from their

1 home and placed in hours away from their family. So
2 when you're trying to integrate that child back into
3 that family home, it becomes a real challenge for
4 parents to be part of that process.

5 What Hope Ranch can do is it can bring
6 the family to the child, to the treatment, and to
7 remove some of those barriers so that they can become
8 productive adults.

9 It's hard to believe, but in this county
10 child abuse and neglect is happening. It's a real
11 thing, and we have families that are doing successful
12 things all the time, but we have about 2,000 children
13 that are being reported for abuse and neglect in
14 Franklin County a year.

15 In 2017, there's nearly 2,000. So the
16 need is there, and the problem is it does affect all
17 of us. If we could change the parents and in a way
18 to become the parents that they truly want to be,
19 that's a success. That's part of breaking this
20 cycle.

21 So Hope Ranch will help you help the
22 family work in that unit. If you have parents that
23 are not able to take the responsibility and be the
24 parents they need to be, the setting for Hope Ranch
25 is an opportunity to do that when the parents cannot.

1 CHAIRMAN EVANS: Thank you.

2 Are there any questions?

3 (NONE)

4 Thank you.

5 MS. VOLMERT (ph.): Thanks.

6 Oh, I'd like to introduce Chris Jensen.

7 CHAIRMAN EVANS: Would you
8 still state your name and address and sign in,
9 please.

10 MR. CHRIS JENSEN: Want me to
11 use the back or try to write small on the front?

12 MS. EAGAN: You can use the
13 back.

14 MR. JENSEN: My name is Chris
15 Jensen, and I live at 11 Valley Drive here in Union.

16 (Thereupon, the witness was
17 sworn.)

18 Just a little bit of background about
19 me. Again, my name is Chris Jensen. I'm a parent.
20 I'm a former youth sports court. I'm an attorney in
21 juvenile court and have been every Thursday for the
22 last 15 years representing parents. I am a guardian
23 ad litem, which is an attorney who receives
24 specialized training to represent children in child
25 custody matters.

1 I'm also the chairman of something
2 called the Franklin County Children and Family
3 Community Resource Board, which is a taxing entity
4 that Franklin County established in 2008, and I go to
5 the people that funds over \$3 million of children's
6 services a year.

7 I'm here tonight to speak on behalf of
8 Hope Ranch and to impress upon you how important this
9 project really is and how transformative it will be
10 for our community.

11 Because I represent mostly parents in
12 juvenile court, I hear their struggles when their
13 children are placed out of county. It is the
14 struggle of the parents, but it's also the struggle
15 of their extended family, the grandparents, the
16 aunts, the uncles, the siblings, who don't have an
17 opportunity to maintain those close relationships
18 with their family or with the children because
19 they're placed out of the county.

20 We all know that transportation,
21 especially for the impoverished in our county is a
22 major concern, and it's a big obstacle to say that in
23 order to have a visit with your child, you've got to
24 figure out how to get to Springfield when you don't
25 have a car and you don't have a driver's license and

1 you're relying on somebody else to provide you
2 transportation.

3 So the whole process of reunifying
4 families, the whole process of advancing permanency
5 for children gets delayed. It's not the fault of the
6 child, and t's not the fault of the family. That
7 educational opportunities for these children are
8 limited when they're placed in residential facilities
9 outside of this area. Their therapy gets pushed to
10 the back burner, especially the components of family
11 therapy.

12 Their opportunities to visit with
13 extended family and to still have a relationship with
14 grandparents and aunts and uncles is limited, and
15 it's more difficult for those CASSA workers who are
16 volunteers giving their time to try to maintain
17 weekly contact with the children when they're an hour
18 or two or three away.

19 But we have an opportunity to solve so
20 many of those problems by approving this Hope Ranch
21 plan. There has been a wonderful team of people who
22 have been working literally for years to develop the
23 absolute best plan. They have gone out of state and
24 seen these other ranches. They have developed the
25 program. They have customized it to what Franklin

1 County needs. They've customized it in taking the
2 best components of each and every one of these other
3 programs. They have secured property. They have
4 advance donations. They have a very active group of
5 people who are going to make this reality as long as
6 we can have the support of the County.

7 So that's why I support the project and
8 why I'm here tonight. I work on the front line with
9 these families and these children every day, and
10 there are lots of cases that end happily where
11 families are reunified, but we could accelerate that
12 process. We could get those children home quicker if
13 we had a program such as this.

14 We have wonderful foster parents in
15 Franklin County, but we have a shortage of them when
16 we have 325 kids in care. So the opportunity to be
17 able to put children in a family environment, to be
18 able to have six children in a home is really, again,
19 going to be transformative for our community.

20 And the opportunity that we really have
21 today is to really give these children hope, and I
22 hope we can do that.

23 And I'll turn it over to Cameron, and
24 he'll talk about a few of the nuts and bolts.

25 CHAIRMAN EVANS: Thank you.

1 Cameron, if you'll state your name and
2 address again.

3 MR. CAMERON LUEKEN: Yes, sir.
4 (Thereupon, the witness was
5 sworn.)

6 My name is Cameron Lueken with
7 Wunderlich Survey and Engineering representing Hope
8 Ranch for tonight.

9 The limits of the property are on your
10 screen here. It's about 199 acres. It's west of
11 Stanton on JJ. It's out of Stanton on JJ State Route
12 about 1.2 miles.

13 As Scottie alluded to earlier, a portion
14 of the property, the northern portion, is zone
15 Non-Urban Agricultural. The southern portion is
16 zoned RD. Back in October or probably around
17 September or October of last year 2017, we submitted
18 a zoning verification to the County.

19 I did define what the goals of the Hope
20 Ranch were, and to identify what we needed to do.
21 Basically the Hope Ranch representatives and myself,
22 the County Planner Scottie Eagan and Mark Vincent met
23 together, and we had a conversation about all that
24 making sure we're all on the same page.

25 The outcome of that was a letter

1 identifying basically the County said we fell like
2 the best way to do that is through this PUD. So
3 that's how we got here, the mixed use, and Scottie
4 mentioned the PUD covers all the points of that.

5 So as Scottie mentioned, the layout is
6 an un-subdivided development, and the -- I'm just
7 kind of below this pointing there, but we have a
8 MoDOT approved entrance for permitting here.

9 There's a -- the strip of ground that
10 was bought is -- actually it kind of comes down.
11 This is the width of it here. There's the road
12 showing coming down, and we got a permit there to
13 build that entrance.

14 To get to the ranch, you're going to --
15 it's got a sign at the front identifying the ranch,
16 but about 2,000 feet in, there will be a gate, a
17 security gate, and that will identify that you've
18 arrived at the ranch and you need to go in further.
19 You have to be buzzed in or let in by the Hope Ranch
20 representatives themselves.

21 As Scottie mentioned, the stormwater
22 detention, we've -- we're kind of working on this,
23 but we do have -- identified the stormwater detention
24 facility here. That's probably like the first phase
25 or two. The -- you can't see it. These are the

1 flood zone limits, so when you look at this, there's
2 a -- this blue line is a pretty large creek. The
3 yellow line are limits of the 100-year floodplain,
4 and we're identifying the major structures that are
5 to be built outside of that hundred-year floodplain.
6 That's what the yellow line represents.

7 As you can see, the baseball field there
8 in that lower area. As you go into the northern
9 portion of it, we get into more of the phases. So
10 this is kind of off the screen here. But this is the
11 -- the sanitary sewer will be treated subterraneanly,
12 meaning it's going to be basically let into the
13 ground like a conventional drain field. So there
14 will be not a discharge -- there will be a
15 non-discharge waste water facility. So we're going
16 to basically use it more or less a large conventional
17 drain field for phases 1 through 3 in this area.

18 For phases 1 -- for phases 4 through 6
19 up here, it will be up in here. As I mentioned
20 before, as the property develops, there'll get
21 another stormwater detention facility built in about
22 this area here.

23 The wellhouse. There will be a
24 wellhouse. All this stuff is subject -- is going to
25 be subject to DNR and the County approval. So the

1 sanitary sewer will be approved by the DNR. The
2 public wellhouse will be approved by DNR. It will be
3 a dry tank.

4 We met with the Sullivan Fire District,
5 and told them our plans, what we're going to do about
6 the road width and all that. And they are in
7 concurrence with our proposed plans for that.

8 One thing that's a little bit, they
9 alluded to these two-family homes, six children.
10 Basically what happens is, is that there's six
11 children located in this area. Each child has their
12 own bedroom, own bath. This is the common area here.
13 The house parents will be living here and here I
14 guess, with a common part in the middle.

15 And then basically if you can imagine,
16 this is divided in half like this, six children on
17 each side of that housing unit.

18 I'm getting back in the phases of this.
19 Basically we've got one, two, three living units.
20 Four, five, six, seven living units. And then as
21 Chris mentioned, there could be some cottages in the
22 future if the grandparents come in to help with
23 introducing the children back into society.

