

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

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11 PUBLIC HEARING  
12 JULY 21, 2020  
13 (Commencing at 7:00 p.m.)

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22

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

1	I N D E X	
2	PROCEEDINGS	PAGE
3	CALL TO ORDER AND ROLL CALL	6
4	DECLARATIONS BY COMMISSIONERS	8
5	HEARING PROCEDURES BY MS. ZIELKE	8
6	APPROVAL OF MINUTES (MAY 26, 2020)	8
7	COMMUNICATIONS AND VISITORS COMMENTS	10
8	P U B L I C H E A R I N G S	
9	UNFINISHED BUSINESS:	
10	FILE 200045 - PLANNING AND ZONING:	
11	PRESENTATION BY MS. ZIELKE	10
12	PUBLIC COMMENTS - NONE	11
13	DISCUSSION	12
14	VOTE	15
15	NEW BUSINESS:	
16	FILE 200068 - RIVER CEMENT COMPANY, D/B/A	
17	BUZZI UNICEM USA:	
18	PRESENTATION BY MS. ZIELKE	15
19	PRESENTATION BY APPLICANT - NONE	16
20	DISCUSSION	16
21	PUBLIC COMMENTS	18
22	VOTE	24
23		
24		
25		

1	I N D E X	
2	(CONTINUED)	
3	PROCEEDINGS	PAGE
4	FILE 200106 - JOHN C. VATTEROTT FARM, INC.:	
5	PRESENTATION BY MS. ZIELKE	26
6	PRESENTATION BY APPLICANT	29
7	PUBLIC COMMENTS	66
8	REBUTTAL BY APPLICANT	84
9	DISCUSSION	92
10	CONTINUED TO NEXT MONTH	104
11	PRELIMINARY PLATS - NONE	105
12	PLANNING AND ZONING COMMISSION FORUM:	
13	CUP NO. 13003 ROBERT DIX	105
14	CONTINUED TO NEXT MONTH	109
15	CUP NO. 140140 PAUL COOPER	109
16	DISCUSS	110
17	VOTE	116
18	PLANNING DIRECTOR'S REPORT	116
19	ADJOURNMENT	117
20	CERTIFICATE OF REPORTER	119
21		
22		
23		
24		
25		

1	E X H I B I T S		
2	IDENTIFICATION	DESCRIPTION	PAGE
3	COUNTY:		
4	EXHIBIT A	FRANKLIN COUNTY UNIFIED LAND USE	9
5		REGULATIONS	
6	EXHIBIT B	OFFICIAL ZONING MAP	9
7	EXHIBIT C	OFFICIAL MASTER PLAN	9
8	EXHIBIT D	CASE FILE FOR ALL CASES TO BE HEARD	9
9	APPLICANT:		
10	EXHIBIT 1	REVISED LAYOUT	29
11	EXHIBIT 2	(UNIDENTIFIED)	62
12	OPPOSITION:		
13	EXHIBIT 1	(NOT IDENTIFIED)	62
14			
15	(All exhibits, if any, were retained by the		
16	Commission, and will not be attached hereto.)		
17			
18			
19			
20			
21			
22			
23			
24			
25			

1                                   A P P E A R A N C E S  
2    PLANNING AND ZONING COMMISSIONERS:  
3                                   DAN HAIRE, VICE-CHAIRMAN  
4                                   TIMOTHY REINHOLD, COMMISSIONER  
5                                   STANLEY VOSS, COMMISSIONER  
6                                   BILL McLAREN, COMMISSIONER  
7                                   DEBBIE WILLETTE, COMMISSIONER  
8                                   JIM GRUTSCH, COMMISSIONER  
9                                   MIKE KLENKE, COMMISSIONER  
10                                  DENNIS HARTMANN, COMMISSIONER  
11    PLANNING AND ZONING STAFF:  
12                                  NICHOLE ZIELKE, PLANNER  
13                                  CRYSTAL HOLDMEIER, ASSISTANT  
14    LEGAL COUNSEL:  
15                                  (NOT PRESENT)  
16    ALARIS LITIGATION SERVICES:  
17                                  By:    PATSY A. MAYBERRY, C. R.  
18                                  711 NORTH ELEVENTH STREET  
19                                  ST. LOUIS, MISSOURI 63101  
20                                  (314) 644-2191  
21  
22  
23  
24  
25

1 P R O C E E D I N G S

2 (JULY 21, 2020)

3 CHAIRMAN HAIRE: I'd like to  
4 call to order for July 21st the meeting of the  
5 Franklin County Planing and Zoning Commission.

6 Nichole, will you call the roll for us.

7 MS. ZIELKE: Bill Evans?

8 COMMISSIONER EVANS: (Not  
9 present.)

10 MS. ZIELKE: Mark Frankenberg?

11 COMMISSIONER FRANKENBERG:  
12 (Not present.)

13 MS. ZIELKE: Jim Grutsch?

14 COMMISSIONER GRUTSCH: Here.

15 MS. ZIELKE: Dan Haire?

16 CHAIRMAN HAIRE: Here.

17 MS. ZIELKE: Dennis Hartmann?

18 COMMISSIONER HARTMANN: Here.

19 MS. ZIELKE: Mike Klenke?

20 COMMISSIONER KLENKE: Here.

21 MS. ZIELKE: Bill McLaren?

22 COMMISSIONER McLAREN: Here.

23 MS. ZIELKE: Tim Reinhold?

24 COMMISSIONER REINHOLD: Here.

25 MS. ZIELKE: Stan Voss?

1 COMMISSIONER VOSS: Here.

2 MS. ZIELKE: And, Debbie

3 Willette?

4 COMMISSIONER WILLETTE: Here.

5 MS. ZIELKE: We have a quorum.

6 CHAIRMAN HAIRE: Thank you,

7 Nichole.

8 All the Commissioners should have  
9 received a copy of the minutes from the June meeting.  
10 If there isn't any additions or corrections, the  
11 Chair would entertain a motion to approve.

12 COMMISSIONER GRUTSCH: I would  
13 make a motion to approve the minutes as submitted.

14 COMMISSIONER McLAREN: Second.

15 CHAIRMAN HAIRE: Any changes

16 or corrections?

17 (NONE)

18 All those in favor say aye.

19 COMMISSIONER REINHOLD: Aye.

20 COMMISSIONER VOSS: Aye.

21 COMMISSIONER McLAREN: Aye.

22 COMMISSIONER WILLETTE: Aye.

23 COMMISSIONER GRUTSCH: Aye.

24 COMMISSIONER KLENKE: Aye.

25 CHAIRMAN HAIRE: Aye.

1 COMMISSIONER HARTMANN: Aye.

2 CHAIRMAN HAIRE: All those

3 opposed?

4 (NONE)

5 Okay. The minutes are approved.

6 At this time, I'd like to give the  
7 Commissioners an opportunity to declare any  
8 conflicts, communications or relationships that might  
9 have influence in their ability to consider today's  
10 issues impartially.

11 (NONE)

12 Hearing none, okay. Thank you.

13 If there's no declarations, Nichole,  
14 will you please present the meeting procedures and  
15 exhibits please.

16 MS. ZIELKE: Tonight's  
17 Planning Commission meeting is governed by the  
18 Franklin County Unified Land Use Regulations.

19 Some matters on the agenda may be for  
20 action by the Planning and Zoning Commission. These  
21 matters do not involve public hearings.

22 Other matters on the agenda require  
23 public hearings under Missouri law. If a matter  
24 involves a public hearing, all individuals who desire  
25 to testify will be given an opportunity to do so.



1           It is possible for the Planning  
2 Commission to decide to move a New Business issue to  
3 Unfinished Business and vote on it the same night.

4           At the conclusion of all questions,  
5 comments, and discussion concerning each case, the  
6 Planning Commission will proceed. Any final decision  
7 by the Planning and Zoning Commission concerning  
8 Conditional Use Permits may be appealed to the Board  
9 of Zoning Adjustment any time within 90 days.

10           Applications for such an appeal may be  
11 acquired from the Department offices during normal  
12 business hours.

13                           CHAIRMAN HAIRE: Thank you,  
14 Nichole.

15           At this time Communications and Visitor  
16 Comments. Is there anyone present wishing to address  
17 the Commission at this time?

18           You can go ahead and address this, but  
19 it's not a matter of the public record if you're  
20 coming for one of the other files. So I would just  
21 say just hold off and -- okay.

22           If not, we're going to go to Unfinished  
23 Business. File 200045, Article 10. Nichole, you  
24 want to kind of give us the changes in there.

25                           MS. ZIELKE: So this is a

1 result of our -- let's see what was the meeting date  
2 -- I believe June 9th. Anyway, from the last meeting  
3 where we discussed this, you guys had made a decision  
4 that you would like to see the 300 number for Special  
5 Events to go down to 100. So I made those changes.

6 And then the other thing that you wanted  
7 to see added was that the proposed development must  
8 be provided to the applicable fire district for  
9 review. So that's also in the added.

10 So if anyone has any questions, I'm  
11 happy to answer then, but I believe I just did the  
12 minor changes that you had requested.

13 CHAIRMAN HAIRE: Any  
14 Commissioner have any questions?

15 (NONE)

16 If not, I'll take a motion to approve.

17 COMMISSIONER GRUTSCH: Mr.  
18 Chairman, I would like to make a motion to approve  
19 the Planning and Zoning changes to Article 10 of the  
20 Regulations as submitted.

21 CHAIRMAN HAIRE: Is there a  
22 second?

23 COMMISSIONER REINHOLD: I'll  
24 second it.

25 CHAIRMAN HAIRE: Any further

1 discussion?

2 (NONE)

3 If not -- oh, yes.

4 COMMISSIONER McLAREN: What  
5 about the preexisting stuff? Is there any changes to  
6 anything that was approved before.

7 MS. ZIELKE: You're referring  
8 to the changes that were presented to you at that  
9 meeting

10 COMMISSIONER McLAREN: No,  
11 stuff that we would have done over the course of time  
12 that somebody is operating under.

13 MS. ZIELKE: I'm confused by  
14 the question.

15 COMMISSIONER McLAREN: I'm  
16 just sitting here probably I'm confused too.

17 I'll retract my question.

18 COMMISSIONER GRUTSCH: Would  
19 an existing operation be changed by that?

20 MS. ZIELKE: An existing  
21 operation that has a permit would be.

22 COMMISSIONER McLAREN: With  
23 whatever we -- thank you. You did a better job.

24 With whatever stipulations they had,  
25 there would not be any changes?

1 MS. ZIELKE: Correct.

2 COMMISSIONER McLAREN: Whether  
3 or not they were under administrative or otherwise?

4 MS. ZIELKE: Right. Yes.  
5 Whatever regulations their permit were approved  
6 under, they would have to meet those regulations. We  
7 cannot impose stricter requirements on them after the  
8 fact. They are grandfathered under the previous  
9 regulations.

10 COMMISSIONER McLAREN: But if  
11 they would make -- would want to make any change,  
12 like the woman spoke last month about the shooting  
13 range that wanted to come and make changes, at that  
14 point in time, would they go under the new set of  
15 regulations, or would they be under the old -- their  
16 existing regulations but amended?

17 MS. ZIELKE: So I can tell you  
18 that there is no description under the Special  
19 Occasion Permits for minor amendments to them.

20 So my understanding with these, they  
21 would not be able to amend the Special Occasion  
22 Permit. They could reapply to request something  
23 else, and then they would be under the new  
24 requirements.

25 But as far as I know, there is no

1 section like there is with Conditional Use Permits  
2 that says that the Planning Director determines if  
3 it's minor enough to be done administratively.

4 COMMISSIONER McLAREN: Okay.  
5 Can I get up and walk something over to you and show  
6 you?

7 MS. ZIELKE: Oh, yeah.

8 So Bill is asking about the Special  
9 Occasion indoor chart, but the way that the tracking  
10 through the change tracking in Microsoft Word does  
11 it, is it crossed out a figure and adds in the other  
12 figure. So that four, once we accept all the changes  
13 to the document, that four will go away. But it's  
14 hard to see the cross-out version of it because it's  
15 the cross in the four.

16 COMMISSIONER McLAREN: Okay.

17 MS. ZIELKE: So that, yes,  
18 once we accept the changes, that number will become  
19 100.

20 COMMISSIONER McLAREN: All  
21 right. Thank you.

22 Mr. Chairman, that was really my  
23 questions in total. Thank you.

24 CHAIRMAN HAIRE: Yeah.

25 COMMISSIONER McLAREN: Thanks

1 for entertaining.

2 CHAIRMAN HAIRE: Any

3 additional questions?