24 Soccer field, gym, (unintelligible)
25 building, soccer field, garden area, tennis.

1 The nearest residence is about 340 feet
2 away. So from living unit 3, the nearest residence
3 is about 340 feet away up the hill about 60 feet
4 elevation.

5 That's a lot to get in in five minutes.
6 So I guess what I'm saying is that, if I missed a
7 component that you got a question about, you can ask
8 me now or later perhaps.

9 CHAIRMAN EVANS: Any
10 questions?

11 COMMISSIONER McLAREN: Mr.
12 Chairman.

13 CHAIRMAN EVANS: Bill.

14 COMMISSIONER McLAREN: How --
15 how many people are we talking about? I counted 150
16 some parking places, and I'm trying to -- just
17 trying to figure out how many people are we talking
18 about being here?

19 MR. LUEKEN: Now, tell you
20 what, Bill, if you don't mind, can I have Jennifer
21 come up and answer that question for you?

22 COMMISSIONER McLAREN: Please.

23 MS. HOPE: I have it. Okay.

24 At the phase 6 when we have all,
25 everything built, at that point, the total population

1 -- oh, see, that's kids. I've got 120 kids and 93
2 staff living there part-time. And living there the
3 full time and the part-time. And so in addition to
4 the 20 or -- and then 39 extra that are there.

5 That's assuming 19 volunteers and 20
6 grandparents that we have. So total population of
7 252. I'm sorry.

8 COMMISSIONER McLAREN: Could
9 you tell me again. I didn't hear.

10 MS. HOPE: Okay.

11 COMMISSIONER McLAREN: Total
12 population of 252, is that what you said?

13 MS. HOPE: Two, fifty-two of
14 staff and people and kids living there, the adults
15 that live there, the grandparents that would live in
16 the cottages and the staff members, full
17 time/part-time that actually come just to work and
18 then leave.

19 So 252.

20 CHAIRMAN EVANS: Thank you.

21 Any other questions?

22 (NONE)

23 All right. Anyone else wishing to speak
24 in support of this file? If you would state your
25 name and address and sign in, please.

1 MS. CANDY KEY (ph.): My name
2 is Candy Key (ph.). I live at 960 East Vine Street
3 in Sullivan.

4 (Thereupon, the witness was
5 sworn.)

6 Hi, I'm Candy Key (ph.), and I'm here to
7 speak as a supportive soon-to-be neighbor of Hope
8 Ranch. My husband, Blake, and I own five acres that
9 border Hope Ranch.

10 First, I would like to thank you for the
11 opportunity to voice my opinion. I support Hope
12 Ranch in its proposed location of Franklin County. I
13 lived in this county most of my life from a spec on
14 the map called Champion City, another slightly larger
15 spec Strange, a small town, Sullivan, and for a few
16 years even Union.

17 I have called Franklin County home. I
18 went to school and college here. I work here. I was
19 a substitute teacher for the Sullivan School District
20 for ten years, and I was member of the Strange 4-H
21 Club in its heyday when Paul Shaney still went around
22 and called square dances at our meetings.

23 Later my daughters were involved in 4-H.
24 I come from a large supportive extended family. So
25 when bad happened, we circled the wagons. I grew up

1 in a circuit church so named because one preacher
2 preached at three churches. Everyone there knew
3 everyone else, and everyone was probably connected in
4 one way or another.

5 Those older ladies taught Sunday School
6 in the front pew, and thought we were the best. It
7 was like having multiple grandmothers. I was an
8 adult before I really realized how fortunate I was to
9 have a childhood like that.

10 I tell you all of this because I have
11 seen the other side. Parents that do not have
12 parenting skills, children taking care of each other
13 and their parents when needed. Values handed down
14 that focus on self and stuff, a world that gives to
15 many excuses and not enough examples.

16 We need to intervene at the very root of
17 the problem while they are still young, while they
18 still have a very small hope within them waiting to
19 be nurtured before they give up and before they give
20 in to the choices that seem easier now.

21 They do not know what is possible, what
22 their potential is. Imagine if they actually
23 believed what they see on TV labeled as reality.

24 It would be easier to go on wringing our
25 hands, and yes, I know only old people wring their

1 hands, and wondering what the world is coming to.
2 But Hope Ranch is our, Franklin County's, opportunity
3 to chart a course, set an example, and make a lasting
4 difference in the generations that follow.

5 The difference starts with the children
6 and with the young people at risk. They need a
7 place, a place to heal, skills to cope, faith to
8 believe, and a reason to hope. They need Hope Ranch.
9 Franklin County needs Hope Ranch.

10 CHAIRMAN EVANS: Thank you.

11 Is there anyone else wishing to speak in
12 support? If you would state your name and address
13 and sign in, please.

14 MS. ANNIE FONCANNON (ph.): My
15 name is Annie Foncannon (ph.). I live at 335 Nathan
16 Drive in Foley, Missouri, but I am the -- oh, sorry.

17 (Thereupon, the witness was
18 sworn.)

19 I am blessed to serve as the executive
20 director of the Franklin County Community Resource
21 Board, and I, like you guys, actually have to look at
22 our county as a whole and look at the welfare,
23 safety, and prevention efforts for our county as a
24 whole in regards to children 19 and under.

25 I can tell you that we do a needs

1 assessment every four years. We are in the process
2 of doing our newest needs assessment. One of the
3 areas that we are consistently failing at is with our
4 children that are in foster care. Unfortunately, we
5 simply do not have enough foster parents and foster
6 homes throughout our community to truly serve the
7 kids that -- that we have available here or that we
8 have coming into foster care in our system.

9 It's not -- you know, it's not my job,
10 nor is it our -- any of our jobs to actually make the
11 determination if children come into care. That is
12 the job of our Children's Division and our Juvenile
13 office that make that determination.

14 Once they come into care though, it is
15 their part of the kids that I am charged with in
16 helping in our community, and I feel like we are
17 currently not doing the best job that we can.

18 Hope Ranch would be one way that we are
19 able to actually serve those children in our
20 community that are from our community. I can give
21 you just one example.

22 There is a -- two young girls that came
23 into care. The youngest one was under one. She was
24 only about six months old. The older one was six.
25 They came into care into our system, and were put

1 into foster care.

2 The oldest girl had some behavioral
3 issues, and was kicked out of one foster care and put
4 into another. Throughout their time in foster care,
5 they went through seven different foster care
6 placements.

7 When children are taken into care, even
8 though we are doing it for the right reasons, to
9 help, to protect their safety and their well-being,
10 we are creating a trauma by taking them and removing
11 them from the only lifestyle that they know.

12 Unfortunately, every time we had to
13 change foster care placement, we are creating trauma
14 after trauma after trauma, and these young little
15 girls start thinking that nobody wants them, nobody
16 loves them, and that they are something just to be
17 passed around.

18 These two little girls had a happy
19 ending. They actually were adopted by one of my best
20 friends, and are living in a very healthy, loving
21 environment at this time.

22 They -- I did ask permission from their
23 mom to use their story because what I want to tell
24 you is that those traumas of moving from place to
25 place have cost them lifelong consequences that we're

1 hoping to help them overcome. But even though they
2 are in a safe environment now, the youngest one who
3 is now a five-year-old has major anxiety every time
4 she has to leave her mom.

5 It is like torture for her not to be
6 with her mom because she's afraid she's going to be
7 taken to someplace else. And this is her new
8 adoptive mom. She is afraid that she is going to be
9 moved someplace else.

10 The older one from going from place to
11 place to place and not really getting the actual
12 therapy that she needed, has some major issues.
13 She's unfortunately already been caught drinking at
14 school. She's 12, and we're having to deal with
15 this. This is something we could have -- if we had a
16 place where we could have put them together and they
17 would have had a stable home environment
18 pre-adoption, these issues may not be there at all.
19 We could have changed their life trajectory at that
20 young age.

21 I think they're going to still be
22 successful and do great. Unfortunately, they were
23 one of the lucky -- they were some of the lucky kids.
24 They got adopted. Many of our kids, especially if
25 they come into care later on, never get adopted.

1 They go from place to place to place.

2 My mom is a foster parent. I see this
3 all the time. I've seen children age out of her --
4 her home. My mom provides a very loving environment
5 for those kids, but they might have been -- she might
6 have been the fifth or sixth placement that they have
7 been, and not all of them have aged out and been
8 successful.

9 Some of them have aged out and ended up
10 in prison. And then once they got out, they came
11 back and thanked her for being there for them, and
12 she helped them again. And now they're doing really
13 well.

14 But let's break the cycle early on and
15 not wait until later. This is something that we can
16 do to benefit our community, the welfare, safety,
17 create jobs, the whole nine yards.

18 Thank you.

19 CHAIRMAN EVANS: Thank you.

20 Anyone else wishing to speak in support
21 of this file?

22 (NONE)

23 Anyone wishing to speak in opposition?
24 Would you please state your name and address and sign
25 in, please.

1 MR. JASON RICHARDSON: Jason
2 Richardson. I live at 201 Caleb Court in Sullivan.

3 (Thereupon, the witness was
4 sworn.)

5 I'm not against the organization by any
6 means. I'm just against where it's at. I own the 20
7 acres directly across from the entrance to the
8 property.

9 As far as the mailers were sent out
10 about the two meetings before this down at the cave,
11 I never got a mailer. The two neighbors right behind
12 me never got one either. If you move your mouse up
13 just a little, I own that part off to the right
14 there. That one.

15 Where this thing's at has bad issues.
16 Putting a bunch of kids that come from a trouble
17 background as far as drugs, alcohol abuse, you're
18 going to see it firsthand when they first arrive I
19 guess. It's going to take a while to change them
20 because it doesn't happen overnight.

21 And I've seen, I guess, response times
22 out there between law enforcement, EMS and fire is
23 anywhere from 10 to 20 minutes. A lot can happen in
24 that time. And yeah.

25 My plan is to build my retirement home

1 there, hopefully next year, raise my kids, have my
2 own shop. I don't want to risk coming home one night
3 and somebody in my house, somebody rob my shop with a
4 thousand dollars of tools in it. None of you guys
5 want the same thing.

6 It's a great thing. It just needs to be
7 in a better spot. I think closer to a town would be
8 wiser, I guess, to where you could have city cops
9 instead of sheriffs, because I know -- and Sheriff
10 Telkey (ph.) can probably justify this. Unless
11 there's a deputy sitting at Stanton overpass or in
12 Sullivan, it's a 10, 15, 20 minutes drive at least to
13 get there.

14 And 200 people, one security gate, no
15 one said anything about a fence. What's keeping
16 those kids until they are changed and out of their
17 old ways on that land and off mine?

18 The other bad thing is they're building
19 on Winzel (ph.) Creek, which every year floods. In
20 just the year and a half I've owned my land, I've
21 watched the bank of my creek erode, probably anywhere
22 from a half a foot to a foot every year.

23 My ten-acre field is getting smaller
24 every year because of that creek. The bridge that's
25 right there at their drive is a small bridge that

1 won't handle a lot of cars, buses repeatedly
2 throughout the day.

3 And like I said, great plan, great idea,
4 the county does need this. It just needs to be
5 closer to Sullivan, St. Clair, Union to where local
6 cops, fire, EMS can be there within a moment's time
7 when something does happen because chances are
8 something will happen until kids change their ways,
9 you know.

10 I've watched people go to church on
11 Sunday morning, and they're arrested Sunday night for
12 drugs, alcohol, domestic violence. So saying it
13 won't happen, it -- it will. So that's all I have.

14 CHAIRMAN EVANS: Thank you.

15 Anyone else wishing to speak in
16 opposition?

17 (NONE)

18 Is there any rebuttal to anything said
19 by the applicant -- one of the applicant?

20 MR. LUEKEN: Bill, I'm going
21 to have Jennifer come up and talk about the security.

22 Nichole, can we put that slide back up
23 or just turn my Power Point back on for a second,
24 please.

25 MS. HOPE: Okay. And I do

1 apolo- -- I'm going to go back a minute. They did
2 not get a letter. That's disturbing. I know I
3 mailed 85 of them, and even drove up and down JJ to
4 get the numbers off of each mailbox.

5 If it didn't match with some of the
6 addresses, I apologize for that. We were trying to
7 make sure we got everyone there.

8 I will security-wise, one, it goes back
9 to the type of children that we are bringing in. And
10 those with violent backgrounds are not going to be
11 admitted, those that, you know, violated the Safe
12 Schools Act. That's everything from breaking in,
13 assault, all those are deemed dangerous.

14 But security-wise, once they -- say they
15 were admitted and they're still worried as I would be
16 with any teenager, but I'd worry about them leaving
17 the campus.

18 One, our ratio is extremely low. So the
19 supervision is going to be incredible there, and as
20 far as our training for everything, as far as with
21 our staff, they're going to have the crisis training
22 and so forth so they know how to deescalate the child
23 that is getting upset, deescalate and calm down and
24 we do have a room called the calming room, which is
25 basically to deescalate and settle down.

1 We have -- okay. In each bedroom, say
2 -- they're going to have to follow a regular schedule
3 for the kids. You know, it's a family unit. We're
4 trying to create that type of environment. So
5 they're going to have, you know, dinner, homework,
6 chores whatnot, family activities, and then normal
7 bedtimes.

8 And so once they are in the bedrooms and
9 it's nighttime, because when we built this based on
10 recommendations from so many other ranch directors,
11 each kid has their own bedroom and their own rest
12 room. So there's no reason for them to be leaving
13 after they've gone to bed.

14 But however, knowing kids are kids, all
15 rooms are going to have buzzers, buzzers on the
16 windows and the doors, that will alarm the house
17 parent that's right there as well as our night
18 security staff who will be rotating up through the
19 evening.

20 So we've got a double -- several
21 different controls to kind of -- if kids are kids, we
22 will still have the, you know, we'll know where they
23 are at all times. We'll have -- we also have cameras
24 in the main part of the school and the homes, and so
25 that's another security issue we've put through.

1 I'd like -- oh, and we have met with
2 Sheriff Pelton, Dr. -- Gary Telkey (ph.) and I met
3 with Sheriff Pelton talking about the response time,
4 and we met with -- as you said, the fire -- fire
5 chief, fire marshal and the sheriff talking about
6 what safety measures they felt we needed to have in
7 place.

8 And we -- they felt like -- I'll have
9 Gary come back up and talk about the talk with
10 Sheriff Pelton, but that response time would be
11 appropriate for us, and that wasn't a concern to them
12 when we went there to visit with them on that.

13 There was -- okay. Was there any other
14 security that you remember?

15 MR. LUEKEN: I don't think so.

16 MS. HOPE: Yeah, okay.

17 Another question though?

18 MR. LUEKEN: Do you guys have
19 any questions about the admittance procedure, meaning
20 how a child comes to the ranch, lives at the ranch,
21 is managed at the ranch, and then comes and goes?
22 Any questions related to any of that?

23 COMMISSIONER BOLAND: Well,
24 she said there was going to be 125 children there.

25 MS. HOPE: That's at full

1 capacity.

2 COMMISSIONER BOLAND: That's
3 full capacity?

4 MS. HOPE: That's -- yeah, and
5 that's with children at the school too.

6 COMMISSIONER BOLAND: And so
7 then if you have 125 children there and they're
8 spending, you know, they're there, how many adults do
9 you have there? I mean, I -- you know, we've had
10 kids, and like you're saying, I'm not sure always
11 where they're at. So...

12 MS. HOPE: Okay. Well, in our
13 homes, we'll have 84 children that have the capacity
14 to live there. And the ratio is 6:1 again. And so
15 that's with the house parents.

16 COMMISSIONER BOLAND: So
17 you'll have one adult for six children?

18 MS. HOPE: Two.

19 COMMISSIONER BOLAND: Two.

20 MS. HOPE: It's a couple.

21 But when you put it all out there, 120
22 children, because that's our school and 26 not living
23 on the ranch, we are expect -- and then we have 93
24 staff members. And for extra support, they're mainly
25 in mentoring type capacities and are not hired staff,

1 will be our grandparents and our volunteers. And our
2 count runs there at 39. So 93 staff members for 120
3 children.

4 COMMISSIONER BOLAND: But your
5 staff members are not always going to be there
6 because there's going to teachers and other; is that
7 correct?

8 MS. HOPE: There with the
9 children with the 12:1 ratio in the classrooms. And
10 then you have the counselors for 12:1 ratio as well.
11 Our ratio is off the records, because we know to be
12 effective, we're going to have to that -- that type
13 of programming with the staff so they can actually
14 work with those kids.

15 COMMISSIONER BOLAND: So this
16 12:1, are you also counting then your security?

17 MS. HOPE: That's on top of
18 that.

19 COMMISSIONER BOLAND: So
20 that's on top of that?

21 MS. HOPE: Oh, your directors,
22 your counselors -- 12:1 is a teacher/student ratio.
23 then on top of that, now we count for our counseling
24 program because it is a -- it's separate. It's
25 embedded, but it's a separate program. And so for

1 the counselors, we have a 12:1 ratio as well.

2 So you've got doubled on that. Now
3 you're -- you know, you got 24:12 -- or 24 to -- wait
4 a minute. I'm getting tired. Twelve, 24:2, that's
5 right.

6 I'm getting to tired. It's 12:1 ratio
7 for the teacher to kids, and it's also 12:1 ratio for
8 the counselors to kids. So it's 2 to -- 24:2.