4 (NONE)

5 If there is no further discussion, I'll  
6 entertain a motion to approve.

7 COMMISSIONER McLAREN: We have  
8 a motion.

9 CHAIRMAN HAIRE: Yeah. Okay.  
10 Second, okay. All those in favor.

11 COMMISSIONER REINHOLD: Aye.

12 COMMISSIONER VOSS: Aye.

13 COMMISSIONER McLAREN: Aye.

14 COMMISSIONER WILLETTE: Aye.

15 COMMISSIONER GRUTSCH: Aye.

16 COMMISSIONER KLENKE: Aye.

17 CHAIRMAN HAIRE: Aye.

18 COMMISSIONER HARTMANN: Aye.

19 CHAIRMAN HAIRE: All those

20 opposed?

21 (NONE)

22 The motion carries.

23 Okay. We have a File No. 200068, which  
24 was tabled last June 16th. Is the -- is anybody from  
25 River City present who wanted to review that at this

1 time?

2 (NONE)

3 COMMISSIONER GRUTSCH: Mr.

4 Chairman, I would like to make a motion, in light of  
5 the fact that we had asked the -- at the last meeting  
6 to table this for further clarification, further  
7 documentation and explanation as to their  
8 consideration for an ongoing operation, since they  
9 have failed to comply to any of those request, I  
10 would make a motion that we deny this Conditional Use  
11 Permit.

12 COMMISSIONER WILLETTE: I'll  
13 second that.

14 COMMISSIONER McLAREN: Mr.  
15 Chairman, do we have to take it off the table before  
16 we can do that?

17 CHAIRMAN HAIRE: I think we  
18 have to take it off the table. I think you're  
19 correct.

20 We need to bring it back and discuss it,  
21 and then we'll entertain your motion.

22 COMMISSIONER GRUTSCH: Okay.

23 CHAIRMAN HAIRE: Okay.

24 We'll go ahead and open File 200068.

25 The applicant is not present. So we'll go ahead and

1 any discussion? You want to go ahead and give me  
2 your motion at this time, and then we'll go ahead and  
3 accept it.

4 COMMISSIONER GRUTSCH: I would  
5 make a motion to deny the application for Conditional  
6 Use Permit.

7 COMMISSIONER WILLETTE: And  
8 I'll second that.

9 UNIDENTIFIED SPEAKER: Can I  
10 make a comment, because I'm afraid that if you close  
11 it, I won't be able to make a comment then.

12 CHAIRMAN HAIRE: Yeah, we'll  
13 move for discussion.

14 MR. STEPHEN BAKER: Okay.

15 CHAIRMAN HAIRE: Okay. We  
16 have a first and a second. Do we have anybody  
17 speaking for the River City applicant?

18 (NONE)

19 If not, no. Do we have anybody speaking  
20 against this file?

21 MR. BAKER: I have somebody  
22 myself --

23 CHAIRMAN HAIRE: You need to  
24 come forward, sign in and get sworn in.

25 (THEREUPON, THE WITNESS WAS

1 SWORN.)

2 MR. BAKER: My name is Steve  
3 Baker. I own the land that the mining is going on,  
4 and I was told that there were a lot of people, maybe  
5 these are the people that were there last time, that  
6 were -- that raised the complaints.

7 I'm not here to talk favorably about  
8 River City Cement. So I'm not trying to talk to  
9 them.

10 But what I do want to say is that 70  
11 years ago, 70 years ago, my grandparents before I was  
12 born signed an agreement with a couple of refineries,  
13 and they put a lien then on the property that they  
14 could then go in there and mine.

15 But 70 years went by, almost 70 years  
16 went by without them doing a thing, and then I don't  
17 know if it was the economy that made it worthwhile or  
18 what, but now they're mining it.

19 So I've had this black cloud over my  
20 property. There's two more black clouds. So if this  
21 was a small pit, they also -- there's another  
22 refractory that has rights to two other pits that are  
23 much larger. One of them straddles my property on  
24 the north to someone else's property that butts up to  
25 mine, just north of my property. The other one is

1 smack dab in the middle of my property.

2 I don't know if there's going to future  
3 mining operations or not, but I'm wondering why are  
4 we allowing somebody to take that long of a time  
5 before they feel it's feasible to do anything. Why  
6 can't a law be passed, maybe it'd have to be out of  
7 Missouri, maybe it can be by the County, or a  
8 regulation that they only have a period of 10, 15 or  
9 maybe 20 years and then that line goes away so that  
10 they have to do something if they're going to do it?

11 That's basically all I've got to say. I  
12 don't know. Are many people here --

13 CHAIRMAN HAIRE: You need to  
14 address the Commission only.

15 MR. BAKER: Okay. I don't  
16 know if there's people here, but I just wanted to  
17 tell them I'm sorry if the mining operation was  
18 bothering them. I had people live on my property.  
19 It was bothering them too.

20 And I know that their hours of  
21 operations were quite weird. They start like at 1:00  
22 or 2:00 in the morning. They jam the roads up. I  
23 know they're probably tearing the roads up. Anyway  
24 that's all I got to say.

25 CHAIRMAN HAIRE: That's an

1 issue you have to take up with Jefferson City.

2 MR. BAKER: Okay.

3 CHAIRMAN HAIRE: So you can  
4 contact your State rep.

5 MR. BAKER: Okay. Can you  
6 establish regulations in the county for that or not?

7 CHAIRMAN HAIRE: No, we can't.  
8 We proceed -- State regulations of the deed property  
9 will precede that. So --

10 MR. BAKER: Okay.

11 CHAIRMAN HAIRE: -- something  
12 else would have to be legislative to make a change on  
13 that.

14 MR. BAKER: Okay.

15 CHAIRMAN HAIRE: Okay.

16 Do you have a question for him?

17 COMMISSIONER GRUTSCH: No. I  
18 just wanted to let you know that, be assured as the  
19 highway administrator for Franklin County, they did  
20 damage our roadways, and I wanted to make sure the  
21 responsible parties stayed responsible for it.

22 So that's why this hearing came about,  
23 and if we hear or see any additional clay mining, as  
24 soon as we know about it, we'll make sure that they  
25 abide by all the rules --

1 MR. BAKER: Okay.

2 COMMISSIONER GRUTSCH: -- and  
3 regulations.

4 MR. BAKER: They now have tore  
5 up my property. The State, I believe, will require  
6 them to do remediation.

7 COMMISSIONER GRUTSCH: Yes.

8 MR. BAKER: Whether or not  
9 they can continue mining or not, so hopefully they're  
10 just not going to work away. That's my only concern.

11 Thank you.

12 COMMISSIONER GRUTSCH: Thank  
13 you.

14 CHAIRMAN HAIRE: Is there  
15 anyone else here wishing to speak against this file?

16 Come on up.

17 (THEREUPON, THE WITNESS WAS  
18 SWORN.)

19 MS. STACY MIDYETT: I'm Stacy  
20 Midyett. I live on Farrell Road. I spoke to you  
21 last time.

22 Question. If this is denied, can they  
23 reapply, and what is the timeline for their  
24 reapplication, what are the rules behind that if  
25 there is a denial?

1 CHAIRMAN HAIRE: I'll let  
2 Nichole really respond to that, but basically it's a  
3 Conditional Use Permit in that zoning district. So  
4 if they want to reapply, they can go ahead and  
5 reapply and pay the fee again, they can resubmit.

6 MS. MIDYETT: Will we all get  
7 notification that --

8 CHAIRMAN HAIRE: Yes, ma'am.

9 MS. MIDYETT: -- are living  
10 that area?

11 CHAIRMAN HAIRE: Yes, ma'am.

12 MS. MIDYETT: Okay. Thank  
13 you. That's all I have.

14 CHAIRMAN HAIRE: Nichole,  
15 maybe you want to answer that.

16 MS. ZIELKE: Yes. So in  
17 Section 98 for reconsideration of actions if you deny  
18 a conditional use permit, the only time that it can  
19 be reconsidered by the Board -- well, it cannot be  
20 unless they demonstrate that circumstances affecting  
21 the property have substantially changed or new  
22 information is available that could not with  
23 reasonable diligence have been presented at a  
24 previous hearing.

25 CHAIRMAN HAIRE: As the

1 gentleman before stated, if they have a different  
2 parcel, would that be something that could be --  
3 because he said there was several other parcels that  
4 were on the property that could be minable?

5 MS. ZIELKE: If it was a  
6 different parcel, I would say we would probably  
7 accept an application, but it could not include the  
8 parcel that's already been considered.

9 CHAIRMAN HAIRE: Okay. Thank  
10 you.

11 MS. MIDYETT: But they can  
12 reapply if they wanted to?

13 CHAIRMAN HAIRE: Yes, yes,  
14 ma'am.

15 MS. MIDYETT: Okay.

16 So then my next question would be to the  
17 road commissioner is, when will the road be fixed?

18 COMMISSIONER GRUTSCH: Over  
19 the next six weeks.

20 MS. MIDYETT: Awesome. Thank  
21 you. That's all I have.

22 COMMISSIONER GRUTSCH: We want  
23 to get ready for all the school buses.

24 MS. MIDYETT: Thank you.

25 CHAIRMAN HAIRE: Anyone else

1 wishing to speak against this file?

2 (NONE)

3 Any additional comments from the  
4 Commissioners? We do have a motion pending.

5 (NONE)

6 If not, all those in favor of the motion  
7 to deny this CUP. Let me try to state this right.

8 All those that want to vote yes will be  
9 denying the application for this CUP.

10 COMMISSIONER REINHOLD: Aye.

11 COMMISSIONER VOSS: Aye.

12 COMMISSIONER McLAREN: Aye.

13 COMMISSIONER WILLETTE: Aye.

14 COMMISSIONER GRUTSCH: Aye.

15 COMMISSIONER KLENKE: Aye.

16 COMMISSIONER HAIRE: Aye.

17 COMMISSIONER HARTMANN: Aye.

18 CHAIRMAN HAIRE: All those

19 against?

20 (NONE)

21 No, okay. The motion -- the CUP is  
22 denied for River City.

23 COMMISSIONER REINHOLD: He,

24 Dan, I have a question.

25 CHAIRMAN HAIRE: Yes.

1 COMMISSIONER REINHOLD: He  
2 makes a point. I denied. I'm happy it denied, but  
3 if the mineral rights were from 70 years ago, could  
4 they not come back and try to grandfather that in  
5 some way?

6 CHAIRMAN HAIRE: Oh, I mean, I  
7 think that our rules are that, once a CUP has been  
8 denied, it has to be reasonable additional  
9 information to reapply.

10 COMMISSIONER REINHOLD: Right,  
11 okay.

12 CHAIRMAN HAIRE: So yes, they  
13 could under certain conditions.

14 COMMISSIONER REINHOLD: Just  
15 that made a good point when he said that.

16 COMMISSIONER McLAREN: But 70  
17 years ago, we had the right to build a house without  
18 a building permit.

19 CHAIRMAN HAIRE: Exactly  
20 right, yeah.

21 MS. ZIELKE: And let me say  
22 that this would not necessarily bar a separate  
23 applicant from coming forward and requesting this.

24 CHAIRMAN HAIRE: Okay. Thank  
25 you for that clarification.

1                   Okay. We'll move on to New Business.

2                   Okay. Nichole, will you give us the details on File  
3                   200106.

4   MS. ZIELKE: John C. Vatterott  
5                   Farm, Incorporated.

6                   The applicant wishes to operate an RV  
7                   Park and Campground in the B Zoning District.

8                   The properties located on Etlah Road,  
9                   approximately .4 mile north of Olive Road.

10   FACTS: The total parcel is  
11                   approximately 84 acres, but the proposed activities  
12                   would take place on an approximately 8.5-acre  
13                   portion.

14                   This property is located in the B Zoning  
15                   District. In this district, Campgrounds and RV Parks  
16                   require a Conditional Use Permit.

17                   The properties to the south and east of  
18                   the proposed site are zoned B, and the properties to  
19                   the north and west are zoned W.

20                   The majority of the area surrounding the  
21                   proposed site is undeveloped land with a few  
22                   low-density residential properties. The property to  
23                   the immediate east contains Cedar Creek, an event  
24                   center, restaurant, hotel, and retreat facility.

25                   The proposed RV Park and Campground will

1 be operated by Cedar Creek, and is considered an  
2 extension of the facility.

3 The proposed site has access to Etlah  
4 Road. Etlah Road is a County-maintained road with a  
5 60-foot right-of-way width in this area.

6 The applicant is proposing a total of 50  
7 RV spaces within the RV Park and Campground, as well  
8 as a 40 x 30 building that will be used as a  
9 convenience store and for check-in. None of the  
10 proposed spaces are for tent camping.

11 Article 2, RV Park, states that no RVs  
12 shall be permitted to be in place for more than 90  
13 days.

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

18 All new and/or existing entrances will  
19 need to be examined by the Franklin County Highway  
20 Department for a commercial entrance. Planning and  
21 Zoning shall receive documentation of approval prior  
22 to issuance of a CUP.