9 COMMISSIONER BOLAND: Okay.

10 MS. HOPE: And then -- yeah,
11 help me out because I'm -- I mean, I'm just -- it's
12 just --

13 MR. LUEKEN: Let's break this
14 down for them because basically what's Todd's doing
15 is the math in his head, I think is, you got 125 --

16 MS. HOPE: Twenty kids.

17 MR. LUEKEN: Hundred and
18 twenty kids, --

19 MS. HOPE: Uh-huh.

20 MR. LUEKEN: -- but you've
21 identified there's 93 staff.

22 MS. HOPE: Uh-huh.

23 MR. LUEKEN: Just break that
24 down. Just take -- just take a kid through the day
25 on his exposure, meaning that how many people are

1 going to be there in support of six children or
2 twelve children in a family. How many people are
3 watching the kids on a 24-hour basis?

4 Right, Todd?

5 COMMISSIONER BOLAND:

6 (Nodding)

7 MR. LUEKEN: So just the two
8 house parents, plus the --

9 MS. HOPE: Well, you're going
10 to have the two house parents, then you've got -- in
11 the morning they're going to get up. They're going
12 to be at the ranch. They are going to -- we're
13 clustered there, so they're going to be coming to the
14 school there.

15 Now you've got ten classrooms. There's
16 only 12 children in each classroom with one -- with
17 one teacher. Then you have also at that point -- and
18 I can't remember off the top of my head -- it's like
19 15 counselors in there.

20 COMMISSIONER BOLAND: So in
21 phase one, are you building the school?

22 MS. HOPE: Part of the school.
23 Our architect is drawing it so we have four
24 classrooms, the counseling pods, and some of the
25 offices. And then we -- once we get to phase three,

1 which I didn't get to get to them on my story, and
2 you didn't really talk about it either.

3 Phase three is where we add the other
4 half of the school, which we'll have a total of ten
5 classrooms.

6 MR. LUEKEN: So phase one is
7 living unit one, --

8 MS. HOPE: Uh-huh.

9 MR. LUEKEN: -- school part
10 one, the maintenance building, the private well, the
11 private sewer and the dry tank.

12 That's going to be phase one. So it'll
13 be -- it'll be this --

14 COMMISSIONER BOLAND: Living
15 unit number one is going to be --

16 MR. LUEKEN: Twelve kids to --

17 COMMISSIONER BOLAND: Twelve
18 kids.

19 MS. HOPE: Two homes, two set
20 of house parents.

21 COMMISSIONER BOLAND: And then
22 house parents coupled in each unit?

23 MS. HOPE: Correct.

24 COMMISSIONER BOLAND: So it's
25 going to be you have two adults for six kids?

1 MS. HOPE: Correct.

2 COMMISSIONER BOLAND: Plus
3 you're going to have security on top of that?

4 MS. HOPE: Nighttime security,
5 yes.

6 COMMISSIONER BOLAND: Not
7 daytime?

8 MS. HOPE: No. You have the
9 directors there, you have the counselors on campus.
10 You also have -- well, during a week day, we have
11 your -- your kids are in school. So you have
12 teachers there, and the house parents are still there
13 too.

14 COMMISSIONER BOLAND: Right.
15 But will you have the school done before you have
16 children, or will you have the housing done and then
17 the children will go to public school, or will you
18 have -- I mean, is the plan to have --

19 MS. HOPE: The plan is --

20 COMMISSIONER BOLAND: --
21 housing done and the school done before you have
22 anybody there?

23 MS. HOPE: Yes. That's why
24 it's phase one, because we needed to have all the --
25 those five components to be effective. We need to be

1 able to provide the education and the residential at
2 the same time to provide wrap-around 24-hour
3 effectiveness.

4 COMMISSIONER BOLAND: All
5 right.

6 CHAIRMAN EVANS: All right.
7 Any more questions?

8 COMMISSIONER SCHULTEHENRICH:
9 I have a question, Mr. Chairman.

10 CHAIRMAN EVANS: Jay.

11 COMMISSIONER SCHULTEHENRICH:
12 Mr. Lueken, if you stay up there.

13 MR. LUEKEN: Yes, sir.

14 COMMISSIONER SCHULTEHENRICH:
15 When I look the plan over there, I'm a little bit
16 confused just a little bit on the -- on the drain
17 fields.

18 MR. LUEKEN: Okay.

19 COMMISSIONER SCHULTEHENRICH:
20 You have for one -- for housing living unit one and
21 living unit two and living unit three.

22 MR. LUEKEN: Yes.

23 COMMISSIONER SCHULTEHENRICH:
24 Okay. So maybe I missed something, but did you say
25 where it was going to be on the other units, et

1 cetera on there?

2 MR. LUEKEN: Yeah.

3 COMMISSIONER SCHULTEHENRICH:

4 When you develop that plus the -- where is the school
5 going to be and the drainage out of the school that
6 you're going to also be building?

7 MR. LUEKEN: So, Jay, school
8 part one and school part two goes to phase three.
9 It's going to go right here. So school part one,
10 school part one, school part two is phase one through
11 three, and that goes right -- that goes right here.

12 COMMISSIONER SCHULTEHENRICH:

13 What number -- I'm looking on here, --

14 MR. LUEKEN: Yes.

15 COMMISSIONER SCHULTEHENRICH:

16 -- down in this -- it's down in this area here?

17 MR. LUEKEN: Yes, that's

18 correct.

19 COMMISSIONER SCHULTEHENRICH:

20 So the school is going to be -- the sewer system of
21 the school, which is on the other side of the road I
22 believe --

23 MR. LUEKEN: Yes.

24 COMMISSIONER SCHULTEHENRICH:

25 -- is going to be -- is going to come down to this

1 drainage field for living unit one?

2 MR. LUEKEN: Yes. So the
3 school part one and part two will have a lift station
4 that sets on or near -- or near it I'd say -- that's
5 going to pump the sewer back up to here.

6 COMMISSIONER SCHULTEHENRICH:
7 So you're going to have a lift station that's going
8 to move --

9 MR. LUEKEN: Correct.

10 COMMISSIONER SCHULTEHENRICH:
11 -- it over?

12 MR. LUEKEN: Correct.

13 COMMISSIONER SCHULTEHENRICH:
14 When you get beyond the school and the living unit
15 three, is there where there is the three -- the
16 drainage fields, is that capable of being trans- --
17 moved over into being a sewage system itself instead
18 of a drainage field to accommodate the other living
19 quarters?

20 MR. LUEKEN: And so let me
21 make sure I understand your question here. It may
22 be -- it may just be off the screen here. Okay.

23 So, Jay, right here drain field phases
24 one through there are here.

25 COMMISSIONER SCHULTEHENRICH:

1 Right.

2 MR. LUEKEN: And drain fields
3 four through six are up here to the north.

4 COMMISSIONER SCHULTEHENRICH:
5 Okay. So maybe that's what I missed. There they're
6 going to be --

7 MR. LUEKEN: That'll pick up
8 the rest of this improvement in the future to come.

9 COMMISSIONER SCHULTEHENRICH:
10 And there'll be drain fields up in that area as well?

11 MR. LUEKEN: Yeah, they'll be
12 a non-discharge system. No discharge to the creek.

13 COMMISSIONER SCHULTEHENRICH:
14 And that creek, will that fill up into that area at
15 all?

16 MR. LUEKEN: Well, you see
17 that there's the limit of the hundred-year
18 floodplain, so the County Regulations state that the
19 septic tanks have to be two foot above the 100-year
20 base elevation, but the drain fields can be below the
21 base elevation.

22 COMMISSIONER SCHULTEHENRICH:
23 Okay. Okay. I think that answers my questions.
24 Thank you.

25 CHAIRMAN EVANS: Any other

1 questions?

2 COMMISSIONER BOLAND: I have a
3 question for Mr. Richardson.

4 Mr. Richardson?

5 MR. RICHARDSON: Yes, sir.

6 COMMISSIONER BOLAND: The
7 property that you purchased, you said you were going
8 to build a house. Do you live out there now?

9 MR. RICHARDSON: Not at the
10 moment. I just -- I bow hunt, rifle hunt there, my
11 kids hunt there. This will change that. I don't
12 know how the deer activity will be after this goes
13 in, but I'm not that worried about that part of it.

14 COMMISSIONER BOLAND: No, I
15 was just curious if you lived there now or --

16 MR. RICHARDSON: No.

17 COMMISSIONER BOLAND: -- if
18 you're going to build a house. Because the County, I
19 guess, they sent you a notice that about the hearing
20 and that.

21 MR. RICHARDSON: Yeah, they --
22 that's the only time I found out about the thing.

23 COMMISSIONER BOLAND: Okay.

24 MR. RICHARDSON: But the guy
25 that's behind my property, he's building his house

1 right now, and the one right from him, his -- our two
2 -- our three lots all converge there. He's been
3 living in his house for a few years now, and he
4 didn't even know about it until I texted him tonight.