23 The proposed stormwater detention should  
24 be reviewed by the County Engineer/Highway  
25 Administrator for approval.

1           The applicant should have hours of  
2 operation, including set quiet times.

3           The applicant shall be limited to 50  
4 spaces, with only one RV allowed per space.

5           Quiet Time shall be established,  
6 beginning at least 10:00 p.m. and ending no earlier  
7 than 6:00 a.m.

8           All spaces shall be utilized for RVs;  
9 tent camping shall not be permitted.

10          Vehicles shall not be permitted to be  
11 parked within roadways.

12          Adequate trash receptacles shall be  
13 provided, and no trash shall be permitted to  
14 accumulate anywhere in the park.

15          The applicant must have all the  
16 necessary licenses, permits, and certificates  
17 required to do business in the county and state.  
18 Planning and Zoning shall receive documentation prior  
19 to issuance of a CUP.

20                                   CHAIRMAN HAIRE: Thank you,  
21 Nichole.

22           Is the applicant present or someone  
23 speaking for them present?

24                                   MR. RICK ROHLFING: Good  
25 evening. My name is Rich Rohlfing. I'm an engineer

1 with Buescher Frankenberg Associates, and we're here  
2 representing the applicant this evening.

3 (THEREUPON, THE WITNESSES WERE  
4 SWORN.)

5 MR. RICK ROHLFING: So in your  
6 packets are our initial submittal, our initial  
7 layout, and what Wesley is going to pass out now is a  
8 new revised layout, and I'll go through the reasons  
9 for the revisions on the layout.

10 If you want to go ahead and pass out  
11 those out, Wesley.

12 MS. ZIELKE: You'll have to  
13 actually hold on just a second while she marks this  
14 as an exhibit.

15 MR. ROHLFING: Sure.

16 (THEREUPON, EVIDENCE WAS  
17 MARKED FOR IDENTIFICATION AS  
18 APPLICANT EXHIBIT 1.)

19 As those get passed out, I know you  
20 haven't much time there to look at those, but there's  
21 some main differences from this layout from the  
22 previous. The primary one you'll notice the internal  
23 drives, if you will, now go east/west versus  
24 north/south.

25 The main reasons for doing that was ease

1 of access. Backing -- RVs will be backing into the  
2 lots on a flatter grade versus up and down steep  
3 grade. The this layout provides more space in  
4 between the RV parking spaces or locations. So it  
5 does have a larger -- a little bit larger footprint.  
6 However, the main reason for doing that is so that we  
7 can maintain more of the evergreen trees or cedar  
8 trees that are out on the site.

9 If you look at the aerial photo, you can  
10 see there are quite a few trees, especially to the  
11 west and east. Primarily due to the ravines that are  
12 doing -- the drainage ditch ravines that are both to  
13 the west and east of the proposed development.

14 And then to the west, we would be  
15 maintaining -- I mean, right now we show over 200  
16 feet of that untouched. This isn't the end all, be  
17 all layout. Once we get into grading, we're going to  
18 try to maintain as many of those trees as we can. So  
19 the site may push out a little bit to the west,  
20 possibly to the east. It wouldn't vary very much  
21 from this layout though -- however.

22 I did mention it's a little bit larger  
23 footprint, but it's still the same parking spaces  
24 that was proposed before.

25 We also are not currently proposing the

1 check-in station as we would re-purpose or would  
2 utilize the building that's up at the very north,  
3 right side of the plan that you're looking at for  
4 that purpose. So we would be proposing that as a  
5 part of this development.

6 We're showing one location for access  
7 off of Etlah road. So you would drive into the  
8 check-in station to the east, check in, and then you  
9 would head down into the site development. Each  
10 location would, of course, have electric and have  
11 sewer and have water hookups available.

12 The sewer, sanitary sewer, would all  
13 gravity flow to the south to a lift station that  
14 we're showing on the south side of the development.  
15 And that would be pumped over into the existing  
16 gravity sewage system that's part of the Cedar Creek  
17 Hotel and Events Center.

18 As far as stormwater that was mentioned  
19 in the overview, we are planning on having a large  
20 stormwater facility, detention facility, at the south  
21 side, the Washington/Harrington South. So we will be  
22 releasing any increased flow while it will be  
23 limited. There's not going to be a whole lot of  
24 impervious area added to this, considering the vast  
25 size of the property. However, we would be reducing

1 that flow from off-site. We are aware that there is  
2 a movement stream out to the west also that we will  
3 not be impacting.

4 That's another reason that we've got  
5 quite a large buffer into the west side.

6 Again, we're here tonight for Zone B.  
7 This is something that we feel the Vatterotts feel  
8 will compliment their already existing facility and  
9 with this permit. And that's why we're here tonight  
10 to for that request.

11 I'm here to answer any questions you may  
12 have at this time, or we can come back after if there  
13 are other comments.

14 COMMISSIONER GRUTSCH: You had  
15 mentioned that you're not increasing the impervious  
16 area. On the original concept, the one that was  
17 originally in our packet, of the 8 and a half acres,  
18 you had about 5 and a quarter acres of hard surface  
19 pavement.

20 Are these not going to be hard surfaced  
21 at all?

22 MR. ROHLFING: They -- they  
23 will be, Mr. Grutsch, and excuse me if I mixed my  
24 words there. We are going to be increasing the  
25 impervious area, absolutely we will. We have --

1 we'll have to have hard surface roads. With these  
2 grades, rock would roll when they push the trailer.  
3 So safety first. We'll have hard surface.

4 I think my mind set on that is -- side  
5 track, I usually develop shopping centers or  
6 restaurant or whatever on a one-acre out lot, and 95  
7 percent of that becomes impervious. That's where my  
8 mind set is, that five acres of an eight-acre  
9 development or ten-acre development is a small amount  
10 in my world. So that's easily attainable and can be  
11 equal. That's a great question, though.

12 COMMISSIONER GRUTSCH: Still  
13 on stormwater. To the north of the project, on the  
14 north side of Etlah Road, there is approximately 30,  
15 maybe 35 square acres that flow underneath the county  
16 road through a 60-inch pipe. That flowed through the  
17 middle of concept number one, and I see in this one,  
18 it goes right down the edge of the road in concept  
19 four.

20 That 60-inch pipe was installed because  
21 there was initially a 48-inch pipe in there, and  
22 water ran over at the road during a heavy rain storm.  
23 So we anticipated you'd experience substantial heavy  
24 flows in that area.

25 Do you anticipate that that flow will go

1 into your detention area that you have shown?

2 MR. ROHLFING: It actually  
3 will not into the detention. So the flows he's  
4 talking about are there's a pipe here. There's a  
5 large culvert pipe here, a little bit smaller culvert  
6 pipe here. The flow drainage ditch kind of meanders  
7 down this way, and this one, it meanders down in this  
8 direction on this one.

9 So those ditches, those ravines, the  
10 vegetation within them, we're not going to touch at  
11 all. We don't want any part of that. We want that  
12 to be a natural thing. If it did overflow, our  
13 entrance is up here, so five, ten, fifteen feet  
14 above, you know, where that would come over any of  
15 our lots are going to be well above the flow line of  
16 this -- of these draws, if you will, through there.  
17 And our intention also -- this isn't, of course,  
18 designed out yet. This is just a place holder of  
19 here's where it will be, but it will be designed such  
20 that any flow going through here and we'll actually  
21 do the full calculations of what that Q or that CFS  
22 is coming through, and we'll model this ditch to see  
23 what spread there is on this so that the top of our  
24 berm stays out of it.

25 Our detention facility would be exclusive

1 of any flows.

2 COMMISSIONER GRUTSCH: So that  
3 detention facility is exclusively for the RV park?

4 MR. ROHLFING: It'll only  
5 serve this RV park, yes, sir.

6 COMMISSIONER McLAREN: So my  
7 first simple question is, is it 8 and a half acres,  
8 is it the 7 acres that was presented on the -- as  
9 what the new business file was, or is it the 10  
10 acres?

11 MR. ROHLFING: If you want to  
12 pinpoint an acreage, let's --

13 COMMISSIONER McLAREN: I'd  
14 like for it all to be the same.

15 MR. ROHLFING: It does -- it  
16 doesn't say a design in -- I mean, we don't have a  
17 full design. We're here tonight for a conditional  
18 use permit for the use, not the footprint  
19 necessarily.

20 However, that said, I totally understand  
21 why someone would want to see what the use layout is.  
22 So I appreciate the question.

23 Right now it's between eight and a half  
24 and ten. I don't think in any case it would go over  
25 ten acres if you want to put that as a threshold, but

1 again, the larger area, the ten acres, spreads out  
2 the units, saves more trees.

3 COMMISSIONER McLAREN: And the  
4 ten acres -- what you're describing is inside the  
5 grading boundary or inside the site?

6 MR. ROHLFING: It would be the  
7 grading boundary of ten acres.

8 COMMISSIONER McLAREN: Okay.  
9 And you know, I appreciate that Commissioner's  
10 comment on stormwater, but the topo here I assume  
11 this is one-foot contours.

12 MR. ROHLFING: Those are  
13 one-foot contours. Those are minor contours. We did  
14 topo the areas that were accessible, some of the open  
15 areas. We don't want to do mass clearing because  
16 we're trying to save those big trees. So if we want  
17 to do the natural layout, but yeah, they are one-foot  
18 contours.

19 COMMISSIONER McLAREN: Right.  
20 So --

21 MR. ROHLFING: It's about 50  
22 feet of relief.

23 COMMISSIONER McLAREN: As I  
24 look at this, the topo of it, this ten acres, eight  
25 acres, seven acres, whatever it is, is completely

1 graded void of all trees, correct?

2 MR. ROHLFING: It's graded to  
3 be void of all trees?

4 COMMISSIONER McLAREN: I can't  
5 see where there can be any trees left on this site.

6 MR. ROHLFING: No, there will  
7 be trees on it. Yeah, that is part of why we're  
8 going to -- you may think that ten acres is worse  
9 than seven. However, it's the opposite. The reason  
10 you would build larger is --

11 COMMISSIONER McLAREN: No, I  
12 don't think it's worse. I don't think it's worse at  
13 all.

14 MR. ROHLFING: Okay.

15 COMMISSIONER McLAREN: But  
16 when I see seven-foot fall across a campsite that on  
17 the one said was 35 by 80, that's a 10 percent slope.  
18 I watch my kids with their RV, and I don't think that  
19 they could make --

20 MR. ROHLFING: No, each  
21 campsite will have a pad for the camper. So with the  
22 -- we're shooting for four inches maximum  
23 differential --

24 COMMISSIONER McLAREN: Okay.

25 MR. ROHLFING: -- up to six

1 inches for that campsite. Now, I'm not going to say  
2 there isn't going to be a two-foot fall, you know,  
3 where the picnic table or fire pit wherever those  
4 little small rises would be, but --

5 COMMISSIONER McLAREN: Once  
6 again, I'm probably doing apples and bananas here. so  
7 I apologize for that.

8 MR. ROHLFING: No, you're  
9 fine.

10 COMMISSIONER McLAREN: But what  
11 is on the original presentation was 80 by 35.

12 MR. ROHLFING: Right. Those  
13 -- they are smaller units now. Again, those were,  
14 hey, let's get the idea out in front, and once we got  
15 looking at the grades, especially the grades and  
16 trying to maintain some of those trees, we got a --  
17 we got -- I'm going to tell you half a dozen of those  
18 size lots now or those size units. They're all a lot  
19 smaller now, less footprint, more area to condense  
20 that grading between and save those -- save some of  
21 the existing vegetation.

22 COMMISSIONER McLAREN: And I  
23 understand what you're saying, but I only see 49 and  
24 50, 48, 49, and 50, with a minimal enough amount of  
25 grading that something could be maintained on those

1 three lots.

2 MR. ROHLFING: Right.

3 Grading, if we get a permit with the use, we will go  
4 into and further develop our grading plan, but --

5 COMMISSIONER McLAREN: Okay.

6 MR. ROHLFING: I totally see  
7 that on the surface you would say, wow, those lots  
8 are going to be steep.

9 COMMISSIONER McLAREN: I'm not  
10 saying they're going to be steep.

11 MR. ROHLFING: Well --

12 COMMISSIONER McLAREN: I'm  
13 saying to say they're going to be heavily graded.

14 MR. ROHLFING: When I first  
15 saw it, sir, I said they're going to be steep.

16 COMMISSIONER McLAREN: All  
17 right.

18 MR. ROHLFING: But yeah, there  
19 will be some grading, but we're trying to minimize  
20 that grading, minimize the surface, save the  
21 vegetation. And again, that was another aspect of why  
22 we have our roads go east/west versus the  
23 north/south.

24 COMMISSIONER McLAREN: Okay.

25 MR. ROHLFING: That was

1 another thing.

2 COMMISSIONER McLAREN: And I  
3 like the fact that your roads appear to be  
4 following --

5 MR. ROHLFING: Somewhat.

6 COMMISSIONER McLAREN: The  
7 lower section appears to be following very well the  
8 contour of the land.

9 MR. ROHLFING: Right.

10 COMMISSIONER McLAREN: The 1  
11 through 25 is pretty tough, it looks like.

12 MR. ROHLFING: Yeah, and we  
13 did look at actually laying them out so that they  
14 all, you know, this side follows this was more in  
15 this direction and this side was more in that  
16 direction.

17 It didn't work out. I'm not going to  
18 say we don't go back to that --

19 COMMISSIONER McLAREN: Okay.

20 MR. ROHLFING: -- and visit  
21 it.

22 COMMISSIONER McLAREN: I have  
23 two more comments.

24 MR. ROHLFING: Sure.

25 COMMISSIONER McLAREN: And I

1 may be misconstruing something here again, but it  
2 looks to me like the roadway between the sites, not  
3 around the outside but between the sites, is 15-foot  
4 wide.

5 MR. ROHLFING: That is  
6 correct. These would be one-ways. The outside would  
7 be a two-way, and then this is a one-way so that you  
8 would pull forward and then back in as they're  
9 angled.

10 COMMISSIONER McLAREN: Right.

11 MR. ROHLFING: But you're  
12 correct.

13 COMMISSIONER McLAREN: And two  
14 things that I'm always concerned about, and one is  
15 safety. Is there room for some ambulance or  
16 something to get through this if it was at capacity?

17 And can -- I still have two comments.  
18 And can somebody adequately back a fifth-wheel RV  
19 into one of these sites off of a 15-foot wide road?  
20 I mean, like I said, my wife and my daughter and  
21 son-in-law and i would have questioned whether that  
22 could be. I'll give you my final question.

23 This sanitary system, is there adequate  
24 to add 50 more --

25 MR. ROHLFING: Yes.

1 COMMISSIONER McLAREN: --

2 units?

3 MR. ROHLFING: I mean, we --  
4 we're going to have to go through all the permitting  
5 through DRN to get that permit in hand, but all  
6 indications are it is apt to handle this development.

7 COMMISSIONER McLAREN: You  
8 want to comment on the 15-foot wide road?

9 MR. ROHLFING: Yeah, I  
10 certainly do. The 15-foot drive is one, a little  
11 narrower because of the imperviousness trying to  
12 reduce that footprint again of the development.

13 That said, I'm sure that there's going  
14 to be a little bit of a gravel shoulder on the sides  
15 of those.

16 We did look at -- and we'll actually  
17 look at pulling in, and we did look at, you know,  
18 backing in those trailers. We ran a semi-truck all  
19 the way around this thing. It gets around just fine.

20 So we're also concerned about access.  
21 If we can't get our customers in or out, they're not  
22 going to come back. So that, of course, is a concern  
23 of ours.

24 Whether or not your son-in-law or  
25 daughter-in-law can back it physically, I don't know

1 that, but I know we will be looking at that closer.  
2 And I know we did look at the trucks driving in and  
3 around and backing in, and it is adequate room there  
4 depending on the skill level. That's another  
5 question.

6 COMMISSIONER McLAREN: So you  
7 said you were going to re-purpose something. Most of  
8 these have a bathhouse. Does this not have a  
9 bathhouse or ...

10 MR. ROHLFING: Great question,  
11 yes. So that was the check-in building that I  
12 believe was over in this area on the initial -- it  
13 was over on the side. Right now the thought is what  
14 we're going to do is this, when we come to check in  
15 over here, they'll check in, then they'll come out to  
16 the site. Now, over time, I don't know. There may  
17 be a golf cart path. I don't know if they were to  
18 stay here and get up to the facility, there's talks  
19 of that happening and talks of that not happening.

20 You know, if you're staying here and you  
21 want to enjoy the event center or you came here and  
22 just for the event center, you know, are they having  
23 to unhook their truck or trailer to drive over, or  
24 maybe we run a shuttle for it. Those are all ideas  
25 what would work best operationally for -- for this,

1 depending on how many people are actually staying.  
2 But you know, those are ideas floating around, but  
3 we've got to get past hurdle one, which is what we're  
4 here tonight for.

5 COMMISSIONER McLAREN: Thank  
6 you.

7 MS. ZIELKE: Mr. Chairman.  
8 I'm sorry I actually have a question and a concern.

9 So I -- the question is, is that new  
10 building that's going to be the check-in area, is  
11 that still going to be a convenience store?

12 MR. BUSCH: I don't think it  
13 will be, no.

14 MR. ROHLFING: Bob Vatterott  
15 is here this evening as well, so he can answer that  
16 question.

17 MR. BOB VATTEROTT: If I  
18 might.

19 MS. ZIELKE: You need to be  
20 sworn in, but yes.

21 (THEREUPON, THE WITNESS WAS  
22 SWORN.)

23 MR. VATTEROTT: My name is  
24 Robert Vatterott.

25 To answer your question, the idea is

1 that the existing building would be converted to a  
2 laundry, a check-in, and a convenience store. So  
3 it's a very substantial building, and it also has a  
4 well in it. The current well is in that building.

5 MS. ZIELKE: Okay. So I can  
6 appreciate that this is all conceptual and that  
7 you're in the process of planning, but when it comes  
8 to conditional use permits, it's more than just that  
9 one because we need to know what's being planned so  
10 they know what conditions to put on the conditional  
11 use permit to protect the neighboring property  
12 owners.

13 So when it comes to a plan like this,  
14 you know, then questions like whether or not it will  
15 be a convenience store will let them know if they  
16 need to place hours, you know of operation on the  
17 convenience store and things like that.

18 So all of this stuff kind of needs to be  
19 ironed out before they make a decision on it so that  
20 we have our bases covered.

21 MR. VATTEROTT: Would the  
22 convenience store be under a separate consideration  
23 since it's --

24 MS. ZIELKE: No.

25 MR. VATTEROTT: -- really a

1 different parcel and it's not included in the 84  
2 acres that you identify with this piece.

3 MS. ZIELKE: If that --

4 MR. VATTEROTT: Cedar Creek is  
5 200 acres.

6 MS. ZIELKE: I understand  
7 that. I just checked the aerial view, and it appears  
8 to be on the same parcel --

9 MR. VATTEROTT: Okay.

10 MS. ZIELKE: -- as the one  
11 that you've requested.

12 MR. VATTEROTT: Okay. Very  
13 good. Well, I just was thinking that it might be a  
14 separate consideration because it's a separate -- but  
15 whatever. We'll do what we need to do.

16 MS. ZIELKE: Okay.

17 Now the other thing that I was wondering  
18 is between the two conceptual plans, you've got  
19 multiple entrances here, which I feel much more  
20 comfortable with because of the amount spaces here.  
21 And on this one there's only one entrance for 50  
22 different RV spaces.

23 And for me that's a concern. I feel  
24 like there should be at least an emergency access,  
25 and when we develop subdivisions, which I realize is

1 a little different, but you know, if they have 30 to  
2 49 units, we require an emergency access road. If  
3 they have 50 or more, we require a fire access road.

4 So I mean, we get involved in those  
5 emergency accesses, and I believe that there should  
6 be one, an additional entrance imposed on this, but  
7 that's my opinion.

8 COMMISSIONER GRUTSCH: She  
9 stole my thunder.

10 MR. ROHLFING: I can speak to  
11 the emergency access, and we're not opposes  
12 necessarily to it, but I can tell you why the dual  
13 access points were taken off.

14 At one point, you had an outer road  
15 traffic, if you will, for here, but because of those  
16 water sheds that were brought up by -- oh, Jim  
17 Grutsch, thank you -- we reviewed those because we  
18 didn't want to disturb that -- those areas of a large  
19 bridge structure, if you will.

20 This one location at the top of the hill  
21 for visibility purposes, sight visibility coming over  
22 that hill. This is the one location that you get  
23 that now. That said, that doesn't mean we couldn't,  
24 you know, survey up over here and see where another  
25 viable location could be for emergency access. We can

1 look into that.

2 CHAIRMAN HAIRE: JIM, DO YOU  
3 HAVE anything additionally you want to comment on?

4 COMMISSIONER GRUTSCH: Yes. I  
5 have a couple more questions if I may.

6 CHAIRMAN HAIRE: Uh-huh.

7 COMMISSIONER GRUTSCH: On your  
8 conceptual number 4, you are using the check-in  
9 station, which is, oh, six, seven hundred feet away  
10 from the entrance into the RV park.

11 And it looks like there's not an  
12 entrance shown to that check-in station or what have  
13 you. I'm sure there is a way to get in there. And  
14 is there consideration given to when the event center  
15 is hosting a large event where they're anticipating  
16 50 spaces to be filled -- I'm sure that's why they're  
17 putting in 50, because they think they'll get 50.

18 So on a Friday they're expecting 50 RVs  
19 to come rolling down Olive and turn in and go Etlah  
20 Road. Is there somewhere to queue all of those RVs as  
21 Joe is going in to check in and swipe his credit  
22 card? Is there somewhere -- because I can't have ten  
23 camper trailers and pickup trucks sitting out on  
24 Etlah Road waiting.

25 There's farmers who live all up and down

1 here. I have a number of grain trucks that traverse  
2 this road day and night. So there can't be vehicles  
3 using this as a staging area.

4 MR. BUSCH: Yeah, and as it  
5 sits right now, there is a separate entrance as you  
6 mentioned that's not shown on the plan that leads to  
7 that. And our intention is to create queuing spots  
8 within the parking lot next to the building that will  
9 give RVs and full-size campers an opportunity to shop  
10 at the convenience store or check in and take care of  
11 these things.

12 (CROSSTALK)

13 COMMISSIONER GRUTSCH: Go  
14 ahead and try now.

15 MR. BUSCH: Do you want me to  
16 start at the beginning?

17 COMMISSIONER GRUTSCH: If you  
18 could because they can't hear in the back.

19 AUDIENCE MEMBER: Can we see  
20 one of the papers that you guys keep talking about of  
21 what's going on up here. You know, you're talking  
22 about the entrance here or entrance there, you know.

23 It doesn't affect my driveway, but I  
24 know it does a couple of my neighbors'.

25 CHAIRMAN HAIRE: Could we

1 just, I don't know, turn around and show the big one  
2 to the group.

3 MR. BUSCH: Sure.

4 So what we're saying here this is the  
5 driveway to this property.

6 CHAIRMAN HAIRE: I can't have  
7 you speaking when you're not --

8 COMMISSIONER GRUTSCH: You can  
9 address the --

10 CHAIRMAN HAIRE: You can  
11 address the Commission or him unless you're --

12 COMMISSIONER GRUTSCH: You'll  
13 have your opportunity.

14 CHAIRMAN HAIRE: Yeah. Did  
15 you want to go ahead and just kind of --

16 MR. BUSCH: Yeah.

17 CHAIRMAN HAIRE: -- repeat  
18 what you're saying so people can hear.

19 MR. BUSCH: So as this sits  
20 right now, there is a gravel parking lot next to the  
21 existing building that we're planning on converting  
22 into the registration and a convenience store and a  
23 bathhouse with the laundry units it in.

24 We have looked into expanding that to  
25 provide by queuing areas for potential campers and

1 RVs and full-size campers to provide more than one  
2 spot, multiple spots, to be adequate for these people  
3 that are waiting to be checked in or doing their  
4 shopping to give them an opportunity to stay off that  
5 road.

6 As well as the drive that they will use  
7 as an entrance to this convenience store is long  
8 enough to queue on as well. So I don't anticipate  
9 that there will be any issue with any RVs sitting on  
10 the road.

11 CHAIRMAN HAIRE: One question  
12 I have. So if you're going to queue at the check-in  
13 station, I assume then that you leave and go down  
14 Etlah Road and come into the RV down at that main  
15 entrance then. Is that correct?

16 MR. BUSCH: Correct.

17 CHAIRMAN HAIRE: They wouldn't  
18 use an aside internal road like there is now. You  
19 wouldn't you use that road to go to the check-in to  
20 the RV's campground?

21 MR. BUSCH: Correct. And as  
22 Rich had mentioned, we did originally have in one of  
23 our conceptual plans a -- basically a frontage road  
24 that ran next to Etlah Road, and in speaking with the  
25 owner about that, he said that they had a similar

1 idea and that they had looked into that already. And  
2 some authority -- I can't remember if it was the  
3 County or MoDOT had told them that that is not a  
4 viable option due to the headlights at night, they  
5 could confuse drivers on Etlah Road and the people on  
6 the frontage road.