5 I don't know if you want to hear what he
6 has to say, but --

7 COMMISSIONER BOLAND: But
8 everybody got a notice from the County?

9 MR. RICHARDSON: Those two
10 didn't. I did because I'm within 600 feet of the
11 driveway. So if I'm at the lower corner of my field
12 by JJ, I could throw a rock to the driveway.

13 COMMISSIONER BOLAND: Okay.

14 MR. RICHARDSON: So...

15 COMMISSIONER BOLAND: Thank
16 you.

17 MR. RICHARDS: Uh-huh.

18 CHAIRMAN EVANS: Any other
19 questions, comments?

20 (NONE)

21 Again, this is -- since this is a
22 planned unit development, there's several steps, and
23 there were preliminary conferences to establish and
24 go through what the requirements were. And I think,
25 Scottie, one of those is one that several of the

1 Commissioners attended, was it not?

2 MS. EAGAN: Yes.

3 CHAIRMAN EVANS: And so when
4 we get -- by the time we get to this point, basically
5 we're looking at did -- does the PUD meet the goals
6 laid out, Section 202 and 203, and basically have all
7 the criteria been met as far as the technical aspects
8 or everything that is required to move forward.

9 And, Scottie, have you received that?

10 MS. EAGAN: As far as the nuts
11 and bolts of the regulations and what we look for the
12 preliminary development plan, everything is there.

13 CHAIRMAN EVANS: Okay.

14 Then I think in looking at the goals in
15 202 and 203, that this project does certainly meet
16 those. So the options for us again then are to
17 approve, table or deny, and I would suggest or ask
18 again what our -- with our new open hearing policy,
19 should this be sent to Old Business also?

20 COUNTY ATTORNEY ZASTROW-HIATT:
21 Yes.

22 CHAIRMAN EVANS: We'll leave
23 it out. Okay.

24 If there is no additional questions, I
25 would say when some of the Commissioners did attend

1 that -- that conference, that they answered all of
2 our questions at that time. It was really positive.
3 I don't think we saw anything negative.

4 If there's nothing further, the Chair
5 would entertain a motion to move this to Old
6 Business.

7 COMMISSIONER TOBBIN: I make a
8 motion to move it to Old Business.

9 COMMISSIONER McCREARY: I'll
10 second it.

11 CHAIRMAN EVANS: We have a
12 motion and a second to move File 180060 to Old
13 Business.

14 All in favor signify by saying aye.

15 COMMISSIONER REINHOLD: Aye.

16 COMMISSIONER VOSS: Aye.

17 COMMISSIONER McLAREN: Aye.

18 CHAIRMAN EVANS: Aye.

19 COMMISSIONER BOLAND: Aye.

20 COMMISSIONER SCHULTEHENRICH:

21 Aye.

22 COMMISSIONER TOBBIN: Aye.

23 COMMISSIONER McCREARY: Aye.

24 CHAIRMAN EVANS: Opposed?

25 (NONE)

1 Motion is carried.

2 And quickly into New Business then, we
3 are to File 180070, Planning and Zoning.

4 Scottie.

5 MS. EAGAN: Okay.

6 This is Article 2 of the Regulations,
7 and Article 2 relates to the next two files as well
8 that you guys will hear.

9 This is just a few months ago FEMA
10 contacted Tori and said there are new things in the
11 Regulations that we have to pass. Otherwise, they
12 will take us out of their program, and then we will
13 no longer be able to do the flood insurance and all
14 of that jazz.

15 So they added a whole bunch of new
16 definitions. They wanted it in Article 11, but we
17 also wanted it in Article 2. So you'll see all of
18 them for Article 11 do say "for purposes of Article
19 11 only." And that's because we have a lot of
20 duplicate definitions in there now, such as
21 violations, building, stuff of that nature.

22 The other definition that I added in
23 Article 2 is vacation rental. So for the past
24 probably year and a half, two years, we've been
25 classifying guest house type -- B&B type rentals

1 under our bed and breakfast category, which it really
2 doesn't fall under that. So I took this opportunity
3 to go ahead and create a new category for a vacation
4 rental, which says a private single-family dwelling
5 which is rented out on a temporary -- temporary
6 reservation basis for paying guests. Vacation
7 rentals can refer to either principal dwellings or
8 accessory dwellings.

9 So that -- that is all the changes to
10 Article 2.

11 CHAIRMAN EVANS: All right.
12 Thank you.

13 Any questions, comments?

14 COMMISSIONER McCREARY: Oh,
15 yeah, I have a comment.

16 On page 2.2 at the bottom, I think
17 there's a couple of typos down there. And you did
18 fix them in Article 11. Agricultural stricture, I
19 think you meant structure.

20 And harvesting, storing, drying or
21 raining of agricultural. I think you meant raising.
22 Like I said in Article 11 you've got those corrected.

23 Other than that --

24 MS. EAGAN: Where was the
25 first one?

1 COMMISSIONER McCREARY: It's
2 in the bottom part. Agricultural --

3 MS. EAGAN: Oh, okay. I see
4 it.

5 COMMISSIONER McCREARY: Yep.

6 MS. EAGAN: All right.

7 COMMISSIONER McCREARY: Yeah,
8 I missed that too till I saw a second one. But in
9 Article 11, you do have those corrected.

10 MS. EAGAN: Okay.

11 CHAIRMAN EVANS: Okay. And
12 those are the only changes we have then in Article 2?

13 MS. EAGAN: Yes.

14 CHAIRMAN EVANS: Any other
15 comments, corrections?

16 (NONE)

17 If not, the Chair would entertain a
18 motion to move --

19 AUDIENCE MEMBER: Can we make
20 a comment on that?

21 CHAIRMAN EVANS: I'm sorry.

22 AUDIENCE MEMBER: Can we speak
23 to that?

24 CHAIRMAN EVANS: Yes, is there
25 anyone else wishing to speak in favor of it?

1 (NONE)

2 If no, if there's anyone wishing to
3 speak in opposition. I apologize.

4 If you'd state your name and address and
5 sign in, please.

6 MR. CHARLES SCHRUFER (ph.):

7 My name is Charles Schrufer (ph.). I live at 1701
8 East Rose Lane in Washington, Missouri. I have
9 property in Washington, Missouri and also in Franklin
10 County.

11 (Thereupon, the witness was
12 sworn.)

13 I got this information from the County
14 which you all are probably looking at, but there's
15 more information. You only got a small piece of it.

16 I went to my engineer, and I had him to
17 do a little research, and when he did his research,
18 he found out -- now, this is from another floodplain
19 study, and in what we're talking about is September
20 14, 2018. Is -- I've never saw before where FEMA or
21 SEMA -- is SEMA doing this?

22 MS. EAGAN: It came from FEMA
23 to us.

24 MR. SCHRUFER (ph.): FEMA,
25 okay. I never saw where SEMA says okay, here's your

1 state. They bring things forward. The counties, the
2 cities all look at it, and when everybody agrees,
3 well, then they send it to FEMA, and that's the date
4 they put on it.

5 They gave us, you guys, a deadline date
6 here of September 14, 2018. This is a floodplain
7 book that you don't have. There's two of these books
8 my engineer found, and got these by contacting SEMA.
9 And I didn't have time or he didn't have time to come
10 here this evening to show you this and address this
11 issue. So I'm doing it here myself to bring you
12 aware enough.

13 How can you pass something when you only
14 got this, when you're supposed to have two of these
15 books to go over. This tells you the elevation,
16 who's in the floodplain, who's not in the floodplain.
17 It tells you all that, which you don't have any of
18 that.

19 So what I am -- and you really need to
20 table this so you all get a copy and we can
21 understand and see if our property is in a floodplain
22 or not. So I'm going to ask you to table it so you
23 can go ahead and each of you get a copy or at least
24 the County get a copy, because I don't think the
25 County has a copy of it, and I talked to Tori

1 yesterday. And he said there was changes, you know,
2 it's like there was no changes. There was changes,
3 but nobody knows what the changes are.

4 How can you vote on something that you
5 don't know what you're voting on. You got to have a
6 copy of it, and you need to talk -- go ahead and do
7 -- table it to do that.

8 Now, in 2009 in Washington, Missouri,
9 the Corps of Engineers did a new study on the
10 Missouri River, and a study on the Missouri River
11 lowered the Missouri River. The bottom of the
12 Missouri River went down three feet.

13 Now, lowering the bottom of the Missouri
14 River three feet, that's going to affect a very large
15 area of that water goes to the river for the
16 floodplain along the Missouri River. Something like
17 that should be incorporated in here, and that's what
18 -- in 2011, the City of Washington passed their
19 floodplain study.

20 And this was brought up to SEMA, and
21 they said they would table it or shelf the thing
22 until the next floodplain study. Well, we're right
23 here. We got the floodplain study. This should be a
24 part of it with the Corps of Engineers' study. To
25 lower the bottom of the river, should be a part of

1 this study.