7 So I don't know if that was you or if it  
8 was -- he had mentioned MoDOT I believe, but that was  
9 an issue that they ran into, was the lights and the  
10 eyes of the drivers' eyes.

11 CHAIRMAN HAIRE: Any  
12 additional questions for the applicant?

13 COMMISSIONER GRUTSCH: The  
14 other questions I have if you've got 50 spaces where  
15 they're checking in on a Friday night, how do we  
16 accommodate the 20 that show up all at once and they  
17 all want to come in at one time? How do I stage them  
18 or queue them out on Etlah Road at the entrance to  
19 the 50-car lot?

20 MR. ROHLFING: Yeah, you won't  
21 stage them on that little road. You can't.

22 COMMISSIONER GRUTSCH: I know  
23 that.

24 MR. ROHLFING: We need to have  
25 a safe environment for our customers as well as the

1 community. So I think in that circumstances, if that  
2 were to happen, I think you would just waive  
3 everybody down and say hey, drive into the park and  
4 we'll meet you over there and give you a ticket that  
5 you're A, B, C, D or 1, 2, 3, and we'll get around to  
6 checking them in.

7 I mean, the checking in isn't a process  
8 of, you know, a background check or anything like  
9 that, of course. So I think it's let's get them off  
10 the road, let's be sensible about it, get them into  
11 the park, and then the check-in will come. I think  
12 that's the way we'd have to if we got that number.

13 COMMISSIONER GRUTSCH: You're  
14 missing where I'm coming from.

15 We had a question with the queue of  
16 that, the check in.

17 MR. ROHLFING: Right.

18 COMMISSIONER GRUTSCH: But  
19 then I think there's also an issue where you have one  
20 entrance where if you have multiple RVs, motor class  
21 A motor homes, big fifth-wheel trailers all coming in  
22 at once, they're going to take quite a while to make  
23 that turn and follow the next guy in. Because you've  
24 got one way, and as soon as you got -- say the guy  
25 has, oh, space number 10, so he's going to take a

1 long time to get around that corner and get in there,  
2 and you've got five other people that are backed up  
3 on Etlah Road.

4 So there's two areas that have -- that  
5 are a concern of mine for queuing.

6 MR. ROHLFING: Right, and  
7 again I mean, it can be a problem. It absolutely  
8 could be a problem --

9 COMMISSIONER GRUTSCH: Yeah.

10 MR. ROHLFING: -- that we  
11 would have to deal with. However, we've got enough  
12 roadway in here to hold your 20 rush that are going  
13 to come at once. I don't see that happening, but  
14 let's say it does happen. We need to be ready for  
15 that circumstance.

16 So again, we bring them into the center,  
17 park on the road, park on the drives, we'll get you  
18 checked in. Then we'll tell you hey, you're in spot,  
19 you know, camp spot 15. You're going to be in 16.  
20 At least we get them off the road.

21 I totally understand your concern, and  
22 that to me tonight, that's how we would have to deal  
23 with it. I don't think we'd be queuing at the event  
24 center. We definitely wouldn't be queuing on Etlah  
25 Road. It would be get that rush, if you will, into

1 the park, and then we're going to check you in from  
2 there would be my thoughts on it.

3 COMMISSIONER GRUTSCH: But my  
4 concern is if --

5 MR. ROHLFING: No, your  
6 concern is that they would be parking as they're  
7 pulling in, but I'm saying that wouldn't be the case.  
8 We're just going to tell them to pull into the  
9 drives.

10 COMMISSIONER GRUTSCH: Just  
11 pull all the way down to the bottom?

12 MR. ROHLFING: Well, or the  
13 top, but we still --

14 COMMISSIONER GRUTSCH: Well,  
15 if they pull in at the top, then nobody else could  
16 come in off Etlah.

17 MR. ROHLFING: Well, not the  
18 very top. I mean, into -- yeah, not on this cross  
19 drive. You can't block that. You would say pull  
20 into, you know, one of these roads and maybe they'll  
21 be named.

22 I don't know if those interior roads  
23 will be name, but you know, you can always give them  
24 a map too. Say, hey, go pull here and then keep  
25 track of where they're at as you give them a letter

1 too.

2 I think we have the space. I don't have  
3 the exact plan of action to implement here tonight  
4 saying you're getting this, this and this, but  
5 there's ample space there to handle 20 RVs parkers  
6 coming at one time to safely accommodate them to have  
7 that plan of park here, park here, don't block the  
8 entrance.

9 COMMISSIONER GRUTSCH: I  
10 appreciate your confidence in that, but I'm not quite  
11 as confident as you are.

12 MR. ROHLFING: Okay.

13 CHAIRMAN HAIRE: Commissioner  
14 Bill, do you have something?

15 COMMISSIONER McLAREN: Mr.  
16 Chairman, just so that I understand, as I look at the  
17 overhead up here where the existing buildings -- Just  
18 I don't have a really good handle on where all this  
19 is.

20 So as I look at -- on the overhead up  
21 here, the blue is, I'm assuming, the 84 acres that  
22 we're talking about. Is that correct?

23 MR. BUSCH: The light blue,  
24 yes, sir.

25 COMMISSIONER McLAREN: So then

1 I'm assuming that that corner up there along the road  
2 would be the same corner as this where the existing  
3 building is on what you're giving us. Is that  
4 correct, the bend of the road at the top of the blue  
5 on the right-hand side?

6 MR. BUSCH: That corner, yes.

7 COMMISSIONER McLAREN: Okay.

8 And then the creek that we spoke of earlier is that  
9 first creek that we come to, or is that the second  
10 creek that we come to? Is that -- the creek that I'm  
11 looking at on the road, is that the 60-inch creek or  
12 culvert?

13 MR. BUSCH: I don't believe  
14 so.

15 COMMISSIONER GRUTSCH: It's  
16 60-inch culvert.

17 MR. BUSCH: Yeah, it's the  
18 60-inch culvert.

19 COMMISSIONER McLAREN: Well,  
20 it'd have to be.

21 MR. BUSCH: No, it's further  
22 to the left.

23 CHAIRMAN HAIRE: It's further,  
24 yes, further on the left-hand side in that space.

25 COMMISSIONER McLAREN: So

1 we're looking -- if that's an 80-acre site, we're  
2 looking at this -- this -- help me out here. I'm  
3 really struggling, but if that's an 80-acre site,  
4 that's a quarter of a mile by half a mile, correct?

5 MR. BUSCH: Close to it, yes.

6 COMMISSIONER McLAREN: So  
7 somewhere on that, it's got to be where that -- thank  
8 you. That helps.

9 Where exactly are we looking at on this  
10 map of blue where this is, and where -- we've got an  
11 event center -- now we've got the event center?  
12 That's in the purple over there?

13 MR. BUSCH: Correct.

14 COMMISSIONER McLAREN: So we  
15 come in, we go past the event center? I'm talking  
16 with my hands. I'm getting in trouble.

17 I can't be the only one confused here.  
18 Show me where we come in off of Highway 100 and how  
19 the traffic enters and how it goes back to the event  
20 center here.

21 MR. ROHLFING: Off of Highway  
22 100 into the RV park is essentially across from this  
23 driveway right there.

24 (CROSSTALK)

25 COMMISSIONER GRUTSCH: That's

1 not 100. This is Highway 100.

2 (CROSSTALK)

3 MR. ROHLFING: Yeah, pardon  
4 me.

5 MR. VATTEROTT: That's Olive  
6 Road there.

7 COMMISSIONER GRUTSCH: This is  
8 Highway 100 down here.

9 MR. ROHLFING: Yeah, thank  
10 you. Okay.

11 COMMISSIONER GRUTSCH: This is  
12 Olive Road that goes into New Haven.

13 MR. VATTEROTT: That's the  
14 event center right there.

15 COMMISSIONER GRUTSCH: That's  
16 the event center. This is Etlah Road.

17 MR. VATTEROTT: This road  
18 right here is the entrance from Etlah onto the  
19 property, and this is where the trailers would back  
20 up before they got to the what we would hope to have  
21 the check-in spot. There's a road that runs at least  
22 two or three hundred feet that comes off that  
23 existing entrance where vehicles could back up. To  
24 address the earlier issue about where would they park  
25 before they get checked in.

1                   There is a cut in the road right across  
2 from this entrance right there that they could come  
3 out and come down, then travel into the lot from  
4 here. That was our initial idea.

5                   COMMISSIONER McLAREN: So we  
6 drive past the event center?

7                   MR. VATTEROTT: Yes, sir.

8                   COMMISSIONER McLAREN: And  
9 then --

10                  MR. VATTEROTT: Take a left on  
11 Etlah Road.

12                  COMMISSIONER McLAREN: And  
13 then before we get to the -- what the potential  
14 convenient store could be, there's a road that could  
15 be developed into a staging road.

16                  MR. VATTEROTT: No, it's part  
17 of the entrance there. You can see it. As you pull  
18 in like this --

19                  COMMISSIONER McLAREN: I  
20 understand.

21                  MR. VATTEROTT: That's  
22 existing entrance to the park, and that road runs  
23 parallel.

24                  COMMISSIONER McLAREN: I  
25 understand that too. I'm asking if that could be

1 developed as a staging road.

2 MR. VATTEROTT: Absolutely,  
3 yes, sir.

4 COMMISSIONER McLAREN: And  
5 that's some of what our concerns are.

6 MR. VATTEROTT: Yes, sir,  
7 absolutely.

8 COMMISSIONER McLAREN: Now,  
9 that is on a different parcel, it looks to me like.

10 CHAIRMAN HAIRE: Well, this  
11 right here, this spot right here, that's 2070, isn't  
12 it, where you have the signage now?

13 MR. ROHLFING: I'm sorry?

14 CHAIRMAN HAIRE: You have a  
15 street sign that says 2070?

16 MR. VATTEROTT: Yes, sir.  
17 That is on Etlah Road.

18 CHAIRMAN HAIRE: Okay.

19 COMMISSIONER McLAREN: I  
20 really appreciate this. This helped a lot to try  
21 to --

22 MR. VATTEROTT: I understand  
23 that, sir.

24 (CROSSTALK)

25 MS. ZIELKE: Mr. Chairman, he

1 only has one copy of this exhibit. So I'm going to  
2 have it marked as an exhibit, and it'll be passed  
3 around, but you will not each have your own copies.

4 MR. ROHLFING: It gives a  
5 clearer view of that little road that leads to what  
6 we hope to have as a check-in center and also the  
7 earlier idea as to where the facility would have  
8 been.

9 (THEREUPON, EVIDENCE WAS  
10 MARKED FOR IDENTIFICATION AS  
11 APPLICANT EXHIBIT 2.)

12 So the engineer with the pointer --

13 COMMISSIONER McLAREN: Can you  
14 show me where that eight acres on this blue section.

15 MR. ROHLFING: Yes.

16 COMMISSIONER McLAREN: Where  
17 the approximate 8 -- the 10 percent of that section  
18 that we're talking about.

19 MR. ROHLFING: Yes, the eight  
20 acres, if you look at the plan, you'll see a line on  
21 the north side of Etlah Road. I apologize for  
22 calling it Highway 100 earlier.

23 But the location where my pointer is now  
24 is about where it would come down. This is the large  
25 ravine. There's a large culvert pipe about right

1 here.

2 COMMISSIONER McLAREN: So  
3 that's where the 60-inch pipe is?

4 MR. ROHLFING: That's the one.  
5 And then it comes down to just past this treeline.  
6 So if you would extend this treeline --

7 COMMISSIONER McLAREN: Okay.

8 MR. ROHLFING: -- oh, and this  
9 is -- all right. See this treeline. If you can  
10 envision that going through there, you can see a  
11 little darker treeline in there. So this is the  
12 eight acres.

13 COMMISSIONER McLAREN: So  
14 actual --

15 MR. ROHLFING: A little bit  
16 south of that.

17 COMMISSIONER McLAREN: Help me  
18 out again here.

19 MR. ROHLFING: Yes.

20 COMMISSIONER McLAREN: I'm  
21 looking at a road that's on there across from -- on  
22 the other property that is, I guess, north of this.

23 MR. ROHLFING: Yes, sir.

24 COMMISSIONER McLAREN: And it  
25 looks to me like the entrance into this property

1 would be exactly across from that road right there.

2 MR. ROHLFING: It's right

3 there, yes.

4 COMMISSIONER McLAREN: Is that

5 correct?

6 MR. ROHLFING: That is

7 correct, sir.

8 COMMISSIONER McLAREN:

9 Wonderful.

10 MR. ROHLFING: Yes. So the

11 footprint is about this area right here.

12 COMMISSIONER McLAREN: Thank

13 you.

14 CHAIRMAN HAIRE: Any

15 Commissioners have any further questions for the

16 applicant?

17 COMMISSIONER GRUTSCH: Yes, I

18 do. Have you -- with the new concept, have you looked

19 at sight distances and what they are?

20 MR. ROHLFING: Off of Etlah

21 Road?

22 COMMISSIONER GRUTSCH: Yes.

23 MR. ROHLFING: We have not

24 looked at sight distances other than to know that

25 this -- this exit or entrance 100 feet either way

1 won't meet that sight distance. So we're entering at  
2 the top of the knoll, which I'm sure is why this  
3 driveway is where it is across the street.

4 We believe we're going to meet those,  
5 but we know that that is something that we need to  
6 look at.

7 COMMISSIONER GRUTSCH: Have  
8 you looked at the sight distance for the new  
9 convenience center up above and where that access  
10 road would be because that looks like that comes out  
11 right at the corner -- right at the curve of Etlah  
12 Road?

13 MR. ROHLFING: Right. To  
14 respond to your question, sir, no, I can't tell you  
15 that yes, it meets the distances or the required  
16 vision triangle or no it doesn't. I can't answer  
17 that tonight.

18 MR. VATTEROTT: If I might,  
19 sir, I think we're going to have to do some clearing  
20 of that corner for there to be proper -- get the  
21 proper view on either side.

22 COMMISSIONER GRUTSCH: Right.

23 CHAIRMAN HAIRE: Any  
24 additional questions for the applicants?

25 (NONE)

1                   Okay. Thank you.

2                                   MR. ROHLFING: Thank you.

3                                   CHAIRMAN HAIRE: Is there  
4 anyone else wishing to speak for this file? Speak  
5 for.

6                                   (NONE)

7                                   If not, okay. Is there anyone wishing  
8 to speak against this file? Please come forward one  
9 at a time, sign in and get sworn in.

10                                   (THEREUPON, THE WITNESS WAS  
11 SWORN.)

12                                   MS. MARY HERRON: My name is  
13 Mary Herron. So H-E-R-R-O-N.

14                                   I want to thank you for the opportunity  
15 to let our voices be heard on this proposed CUP for  
16 the Vatterott Farm.

17                                   We as a family, that would be my  
18 husband, my daughter, and myself, are almost 20-year  
19 residents of the property across from Etlah Road, and  
20 right now it's about where the red barn is that  
21 they're talking about having to be the check-in  
22 place.

23                                   One of the assumptions concerning who  
24 lives in this area might be viewed as just farming  
25 families. There are many of us who own that

1 low-density residential properties and are well  
2 within the area surrounding the proposed site.

3 Yes, much of the area is undeveloped  
4 land with some low-density residential properties,  
5 but that is exactly the why of why we choose to live  
6 here.

7 Many of us have chosen to live here  
8 because we all desire a low-density area to enjoy our  
9 daily lives. Adding an RV campground would greatly  
10 reduce the ability to enjoy that life.

11 Our neighbors are friendly and just  
12 close enough to get to know, but far enough way to  
13 enjoy our privacy, physical, visually and noise  
14 related. Adding the campground will greatly reduce  
15 the sense of being in the country and all that that  
16 has to offer.

17 We would no longer be able to move about  
18 our home freely without concerns of who might be  
19 nearby.

20 At present, we are able to hear the  
21 partying when it goes on at town hall in the  
22 evenings. We experience lots of loud cheers,  
23 laughing and carousing. The situation we fear would  
24 greatly increase with the addition of a campground.

25 The music from the restaurant can be

1 enjoyable when it's not so loud or is light bluegrass  
2 or something like that and it ends early in the  
3 evening. We can sometimes hear it from our back  
4 porch if the wind's blowing just right.

5 One major concern for us is the possible  
6 reduction in our property value. We wonder if anyone  
7 else would want to purchase a home so close to a  
8 campground.

9 Other impacts of concern have to do with  
10 the RV park operations itself. At 50 campsites, it  
11 will accommodate as many RVs if not close to the  
12 number of some of the state parks.

13 Those parks allow six person limit per  
14 site. So we're talking potentially 50 times 6 people  
15 out there at one time. And that would be a lot of  
16 people.

17 We have stayed at many state parks in  
18 the area. One has a reputation of being a party  
19 campground with mostly RV campers from the  
20 surrounding area because they told us to come to the  
21 weekend to party as a large group. Our stay there  
22 was not enjoyable.

23 Onondaga is a really nice campground,  
24 but on a busy weekend there, the place can seem  
25 crowded and noisy with loud music, large outdoor TVs,

1 radios, dogs, and party places.

2 Aero Rock is a much smaller one. It is  
3 about 50 campsites at Aero Rock, however, they're  
4 very spread out and it's a much quieter place.  
5 So it would be close to the size we're talking about  
6 at Cedar Creek.

7 There is a concern about the length of  
8 stay allowed for a given camper or an RV. Ninety  
9 days seems rather extensive. Many campgrounds will  
10 allow for only two weeks at a time in order to  
11 prevent long-term residencies.

12 At 90 days, it would appear to be closer  
13 to what snowbirds would desire. Would the campground  
14 be year round or seasonal? That's a question that we  
15 have. Would there be a 24/7 on-site camp post as  
16 with other campgrounds?

17 Will dogs be allowed? Even the state  
18 parks that may disallow dogs do not enforce the  
19 standard for dogs to be leashed and to be quiet. The  
20 park's information states the animals must be on a  
21 ten-foot leash and attended at all times.

22 We do not need nor do we desire to have  
23 unattended animals on the lose in our area.

24 Who will control the noise level from  
25 normal camping activity as well as partying?

1           With the clearing of the land, the  
2 noises will necessarily travel to the outlying areas,  
3 greatly affecting the peace and quiet we moved here  
4 to enjoy.

5           Who will be held responsible for  
6 monitoring or addressing any unlawful or destructive  
7 activity? We are not in the city limits. Therefore,  
8 having law enforcement would not be a reasonable  
9 option.

10           We have concerns for our personal as  
11 well as property safety. Again, we moved here to  
12 enjoy certain sense of freedom to move about our  
13 daily lives without fear of others entering our land,  
14 our property, seeing into our homes, or having an  
15 unwanted contact with us.

16           One of the best experiences we've  
17 enjoyed since moving here is the abundant wildlife,  
18 and I know he mentioned that a little bit in his  
19 presentation.

20           Clearing eight acres plus -- and when we  
21 first started it was seven acres, and then we saw  
22 eight, and then now maybe ten. It seems rather  
23 open-ended for a busy campground, it will greatly  
24 reduce the number of animals that roam freely.

25           It would necessarily have an undesirable

1 impact on their habitats. Many varieties of animals  
2 traverse from the proposed location across our  
3 property and into the woods that surrounds us on all  
4 sides.

5 We see deer, fox, raccoons, turtles, a  
6 wide variety of birds, eagles just to name a few.  
7 One of our favorite times to listen is to the night  
8 owls who nest in the trees, and they do live over  
9 there.

10 CHAIRMAN HAIRE: You're going  
11 to need to wrap it up. You're getting close to your  
12 time.

13 MS. HERRON: Thank you, sir.

14 CHAIRMAN HAIRE: Uh-huh.

15 MS. HERRON: So the added  
16 traffic on the road will cause many issues for those  
17 of us, and the road is utilized year round by farm  
18 equipment, large and small, and all the dailies. So  
19 that would dangerous. Other daily travel on the road  
20 is rather busy as it stands now. Overall travel  
21 safety is an issue. It's not safe to walk or ride  
22 bicycles on the road now.

23 The entrance and exit options can  
24 present additional safety issues. The access drive  
25 to the campground will be nearly opposite two

1 residences, and that is kind of getting close to  
2 three residences. How will they be kept off personal  
3 property? How will campers be kept off personal  
4 property?

5 CHAIRMAN HAIRE: You're time's  
6 up. Pretty much wrap it up, please.

7 MS. HERRON: Can I do my last  
8 paragraph for you guys?

9 CHAIRMAN HAIRE: Okay.

10 MS. HERRON: Thank you very  
11 much.

12 On a final note, one of the most  
13 important aspects of the image of Cedar Creek is its  
14 country charm. It represents so much of what this  
15 area holds dear, a place to step back in time a  
16 little bit, enjoy the beauty of an unspoiled  
17 countryside with all its peace and quiet and to enjoy  
18 special times in the pleasant atmosphere.

19 We would hate to see this image marred  
20 by the addition of an RV park.

21 Thank you very much.

22 CHAIRMAN HAIRE: Thank you.

23 Anyone else wishing to speak against  
24 this file? Please come up.

25 (THEREUPON, THE WITNESS WAS

1 SWORN.)

2 MS. SUSAN KASSEBAUM: Hi, my  
3 name is Susan Kassebaum.

4 Our family has had a home on Etlah Road  
5 for 45 years, and there's many families that have  
6 been there longer than us.

7 Our view is family farms, large houses  
8 on large lots of land. We live on 12, 13 acres, and  
9 we're one of the smaller areas.

10 So my question is: How visible is this  
11 campground from the road? How -- how much trees are  
12 going to be left on Etlah Road to just for a visual  
13 effect and for a sound, as she said, a sound barrier,  
14 because we're in hills and valleys?

15 If you're sitting on our patio, you  
16 could hear your neighbor call their kids in for  
17 dinner, which is fine, but you don't want to listen  
18 to 200 campers, you know, whooping and hollering all  
19 weekend.

20 So those are just questions. It seems  
21 like the plan is lacking a lot of detail that they  
22 want approval for without having detail that we just  
23 would be interested in knowing. It's not, I think,  
24 unreasonable to know that.

25 Also the entrance, the red barn where

1 their store or whatever is located, I was under the  
2 thought that they pull in there and then they pull  
3 into the campground from there. That's on a corner.

4 I don't know if anybody's been on Etlah  
5 Road. That's on a bad corner. So to pull an RV in  
6 and then to pull an RV out and go down the road, it  
7 just -- I mean, my niece has had an accident there  
8 and my brother has had an accident there, and those  
9 are people who know the road. Those are people that  
10 are good with the road.

11 So we can't all the time -- we pull that  
12 -- you know, we pull an RV. It's difficult and I  
13 just don't see how Etlah Road is good for it.

14 So there's just -- if we can get some  
15 actual details about the layout, I think that would  
16 be good. So I don't know how you do that, but that  
17 would be some of my concerns. So thank you.

18 CHAIRMAN HAIRE: Thank you  
19 very much.

20 Anyone else wanting to speak against  
21 this file?

22 (THEREUPON, THE WITNESS WAS  
23 SWORN.)

24 MR. JASON KOCH: Thank you.  
25 My name is Jason Koch. I live at 2151 Etlah Road.

1 It is kind of catercorner to the property north of  
2 there, and just like Mary said, it is an agricultural  
3 community use. Generally she's pretty close. So  
4 knows the traffic that goes there and a lot of bigger  
5 equipment.

6 It is a pretty narrow road, but you do  
7 have a 60-foot easement. In looking at this, being  
8 agricultural, we've got a small plot of land. We're  
9 trying to do the best we can with the land we've got.  
10 So my wife and I, we got some hogs and cattle. And  
11 the cows we're doing okay, but we did end the bottle  
12 calves. So I'm concerned that we do make a little  
13 bit of noise and some people might say a little  
14 smelly. That would not be conducive to campsites.

15 So I appreciate it getting moved and  
16 leaving those trees. The watershed will help there  
17 too. But I'm really concerned about their entrances.

18 They've already got a lot of entrances  
19 coming from Highway 100, and as I come to my  
20 property, usually on Fridays and Saturdays, they're  
21 having a big crowd and that's great. It's a high-end  
22 facility I feel like. But there's confusion though  
23 people that want to come up there on which entrances  
24 to use.

25 They shut the one down because it was

1 too close to an intersection. So they backed it up,  
2 and now they've got a really nice intersection but  
3 it's got a gate on it. And this is on Olive Street,  
4 which is great if they can get the cars off the road.  
5 But there's multiple times I've had to stop because  
6 people are just confused. And I've been confused  
7 before. I get lost. I know I'm at Cedar Creek, but  
8 there's too many entrances already. So if they're  
9 either stopped on the road, going real slow, backed  
10 up on the road or backing up the road because they  
11 missed their exit.

12 So I'm concerned that the exit or  
13 entrance to this won't be as needed as possible. So  
14 like if I had a camper, I would probably pull in that  
15 first entrance, and then I would be in the wrong  
16 spot. So I think there's going to be a lot of in and  
17 out with the campers on a very small road.

18 Maybe they can do that with some more  
19 bigger signage. I know Cedar Creek is very open  
20 there, and you know where to enter Cedar Creek with  
21 their nice covered wagons. So it's very good  
22 information.