2 Now, I hear this if you don't do this,
3 we're going to do all this stuff to you, you can't do
4 this, you can't -- we all heard that before.

5 Ellie Mar of St. Charles County is a
6 floodplain director, and she said somewhere around
7 2009 SEMA came forward with their floodplain study
8 what they changed. But they didn't change it till
9 2016. They didn't drop the flood insurance. They
10 didn't run them out of town.

11 You got plenty of time, and if you don't
12 adopt this, you've got one right now in place. So my
13 engineer said you got a floodplain study if you don't
14 adopt this thing, and you don't have to rush into it
15 because St. Charles County didn't rush into it. Get
16 the paperwork so you got something to look at, and
17 then you got something...

18 And mistakes? Lot of mistakes are made.
19 We have a map here of the difference, if I can set up
20 here. I don't know if you can all see this. This
21 here is Franklin County. This is Warren County.
22 We're five feet --

23 MS. ZIELKE: In order to
24 display that as an exhibit, you actually would have
25 to submit it to here when you're finished. Are you

1 okay with doing that?

2 MR. SCHRUFER (ph.): I can do
3 that.

4 MS. ZIELKE: Okay.

5 MR. SCHRUFER (ph.): Yeah,
6 okay.

7 Washington is five feet higher, the
8 hundred-year floodplain than Franklin County side and
9 Warren County side.

10 Now, you know there's a mistake there.
11 Water is level. You can't be five feet higher on one
12 side of the river than the other side.

13 Put it in a nutshell, please table it so
14 we can get the books so we all know what we're
15 passing and how it affects everybody in Franklin
16 County.

17 Thank you very much. Any questions?

18 CHAIRMAN EVANS: Okay. I have
19 a question. The books you're showing us show the
20 actual floodplain?

21 MR. SCHRUFER (ph.): Yes. It
22 tells you the elevations of the Missouri River and
23 several creeks. Now, they didn't do every creek in
24 Franklin County. It names the creeks, my engineer
25 said, and it also names the rivers that they did that

1 they're making changes on, that they're looking at or
2 making changes on.

3 It -- it doesn't take every creek in
4 Franklin County into this study, but there's a book
5 here that you can go through here and you can find
6 out exactly from the mouth of the creek or the river
7 right to your property, and you can see what your
8 elevation is and if you're in the floodplain or not.

9 CHAIRMAN EVANS: Okay.

10 I guess my question, Scottie, is that
11 we're just looking at definitions, right, and not
12 actually floodplains?

13 MS. EAGAN: Yeah, I think his
14 comments are going to be geared more towards Article
15 11, Floodplain Management, than Article 2.

16 CHAIRMAN EVANS: But neither
17 of them actually addresses the floodplain itself?

18 MS. EAGAN: I think what he's
19 referring to, and you can correct me if I'm wrong --
20 is that September --

21 MR. SCHRUFER (ph.): -- 14,
22 2019.

23 MS. EAGAN: -- 14, 2018 as
24 amended.

25 MR. SCHRUFER (ph.): There is

1 a book just like this with that same date on, and
2 that is what will be Franklin County's new floodplain
3 study. What they got now is something in 2014. That
4 will be set aside, and this new one will come
5 forward. That's two books, not one, two, about three
6 times the size of this.

7 And that's what you're going to go by.
8 Why not have the books first so we can all look at
9 them and not pass this and then say oh, here's your
10 books.

11 And again --

12 CHAIRMAN EVANS: Okay. I
13 guess I'm still a little bit confused here. I'm
14 seeing a natural floodplain map in those books, and
15 when I'm looking at these, I'm just seeing
16 definitions.

17 Is this apples and oranges, or where do
18 they come together?

19 MS. EAGAN: He's referring to
20 things in Article 11, which we haven't talked about
21 yet.

22 MR. SCHRUFER (ph.): There is
23 definition parts in there, like she said, we talk
24 about.

25 MS. EAGAN: Right.

1 MR. SCHRUFER (ph.): But they
2 are definitely saying September 14, 2018, and that is
3 your floodplain elevation. That is what the
4 floodplain is set. The old 2014 will be thrown
5 (sic) out. The new one and you don't have it, the
6 County don't have it. We can't look at it because
7 nobody's got it.

8 SEMA has it. My engineer is going to
9 get it.

10 CHAIRMAN EVANS: Okay. And
11 will the definitions change?

12 MS. EAGAN: The definitions
13 have changed, yes. We did not have hardly any of
14 these definitions in our Code.

15 CHAIRMAN EVANS: Okay. And
16 again, I'm sorry. I understand what you're saying.

17 MR. SCHRUFER (ph.): Right.

18 CHAIRMAN EVANS: We don't have
19 those books, but do -- does not having that
20 floodplain map affect the definitions, or we're just
21 using the same definitions with updated map?

22 MR. SCHRUFER (ph.): We're
23 changing the date also. If you vote for this, you're
24 changing the date from 2014 to 2018, and that's this
25 here part, not just definitions. Definitions is one

1 part. This is another part.

2 CHAIRMAN EVANS: Okay.

3 MS. EAGAN: Right. Right now
4 we're just talking about definitions. We're talking
5 about Article 2 Definitions.

6 CHAIRMAN EVANS: All we're
7 talking about is definitions.

8 MR. SCHRUFER (ph.): Okay.

9 Now, if you do the definitions, then I
10 don't want to see it the September 14, 2018 be a part
11 of it unless you've got the book so we can look at
12 the books, because it is a part of it. I have it.
13 It says it on, I think it is, page -- page 11.7. It
14 clearly states that we're scratching out October 18,
15 2012. My mistake. It's 2012 instead of 2014, and
16 we're putting in September 14, 2018.

17 So where you're adopting definitions and
18 the new book. The old book is being thrown (sic)
19 out. So if you want to adopt definitions, I don't
20 mind. But if you want to adopt the 2018, I have an
21 issue. Nobody knows about it. Don't know what is
22 it. You got to know what it is. You got to know
23 where the floodplain is. That's what I'm saying.

24 CHAIRMAN EVANS: Okay.

25 MR. SCHRUFER (ph.): Thank you

1 very much.

2 CHAIRMAN EVANS: All right.

3 Thank you.

4 So, Scottie, again, are our definitions
5 up-to-date? The way you put them in, this is what
6 FEMA is requiring?

7 MS. EAGAN: Yeah, all the
8 definition changes are required from FEMA.

9 CHAIRMAN EVANS: Okay. And so
10 that the floodplain map, old or new --

11 MS. EAGAN: That's in --
12 that's in Article 11.

13 CHAIRMAN EVANS: Okay.

14 MS. EAGAN: It's not in
15 definitions.

16 CHAIRMAN EVANS: So again,
17 that is Article 2. Is there anything else other than
18 the two changes that Russell -- Russell saw?
19 Otherwise, they would be accurate?

20 MS. EAGAN: As far as I know,
21 yes.

22 CHAIRMAN EVANS: If there's no
23 further discussion, let's see, what shall we do with
24 these? We have a motion to move them to Old
25 Business.

1 COMMISSIONER SCHULTEHENRICH:
2 Mr. Chairman, can we address the issue having -- can
3 we just address the issue having to do with the
4 rental, vacation rental property as a change of a
5 definition? That's the one you recently said you
6 would like to see changed.

7 The other definitions are all referring
8 to -- refers back to Article 11. Am I understanding
9 that correct?

10 MS. EAGAN: Right, but they
11 will be added to Article 2.

12 COMMISSIONER SCHULTEHENRICH:
13 Yes.

14 MS. EAGAN: I think all of our
15 definitions should be in one spot and not have to go
16 back and forth between Articles to find out what they
17 mean.

18 COMMISSIONER SCHULTEHENRICH:
19 I certainly don't differ with you, but why would we
20 need to make a change to all of these definitions
21 when we could, in fact, just drop one change and that
22 is for your vacation rental property? And after we
23 review the floodplain changes in Article 11, we can
24 go back and adopt your definition changes in Article
25 2 at that point in time.

1 MS. EAGAN: I mean, I
2 submitted it as one Article 2. I don't know if you
3 can make a decision on Article 2 and then go back and
4 make another decision on Article 2.

5 COMMISSIONER SCHULTEHENRICH:
6 Well, if we can't do that, then my -- I'll have an
7 issue in regards to whether we approve anything in
8 that regards. I'll vote not to approve it. In my
9 opinion, I think from what I hear, Scottie, it sounds
10 like we need to look further into Article 11 and
11 certainly when we got these -- at least what I
12 received -- I don't know about anybody else. But I
13 received a copy, it had pages that were --

14 MS. EAGAN: There are missing
15 pages. I had just noticed that.

16 COMMISSIONER SCHULTEHENRICH:
17 Yeah.

18 MS. EAGAN: So I'm fine if you
19 guys want to table it till next month. Maybe Tori
20 can even come next month -- he couldn't make it
21 tonight -- and talk about it. That's fine.

22 We were given a deadline though of
23 September whatever the date is in there. So I would
24 recommend that if we table it till next month, a
25 decision is made next month.

1 COMMISSIONER SCHULTEHENRICH:
2 I don't have a problem with that. Mr. Chairman, I --
3 I mean, what -- just curious on there. Do we know
4 what the penalty is if we don't adopt it by
5 September?

6 MS. EAGAN: All I was told
7 from Tori from FEMA is that they will remove us from
8 the flood program, and so flood insurance wouldn't be
9 available, by-outs wouldn't be available, everything
10 of that nature.

11 Again, we can table it until next month,
12 and when Tori can be here to talk about it. He is
13 our floodplain administrator. I'm totally okay with
14 tabling both of those files.

15 COMMISSIONER SCHULTEHENRICH:
16 I think -- Mr. Chairman, I think that'd be wise for
17 us to table at this time. But if you want us to
18 address your issue having to do with vacation -- I
19 mean, the rental property or so, I -- I'm...

20 MS. EAGAN: I don't think at
21 this point I can separate it from Article 2. So if
22 that's the case, you're probably going to have to
23 table Article 7 as well because vacation rental is in
24 Article 7.

25 COMMISSIONER SCHULTEHENRICH:

1 Mr. Chairman, I'll wait for you to look for a motion.

2 CHAIRMAN EVANS: I was took
3 looking. So we're talking about the Article 2 and
4 11? And not -- am I getting lost here or Article 7?

5 MS. EAGAN: It'll be up to you
6 guys on Article 7. Article 7 deals with a mistake
7 that was made when we allowed manufacturing light in
8 Community Development. We forgot to put it as a
9 conditional use permit with over five employees, but
10 it also addresses vacation rentals.

11 So --

12 CHAIRMAN EVANS: I would
13 suggest they're all kind of interrelated, that we
14 would just take all three files and group them
15 together and table them.

16 So the Chair would entertain a motion
17 to, I guess, take Files 180070, 180072, and 180073
18 and table them.

19 COMMISSIONER SCHULTEHENRICH:
20 Mr. Chairman, I'll make that motion that File 180070,
21 180072, 180073 be tabled until next meeting.

22 CHAIRMAN EVANS: Okay. I
23 would say once we wouldn't -- we would postpone it
24 till next meeting or we just table it and take it off
25 the table.

1 COMMISSIONER SCHULTEHENRICH:
2 Okay. I'll accept that and just say I would make the
3 motion that we would just table those three files.

4 COMMISSIONER McCREARY: I'd
5 second that motion.

6 CHAIRMAN EVANS: We have am
7 motion and a second to table those three files as
8 mentioned by Commissioner SchulteHenrich.

9 All in favor signify by saying aye.

10 COMMISSIONER REINHOLD: Aye.

11 COMMISSIONER VOSS: Aye.

12 COMMISSIONER McLAREN: Aye.

13 CHAIRMAN EVANS: Aye.

14 COMMISSIONER BOLAND: Aye.

15 COMMISSIONER SCHULTEHENRICH:

16 Aye.

17 COMMISSIONER TOBBIN: Aye.

18 COMMISSIONER McCREARY: Aye.

19 CHAIRMAN EVANS: Opposed?

20 (NONE)

21 Motion is carried.

22 COMMISSIONER SCHULTEHENRICH:

23 Mr. Chairman, one other matter on those three files.

24 Can we also ask that they, the staff, would provide

25 us with copies of Article 7 and Article 11 in its

1 entirety, so that we not have the skipped pages in
2 there.

3 MS. EAGAN: Is Article 7
4 messed up too?

5 COMMISSIONER SCHULTEHENRICH:
6 Yeah.

7 MS. EAGAN: Okay. Yeah, we'll
8 get you the copies.

9 CHAIRMAN EVANS: Okay. All
10 good things must come to an end New Business.

11 Moving back to Old Business, we have
12 File 180121, Eastland Oaks, Inc.

13 Any further discussion, any comments?

14 (NONE)

15 Again, let the record show that
16 Commissioner Tobbin and Boland have removed
17 themselves.

18 (Thereupon, Commissioners
19 Tobbin and Boland removed
20 themselves from the vote.)

21 COMMISSIONER SCHULTEHENRICH:
22 Mr. Chairman, if you're looking for the motion, I'll
23 make a motion that we recommend to the County
24 Commission that they approve the File 180121 and
25 requesting the zoning change.

1 COMMISSIONER McCREARY: And
2 I'll second that motion.

3 CHAIRMAN EVANS: We have a
4 motion and a second to recommend approval of the
5 rezoning in File 180121. All in favor signify by
6 saying aye.

7 COMMISSIONER REINHOLD: Aye.

8 COMMISSIONER VOSS: Aye.

9 COMMISSIONER McLAREN: Aye.

10 CHAIRMAN EVANS: Aye.

11 COMMISSIONER SCHULTEHENRICH:

12 Aye.

13 COMMISSIONER McCREARY: Aye.

14 CHAIRMAN EVANS: Opposed?

15 (NONE)

16 The motion is carried.

17 (thereupon, Commissioners
18 Tobbin and Boland returned to
19 the Commission.)

20 Moving down to File 180082, Robert
21 Muckler, rezoning. Any further discussion, comments?

22 COMMISSIONER SCHULTEHENRICH:

23 Mr. Chairman, I make a motion that we recommend to
24 the County Commission that applicant -- I mean, File
25 180082 be rejected so the zoning change will not be

1 allowed to be changed.

2 COMMISSIONER BOLAND: I'll

3 second that.

4 CHAIRMAN EVANS: We have a
5 motion and a second to recommend against rezoning
6 File 180082. All in favor signify by saying aye.

7 COMMISSIONER REINHOLD: Aye.

8 COMMISSIONER VOSS: Aye.

9 COMMISSIONER McLAREN: Aye.

10 CHAIRMAN EVANS: Aye.

11 COMMISSIONER BOLAND: Aye.

12 COMMISSIONER SCHULTEHENRICH:

13 Aye.

14 COMMISSIONER TOBBIN: Aye.

15 COMMISSIONER McCREARY: Aye.

16 CHAIRMAN EVANS: Opposed?

17 (NONE)

18 The motion is carried.

19 Moving us down to File 18007 -- I'm
20 sorry. I skipped that. Moving to File 180060, Hope
21 Branch of Missouri requesting a preliminary
22 development plan. Approval of their preliminary
23 development plan. They apparently have met the goals
24 and have submitted all the criteria required by
25 Scottie.

1 COMMISSIONER McLAREN: Can I
2 ask a question on this?

3 CHAIRMAN EVANS: Sure.

4 COMMISSIONER McLAREN: What
5 we're actually doing here is approving a PUD that
6 they've met all the requirements of the PUD, correct?

7 CHAIRMAN EVANS: Right. The
8 initial requirements to move forward.

9 COMMISSIONER McLAREN:
10 Whatever else they're doing is not consequential?
11 We're approving that they've met the requirements for
12 the PUD, correct?

13 CHAIRMAN EVANS: Right, for
14 this --

15 MS. EAGAN: For the
16 preliminary development plan.

17 CHAIRMAN EVANS: For the
18 preliminary development plan.

19 COMMISSIONER McLAREN: I'll
20 make that motion.

21 CHAIRMAN EVANS: Okay.

22 COMMISSIONER SCHULTEHENRICH:
23 Mr. Chairman, may I ask a question though on that.

24 Are we approving the preliminary
25 development plan that has been submitted?

1 MS. EAGAN: Uh-huh.

2 COMMISSIONER SCHULTEHENRICH:

3 Okay. Then my concern with that is that what's being
4 submitted is not what was -- it's not identical to
5 what was shown to us up on the screen, which was in
6 more detail in regards to particularly having to do
7 with the waste facility treatments.

8 MS. EAGAN: Uh --

9 COMMISSIONER SCHULTEHENRICH:

10 Unless I'm --

11 COMMISSIONER TOBBIN: That's
12 going to be done by the Building Department, not us.

13 COMMISSIONER SCHULTEHENRICH:

14 But --

15 MS. EAGAN: All of our big
16 plans in the file have what they showed up there.

17 COMMISSIONER SCHULTEHENRICH:

18 Okay.

19 As long as we're approving what was
20 shown up there instead of this what we received here
21 for us to be looking at and potentially approve,
22 okay, so that's my main concern that I would express
23 in that regards.

24 MS. EAGAN: It's all in there.

25 COMMISSIONER SCHULTEHENRICH:

1 Okay.

2 CHAIRMAN EVANS: Okay. So
3 everything that their required under Section 2 of 9.4
4 has been received?

5 MS. EAGAN: Yes.

6 CHAIRMAN EVANS: Okay.

7 If there's no further discussion, the
8 Chair would entertain a motion.

9 COMMISSIONER TOBBIN: I'll
10 second Mr. McLaren's first.

11 CHAIRMAN EVANS: I'm sorry,
12 you did make a motion. All right. We have a motion
13 and a second to approve File 1800 -- I apologize
14 again.