23 And I would like to get a buffer zone  
24 from Etlah if they're going to do that, just like if  
25 they have one at the top of the hill on Olive. They

1 have so many feet of prairie grass that they're  
2 trying to, looks like, grow that is nice and  
3 beautiful, a beautification.

4 If you put these right on the road like  
5 that, I don't see, like Bill said, how they can keep  
6 any of the trees at a 10 percent grade if they're  
7 trying to grade that all. Maybe they can.

8 So that's my concern about the farming  
9 area there, and their customers will have to deal  
10 with that. So thank you.

11 CHAIRMAN HAIRE: Thank you.

12 Is there anyone else who like to speak  
13 against this file? Please come up.

14 (THEREUPON, THE WITNESS WAS  
15 SWORN.)

16 MR. MIKE OETTER (ph.): Thank  
17 you, everyone. Mike Oetter (ph.). I live down the  
18 road a little bit there.

19 My biggest concern is pretty much what  
20 everybody else has been saying here, is the entrance  
21 on this thing. Cedar Creek, from my understanding,  
22 is 200 and some acres, and they want to pick the  
23 absolute worst spot to enter and exit this RV park.

24 Anybody in here who thinks there will  
25 not be some kind of accident on that road, is fooling

1 themselves.

2 Up there where the proposed store is, is  
3 right on a curve. The entrance to get to that is  
4 back a decent spell, but if you think you're going to  
5 be able to stage enough campers in 200 feet, I don't  
6 see that happen. It may work most of the time, but  
7 sooner or later those campers are going to get  
8 stacked up.

9 You come in one spot, you go out another  
10 spot, and you come back in another spot. You're  
11 adding mass confusion to any person that is not  
12 familiar with that area.

13 Over 200 and some acres there. I don't  
14 see how they cannot get a better access in and out,  
15 at least off of Olive, somewhere where there's more  
16 sight visibility where they've already got some  
17 entrances. And if the distance from Olive down to  
18 that campground, you're going to have some staging  
19 area then. You could possibly line up 50 campers if  
20 they did all show up at one time, but any entrance or  
21 exit up there on the Etlah is going to cause a  
22 problem. It just is.

23 People get confused. It's a natural  
24 tendency. They're going to be sitting there. If  
25 you're going to have somebody out there trying to

1 give them a card and tell them to go into the park  
2 and we'll come and get you, all you're doing is  
3 stacking them up on that then. Not to mention you've  
4 got some guy on the road running back and forth.

5 You know, I'm not saying people should  
6 be speeding on that road, but the facts they do.  
7 They're going to come around one of these corners,  
8 they're going to come up over one of these hills, and  
9 one of these people are going to be half-way in.

10 There's a potential of somebody getting  
11 killed here because we don't want to enter at a  
12 different more reasonable, more safe spot.

13 Thank you.

14 CHAIRMAN HAIRE: Thank you.

15 Anyone else like to speak in against  
16 this file?

17 (THEREUPON, THE WITNESS WAS  
18 SWORN.)

19 MR. ERIC BEAN: So here -- my  
20 name's Eric Bean. I actually own a farm. I actually  
21 own a farm that's right here. I own that farm. Also  
22 I'm also an investor in this property over here. Me  
23 and two other guys just bought this property not too  
24 long ago. It used to be a hog farm.

25 What we do is we went in there and put

1 some money in it, subdivided it. We took out the hog  
2 farm and just made it look better. We took all the  
3 nasty buildings down. You know, we got investment  
4 property here, which Vatterott's is not a bad place.  
5 I'm not saying that, by no means.

6 But you start trying to bring 50 RVs  
7 there, whether it's off Olive or off of Etlah, it's  
8 going to be just mass chaos there. It's already  
9 backing up when their food trucks show up because  
10 their food trucks all come in down here because they  
11 stopped the entrance -- they used to come into this  
12 way. Now most all their food trucks come in the back  
13 way to get back to the ghost town here is the  
14 restaurant.

15 On any given day, the food trucks are  
16 there. There's usually a truck driver that can't  
17 figure out where they hell he's going, and he's  
18 usually sitting on Etlah Road there with a  
19 tractor-trailer sitting there. Granted it it's just  
20 a Cisco truck. It's a short one, but it's still  
21 sitting there.

22 My concern is with all these trucks  
23 coming with campers. First of all, like you said,  
24 there's no way 90 percent of people driving campers  
25 can back up. So all these lots to me, if it does go

1 through, they need to be drive-through lots for the  
2 RVs because it's hard enough on that slope to try to  
3 back in there. And with that entrance right across  
4 from somebody else's there, you know, it's a big no  
5 there. It's going to be a dangerous spot.

6 And not to mention all of us neighbors  
7 out there hunt. So what's going to be the concern  
8 with these neighbors with this campsite when deer  
9 season comes, rabbit seasons there, we're out hunting  
10 on our property that deal?

11 Are we going to try to be restricted on  
12 that we can't hunt? It's out right. It's our  
13 ground. We paid for it.

14 That farm's been in my name or my  
15 family's name for probably close to a hundred years.  
16 There's nobody once told us that we couldn't hunt on  
17 it. I can't have 50 campers there and go deer  
18 hunting on my property. There's no way possible.  
19 Who's going to be responsible for that?

20 Not to mention the other neighbors  
21 hunting around us. I'm not the only one. Not to  
22 mention we have all kinds of grain trucks that run  
23 down through there. Going to be motorcycles through  
24 there, the whole nine yards, and there's -- as far as  
25 they're saying they want to pull into that red barn

1 up there and use that as their staging area, there's  
2 no way to get in there, out of there, and back on to  
3 Etlah a safe way.

4 Even if you come out, they used to have  
5 a road that came out of there on that corner, and  
6 they shut it off. I don't know if the County shut it  
7 off or Vatterotts did theirselves. But that is a  
8 dangerous corner there.

9 And I just don't understand why they  
10 can't put it somewhere else on their 200 and some  
11 acres. Put it over there -- you know, put it over  
12 next to their cottages they got there, all the brand  
13 new cottages. You know, none of you guys want an RV  
14 park around your house, and I'm sure the Vatterotts,  
15 John or Bob or none of them, they don't want it down  
16 there in their house next to U City either. It  
17 wouldn't happen.

18 We have all paid for this. We have all  
19 worked for our own property, and we don't want this.  
20 I don't want this in my neighborhood. I'm not trying  
21 to be a bad neighbor, but it's not something that I'm  
22 sure you all wouldn't want it next to your  
23 hundred-acre farm or next to your 12 acres.

24 We've all worked hard for what we've  
25 got, and this is not something that I want, and I'm

1 sure my son doesn't want it because he's going to be  
2 the next one in line for it. We don't want that  
3 there. It's bad enough with the noise and the  
4 confusion that goes on there when there's an event or  
5 a wedding going on. When there's a wedding, it's  
6 one, two o'clock in the morning you got hooting and  
7 hollering going on over there.

8 CHAIRMAN HAIRE: You need to  
9 wrap up here.

10 MR. BEAN: That's all I have  
11 to say. Thank you.

12 CHAIRMAN HAIRE: Thank you.

13 Anyone else that would like to speak  
14 against this file?

15 (NONE)

16 Commissioners, any additional questions  
17 or comments?

18 COMMISSIONER McLAREN: The  
19 submitters get to have a --

20 CHAIRMAN HAIRE: They have.

21 COMMISSIONER McLAREN: I would  
22 like to ask another question.

23 CHAIRMAN HAIRE: Okay.

24 Would the applicant please come up. You  
25 can rebut anything you want to say or comment on

1 anything else, and then we may have a few questions  
2 for you.

3 MR. VATTEROTT: Sure. Well, I  
4 certainly would like to say that I would like to  
5 respect the wants and desires of all neighbors.  
6 We've always tried to be a good neighbor.

7 And I'd also like to say that whatever  
8 we do there, we would try to do it a first-rate way.  
9 We don't want to create any kind of obnoxious or  
10 noxious environment for anybody, our neighbors,  
11 ourselves, or current customers or our future  
12 customers.

13 So there's an awful lot of comments.  
14 There's an awful lot on the floor, and I certainly do  
15 appreciate their voice and their opinions.

16 We'd like to try to comply with -- short  
17 of killing the deal, we'd like to try to comply with  
18 as many of the concerns that they have.

19 CHAIRMAN HAIRE: Commissioner  
20 Bill, you have a question for him?

21 COMMISSIONER McLAREN: Yeah.  
22 I -- you know, I was thinking about it before anybody  
23 mentioned it, but I'm just curious. Like I said, I  
24 didn't understand that there was 200 acres there, and  
25 as I look at the map, it looks much easier to build

1 it -- I think there looks like there's a lake there  
2 probably.

3 MR. VATTEROTT: That's the  
4 golf course.

5 COMMISSIONER McLAREN: Okay.  
6 Once again, I apologize. I'm not familiar with the  
7 property.

8 MR. VATTEROTT: We have the  
9 telescope on the property that takes up a big chunk  
10 of it. We've got the golf course. We've got the  
11 lake, and we've got the cottages. We have the  
12 wastewater treatment facility.

13 By the way, somebody made a comment  
14 about that earlier. That was set up for 300 units.  
15 We currently have 60 units on the property. So we  
16 have plenty of capacity for that facility, and also  
17 the operator said that it would handle it.

18 COMMISSIONER McLAREN: So  
19 where the blue line meets the purple line, that's a  
20 golf course there on the two pieces of property?

21 MR. VATTEROTT: Yeah, the golf  
22 course covers a couple of different parcels. Yes,  
23 sir, and then I think the telescope is right there.  
24 So the point -- the reason why the telescope is  
25 important is that night pollution interferes with

1 your ability to see. The light pollution so at  
2 night, you can't have a lot of hard traffic. That's  
3 why we tucked it in over there.

4 You know, you look at the parcel and you  
5 say there's plenty of room, but we are somewhat  
6 restricted with our current operations as to where we  
7 can go.

8 COMMISSIONER McLAREN: And  
9 that was just my legitimate question.

10 MR. VATTEROTT: Yeah.

11 COMMISSIONER McLAREN: I  
12 thought it was a legitimate question because I don't  
13 know your property.

14 MR. VATTEROTT: Sure, I  
15 understand.

16 CHAIRMAN HAIRE: Any other  
17 Commissioners have questions for the applicant?

18 COMMISSIONER GRUTSCH: Yes.  
19 On the design, there's a question about the grading,  
20 and if you take the concept number 4, just for  
21 instance between the mid point of lot 18 and the mid  
22 point of lot 8, there's about a ten-foot difference  
23 in the contours or one foot.

24 And if that's the case, the drives going  
25 into that are either going to be very steep or

1 something else. Or they're back side of the pads are  
2 going to have to be super elevated above the  
3 adjoining units.

4 MR. ROHLFING: It's not an  
5 easy site to grade. I've -- I told Mr. Vatterott I  
6 spent more time trying to grade this thing out to  
7 save trees and minimize grading than I care to admit.

8 It will be tiered. It's the grading  
9 isn't complete. The end goal will be four to six  
10 inches for the trailer pad itself or the --

11 COMMISSIONER GRUTSCH: And  
12 that's probably very appropriate.

13 MR. ROHLFING: Right, right.

14 But yeah, there's going to be some flat  
15 areas on two or three campsites are going to be  
16 together. Relatively, they're all going to be flat  
17 together. And then in order to get to the next one  
18 down, you're going to drop five feet. Hopefully a  
19 2:1 slope, 3:1 slope, depending on the soils out  
20 thee. We'll stabilize them.

21 Take you to another flat campsite.  
22 We're also keeping in mind drainage between each of  
23 the campsites. We've got the larger drains on either  
24 side, but we also have drainage on the site itself,  
25 but we have to make sure it won't be as much but

1 conveying.

2                   So it's very complex to grade. I'd love  
3 to have a full grade plan for you tonight, but that's  
4 -- that's just lots of -- lots and lots of hours to  
5 figure that out. And tonight I think we've got some  
6 great feedback of the concerns, and you know, we go  
7 back, we talk, and see how we can accommodate some of  
8 those and can continue with the design.

9                   COMMISSIONER GRUTSCH: One of  
10 the people that spoke with concern had mentioned  
11 typically he sees campgrounds where they have  
12 pull-through sites.

13                   MR. ROHLFING: Right.

14                   COMMISSIONER GRUTSCH: And I  
15 understand for 50 it would take twice as much acreage  
16 to do that in this situation.

17                   Is there a concern about that, how tight  
18 these are? It just seems almost like a -- for a  
19 better word, this almost seems like a Florida kind of  
20 campground where you're just trying to get as many  
21 campers as you possibly can on a small personal  
22 property.