15 We have a motion and a second to approve
16 File 180060. All in favor signify by saying aye.

17 COMMISSIONER REINHOLD: Aye.

18 COMMISSIONER VOSS: Aye.

19 COMMISSIONER McLAREN: Aye.

20 CHAIRMAN EVANS: Aye.

21 COMMISSIONER BOLAND: Aye.

22 COMMISSIONER SCHULTEHENRICH:

23 Aye.

24 COMMISSIONER TOBBIN: Aye.

25 COMMISSIONER McCREARY: Aye.

1 CHAIRMAN EVANS: Opposed?

2 (NONE)

3 Motion is carried.

4 All right. Planning and Zoning
5 Commission Forum. And I'd like to take this chance
6 to thank everyone and appreciate their patience. I
7 know it's been along evening, and we appreciate you
8 coming out and doing your civic duty.

9 If you all would like to stay for a
10 while with us, feel free.

11 MS. EAGAN: Bill, can I bring
12 something up during Commissioners Forum?

13 CHAIRMAN EVANS: Yes.

14 MS. EAGAN: So if you guys
15 noticed tonight, everybody was given five minutes,
16 even the applicants. That's how the County -- the
17 new County Counselor --

18 CHAIRMAN EVANS: Yeah, and if
19 you didn't notice that, I think --

20 MS. EAGAN: That's how he
21 interprets our Code that little blurb in Article 4.
22 So my question to you all is are you okay with
23 everybody having five minutes, even the applicant?
24 Do you feel like we need to increase it? Do you feel
25 like we need to get rid of it altogether?

1 It's just a discussion I want you guys
2 to have on your feelings towards it.

3 CHAIRMAN EVANS: I personally
4 think that it's not a very good rule, that we have to
5 modify it. I think I understand the problem with
6 giving everyone as much time as they want to talk,
7 but I think we are presenting as an applicant that
8 you need more than five minutes to --

9 Can you please be quiet in the back
10 there.

11 Think you need more than five minutes to
12 adequately explain a project. And we would not be
13 doing our due diligence if we didn't let an applicant
14 explain everything plus questions.

15 On the other end, the down side to that
16 is giving everyone all the time they want. You get
17 people who can come up and comment as long as they
18 want, and may not offer anything positive to the
19 discussion.

20 So those are my thoughts on it.

21 MS. EAGAN: Cameron did a
22 Power Point in five minutes.

23 COMMISSIONER BOLAND: I think
24 if you give them five minutes, it keeps everybody
25 focused and to the point, you know. I understand

1 your point, Bill, that you know. If Cameron got
2 through something in five minutes, anybody can do it.

3 MR. JENSEN: Can I say
4 something about that?

5 CHAIRMAN EVANS: Actually no.
6 We abide by our rules, by God.

7 COMMISSIONER McCREARY: Bill,
8 I guess if there is proposal that is more in detail
9 that if the guy feels -- the person feels they're
10 going to need more than five minutes, knowing that
11 ahead of time, they could say, okay, just similar to
12 what we did tonight. You got five minutes, the next
13 person's got five minutes to talk about it, and
14 they'll have to understand that that's the way the
15 rules are set up. So if they need some help, they'd
16 better bring it.

17 CHAIRMAN EVANS: What if
18 Cameron runs out of friends?

19 COMMISSIONER BRINKER: If I
20 may be so bold as to elongate this elongated meeting,
21 in regards to the timeframe allotment and in all
22 fairness to presenters, developers, pros, cons, et
23 cetera, tomorrow I'm going to talk to the contractor
24 County Counsel regarding this.

25 I firmly believe that any development or

1 any potential development/changing in our zoning and
2 planning, et cetera, that a presenter be given all
3 the time they need to do so, be it one person.

4 A lot of people spend a lot of money to
5 have people represent them because they don't feel
6 comfortable doing their own thing. To do the
7 alternative or the alternating presenters every five
8 minutes is quasi-ludicrous. There's going to have to
9 be something implemented.

10 And the reason this is implemented
11 obviously because of court order, but you have to
12 give people the opportunity to speak in favor and the
13 opportunity to speak against, but the -- you have to
14 have the subject matter in front of you in full.

15 A couple of times tonight I thought were
16 kind of awkward with things going off and the
17 presenters are trying to squeeze it all in. They
18 can't. How can you guys, how can our boards and
19 commissions make a purely solidly educated decision
20 without all the pertinent information before us.

21 This is my opinion, but anyway, there's
22 going to have to be more discussion on it from a
23 legal aspect of it because that's why we got to where
24 we are as the result of a legal action.

25 So FYI, I'm on it.

1 COMMISSIONER McLAREN: Mr.
2 Chairman.

3 CHAIRMAN EVANS: Bill.

4 COMMISSIONER McLAREN: I agree
5 with you. I agree with you. I'd really like to hear
6 all the presenter has to present. So I think that
7 somehow or other that we need to give the presenters
8 some latitude to get their entire presentation down.

9 COMMISSIONER BOLAND: Bill,
10 would you have liked to have heard 20 minutes about
11 the floodplain?

12 COMMISSIONER McLAREN: No, I'm
13 tired.

14 COMMISSIONER BOLAND: I'm just
15 curious.

16 COMMISSIONER McLAREN: I don't
17 want to hear it.

18 COMMISSIONER REINHOLD: They
19 get into about the snails and all that other stuff.

20 CHAIRMAN EVANS: Well, I guess
21 the issue would be tonight if we did want to make a
22 change all for next meeting, we would have to discuss
23 it tonight so that that could be put on next month's
24 agenda because we can't make a change the same night
25 because there would be no notification.

1 COMMISSIONER McLAREN: The
2 only way we can do it is just by asking a question,
3 and we automatically give the presenter more time by
4 asking a question, correct?

5 CHAIRMAN EVANS: Correct.

6 COMMISSIONER McLAREN: Is that
7 legitimate?

8 CHAIRMAN EVANS: Yeah.
9 Questions do not count as far as that. But do we
10 want to -- for the time being, I don't know what's
11 coming up on future agendas. We could leave it for
12 one month since Commissioner Brinker is going to fix
13 this for us. We'll leave it in his hands.

14 If there's no -- you just want to do
15 that then? I'm not hearing any idea.

16 COMMISSIONER BOLAND: We agree
17 with that.

18 MS. EAGAN: Sure.

19 COMMISSIONER TOBBIN: Yes.

20 CHAIRMAN EVANS: Okay.

21 Anything else to discuss?

22 MS. EAGAN: For the Planner --
23 Planning Director's report, I don't know how many of
24 you know or not, but Ray Cunio is resigning as of
25 July 1st. So he has already sent in the name of

1 somebody to fill his position.

2 She's already written a letter to the
3 County Commission. So we're just waiting to hear
4 back from that.

5 And then also I got word from
6 Landvatter's attorney that they will be reapplying
7 for a rezoning out there. So you will hear that in
8 the next couple of months.

9 But that's all I have.

10 CHAIRMAN EVANS: All right.

11 Thank you.

12 MS. EAGAN: Oh, wait. One
13 more thing. Sorry.

14 I have started doing the zoning of the
15 county. I wanted to have maps for you guys of all
16 your townships that you represent so you guys can
17 look at it and present what you feel is best for that
18 area. I just didn't get around to doing that.

19 So next month I'll try to have maps for
20 you guys of your areas.

21 CHAIRMAN EVANS: All right.

22 If there's nothing else, the Chair would
23 entertain a motion to adjourn.

24 COMMISSIONER McLAREN: Motion
25 to adjourn.

1 COMMISSIONER TOBBIN: Second
2 it.
3 CHAIRMAN EVANS: Motion and
4 second to adjourn. All in favor signify by say aye.
5 COMMISSIONER REINHOLD: Aye.
6 COMMISSIONER VOSS: Aye.
7 COMMISSIONER McLAREN: Aye.
8 CHAIRMAN EVANS: Aye.
9 COMMISSIONER BOLAND: Aye.
10 COMMISSIONER SCHULTEHENRICH:
11 Aye.
12 COMMISSIONER TOBBIN: Aye.
13 COMMISSIONER McCREARY: Aye.
14 CHAIRMAN EVANS: Opposed?
15 (NONE)
16 We are adjourned.
17 (Thereupon, the proceedings
18 were concluded at 11:10 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; the proceedings were taken down in stenographic notes by me and transcribed by me, or under my supervision, to the best of my ability; and that the aforementioned represents a true and accurate transcript of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand.

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

My Commission Expires:
August 26, 2018

FRANKLIN COUNTY PLANNING AND ZONING COMMISSION 6/26/2018

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