23                   MR. ROHLFING: Right. And I  
24 think the way it's laid out, it's deceiving a little  
25 bit. Some of the line work on there, the rectangles,

1 if you will, the darker ones, they mean really  
2 nothing. It's just kind of a spacing guide, more or  
3 less. But if we'd actually showed campers and trucks  
4 parked in this thing, you would see that it isn't  
5 dominated by any means by the camper or the truck  
6 itself.

7 The pull-throughs, yes, we have looked  
8 at pull-throughs on various different layouts. This  
9 is the one that made the most sense. The  
10 pull-throughs do take a lot more area. We were  
11 advised by the Vatterotts that they want to try to  
12 hit the 50 number. And this is what the most concise  
13 layout to hit that number is for right now.

14 So that's what we're presenting tonight  
15 for this conditional use consideration.

16 COMMISSIONER GRUTSCH: Thank  
17 you.

18 COMMISSIONER REINHOLD: I've  
19 got a question for you.

20 On the setback off of -- on the road,  
21 what is the distance? It don't have no distance on  
22 here. What is the setback from the first campgrounds  
23 off of the road?

24 MR. ROHLFING: So from the  
25 right-of-way to the edge of -- from this dark line to

1 the north edge of the drive, if you will, it's about  
2 25 feet. We've got a 25-foot drive, and then from  
3 that right-of-way line to the back side where the  
4 campers would actually be parked is about 70 feet or  
5 so. Again, that's the right-of-way line.

6 From the actual travel path, it's  
7 another 30 feet. So you're about a hundred feet  
8 setback from the actual Etlah Drive -- or Road if you  
9 will to the back of the first camper.

10 COMMISSIONER REINHOLD: Okay.

11 CHAIRMAN HAIRE: Did that  
12 answer your question?

13 COMMISSIONER REINHOLD: Yep.

14 MR. ROHLFING: Elevation-wise,  
15 at the entrance, you're going to be about eight to  
16 ten feet lower at this point, and then this road  
17 naturally slopes down. So you're -- you know, this  
18 whole thing is tiering down with the lay of the land.

19 CHAIRMAN HAIRE: Any  
20 additional questions for the applicant?

21 COMMISSIONER REINHOLD: On the  
22 conditions if they would decide to do it, we can put  
23 some on there that they put some barrier up there  
24 like trees planted with plants that -- things like  
25 that?

1 CHAIRMAN HAIRE: We can put  
2 our own conditions, yes.

3 COMMISSIONER REINHOLD: Okay.

4 MS. ZIELKE: Mr. Chairman, we  
5 actually already have buffer regulations. So if you  
6 wanted to go more stringent than those regulations,  
7 that's where you'd start putting in conditions.  
8 Otherwise, it's something that we already require.  
9 Just had it open.

10 So in this case, we would require either  
11 a Type A or a Type B screening, which is Type A is  
12 considered opaque. That's required between  
13 commercial uses that are substantially conducted  
14 outdoors and low-density residential.

15 And then the Type B would be between the  
16 commercial use substantially conducted outdoors and  
17 agricultural activity.

18 So between the different properties  
19 here, they're going to have to do a Type A or Type B  
20 screen unless there's some reason we do have the  
21 authority to kind of, you know, work with them on it.  
22 But that is what the standard requirement is.

23 CHAIRMAN HAIRE: Thank you,  
24 Nichole. Any other questions? Otherwise, you maybe  
25 you can sit down.

1 MR. ROHLFING: Thank you very  
2 much.

3 CHAIRMAN HAIRE: The question  
4 I'm going to pose to the Commissioners at this time  
5 is, given we've had a lot of questions and sometimes  
6 the details has not filled in the cracks, do we have  
7 enough information at this time to set a list of  
8 conditions for the Conditional Use Permit?

9 COMMISSIONER KLENKE: I -- I  
10 don't.

11 COMMISSIONER GRUTSCH: I don't  
12 feel so, no.

13 CHAIRMAN HAIRE: At this time,  
14 do we want to take a motion to -- me, I guess,  
15 Nichole, is it correct to table this for more  
16 information?

17 MS. ZIELKE: Well, what it  
18 sounds like is you probably want to continue the  
19 public hearing to a specified date which could be the  
20 next -- the next meeting.

21 CHAIRMAN HAIRE: The next  
22 meeting.

23 MS. ZIELKE: But that's how it  
24 would have to be worded, that we're continuing the  
25 public hearing.

1 CHAIRMAN HAIRE: Okay. What  
2 do the Commissioners think?

3 COMMISSIONER McLAREN: I would  
4 think that if we're going to continue the public  
5 hearing, we need to give the applicant a little bit  
6 more -- I think we need to give them a little bit  
7 more idea of what we're looking for as opposed to  
8 just say go back and try again. So...

9 CHAIRMAN HAIRE: Okay. And I  
10 agree with that. So why don't we provide -- first of  
11 all, before we do a motion on this, what was some of  
12 the information I think that we -- guidance we should  
13 give to them?

14 One of the things I was thinking is the  
15 entrances. We had a lot of talk about the entrances  
16 and how we would stage going whatever. you know, I  
17 think a lot of that came from you and all that.  
18 Those would be concerns I think both of the -- some  
19 of the people that spoke against the thing and some  
20 of the questions for the Commissioners also.

21 How we going to do the entrances for the  
22 check-in store and also to maintain so we don't have  
23 a large -- long staging area on Etlah Road.

24 MS. ZIELKE: I have one more  
25 suggestion that you can take or leave.

1 CHAIRMAN HAIRE: Uh-huh.

2 MS. ZIELKE: I would like to  
3 potentially see a lighting plan just to see where the  
4 lighting is going to go on the property, and then you  
5 could potentially put a requirement that that is  
6 downcast lighting to avoid light pollution. Just a  
7 suggestion if that's something you would want to see.

8 CHAIRMAN HAIRE: Good point.

9 I think that would be great. That's  
10 going to be relatively close to the road and to a  
11 couple of the homes that are located there.

12 COMMISSIONER McLAREN: You  
13 know, I would like to go if the existing is going to  
14 be converted and if that happens, is there a  
15 possibility to have a drive that would come to  
16 service across there. And I'm not trying to make it  
17 prohibitively expensive, but that looks like that  
18 would solve a lot of problems and get people back to  
19 their event center.

20 And I guess the other comment I would  
21 make is it looks like they have fit this in about a  
22 swell as they could, but I think spacing it out a  
23 little bit more would be a good thing if the lower  
24 left corner looks like coming down towards to blue  
25 line, if some of that property could be made into

1 this to give a little bit more room.

2 COMMISSIONER GRUTSCH: You  
3 can't through the blue line drainage.

4 COMMISSIONER McLAREN: Well, I  
5 understand that. I understand that, but it's still  
6 above grade of the proposed detention pond.

7 COMMISSIONER GRUTSCH: There's  
8 the stream coming down this way.

9 COMMISSIONER McLAREN: Right,  
10 but what I'm saying is down here in this corner right  
11 here, it looks to me like there would be potential to  
12 widen that out a little bit and space -- space this  
13 out.

14 COMMISSIONER GRUTSCH: Well,  
15 he could play with that.

16 COMMISSIONER McLAREN: And you  
17 know the -- I mean, I tend to think way outside of  
18 the box, but just because you have a detention area,  
19 it doesn't mean it has to detain this. It can detain  
20 on the property somewhere else and still detain the  
21 amount of -- adequate amount of water, can't it not?

22 COMMISSIONER GRUTSCH: It can,  
23 yes.

24 COMMISSIONER McLAREN: So even  
25 the detention pond, they could kind spread this out

1 or move it down a little bit into the detention area.  
2 It is possible to put the detention area somewhere  
3 else.

4 Those are my three comments., the road,  
5 the convenience center, and on this lower side more  
6 in the middle of the property, could it move that  
7 way.

8 CHAIRMAN HAIRE: Yes, Nichole.

9 MS. ZIELKE: And the applicant  
10 may already be aware of this, but whenever they got  
11 to actually adjust their plan or to space things out  
12 now, we refer to streams as intermittent or perineal.  
13 So I don't know the blue line stream is just not the  
14 term I use. I don't -- if it's a perennial steam  
15 though, it's 100 feet that they have to stay away  
16 from the top of the stream bank to any development.

17 And then if it is an intermittent  
18 stream, it's 50 feet. So when they got to take that  
19 into consideration, they are going to need to  
20 consider that there is a stream buffer that we're  
21 going to have to comply with regardless of where the  
22 -- you know, which streams we're talking about, those  
23 are the requirements.

24 CHAIRMAN HAIRE: Good point.

25 COMMISSIONER HARTMANN: I have

1 one.

2 CHAIRMAN HAIRE: Yes.

3 COMMISSIONER HARTMANN: Would  
4 it be possible to maybe get an accurate acreage that  
5 we're going to be using here? I mean, we've heard  
6 seven acres, eight acres, ten acres. Maybe we can  
7 hash that out and figure that out.

8 CHAIRMAN HAIRE: I think  
9 that's been deciding what they want to do for that,  
10 change the layout a little bit so that would also  
11 change the potential acreage that would be used.

12 COMMISSIONER HARTMANN: Sure.

13 COMMISSIONER WILLETTE: Mr.  
14 Chairman?

15 CHAIRMAN HAIRE: Yes.

16 COMMISSIONER WILLETTE: I think  
17 my concerns all pretty much have to do with more  
18 definitive plans, sight visibility. We've got the  
19 entrance and exit situation. I think we need  
20 measurements. We need specifics, in my opinion,  
21 about the proposed building uses. Again, of course,  
22 the acreage, the building uses there at the  
23 convention center. What exactly is planned. You  
24 know, we just need some specifics.

25 COMMISSIONER HARTMANN: Same

1 thing.

2 MS. ZIELKE: I'm sorry. I  
3 have one more comment. So Mr. Vatterott was accurate  
4 in saying that when it comes to the actual  
5 convenience store, because they're located in a B  
6 Zoning District, he -- they could do that without a  
7 conditional use permit.

8 CHAIRMAN HAIRE: Yeah.

9 MS. ZIELKE: So retail sales  
10 is permitted there. I was using it as an example,  
11 but I wanted to make sure that was a clarification.  
12 You can still put hours on the RV check in because  
13 that is a direct association with the RV park.

14 COMMISSIONER WILLETTE: I  
15 think my concern with the uses there at the building  
16 is traffic. You know, the in, the out, what can we  
17 expect as far as RVs pulling in and having to pull  
18 back out on the road. What -- you know, what they're  
19 going to be there for and what we can expect.

20 CHAIRMAN HAIRE: Any  
21 additional comments we want to provide for the  
22 applicant?

23 COMMISSIONER GRUTSCH: I would  
24 like to see -- for my consideration, I would like to  
25 see a detailed plan of the access for the check-in

1 and the station area between the RV park and Olive  
2 Road, how they would access that and allow for  
3 adequate staging of 15 or 20 RVs.

4 And what sort of surfacing are you  
5 considering for those. And probably a little more  
6 detail as far as the entrance into the RV park. It's  
7 just a -- there's no radiuses going out to the --  
8 there's radiuses for the drive in to the RV park, but  
9 not out on the highway.

10 Because of the unusual and unique size  
11 and style of wheelbase of the RVs that are going to  
12 be coming in there, this commercial entrance I would  
13 like to see for the County's benefit a wider than  
14 usual entrance so the trailers and RVs aren't running  
15 off the edge and breaking down the edge and getting  
16 hung up.

17 If we get an RV hung up there off the  
18 edge of the road, then it's going to block both lanes  
19 and cause a real problem.

20 CHAIRMAN HAIRE: Nichole, do  
21 you have a pretty good summary of what we just said  
22 that we can provide to them? Okay.

23 MS. ZIELKE: I do have some  
24 notes, but it's just that you would like to know the  
25 exact acreage that they're going to be using or at

1 least closer to what they're going to be using.

2 Were you wanting a lighting plan?

3 CHAIRMAN HAIRE: Yes.

4 MS. ZIELKE: Okay.

5 CHAIRMAN HAIRE: I think we  
6 have to.

7 MS. ZIELKE: I know you wanted  
8 some specifics on the entrance, which he just  
9 specified some, you know, width, --

10 CHAIRMAN HAIRE: Uh-huh.

11 MS. ZIELKE: -- that type of  
12 thing. And I got the impression it was more how they  
13 were going to address the entrance concerns rather  
14 than just the dimensions.

15 CHAIRMAN HAIRE: Yes, yes.  
16 Uh-huh.

17 MS. ZIELKE: And then the  
18 potential of the road between the existing building  
19 that will be used as the check-in to the RV park, and  
20 then just a general suggestion from Bill about the  
21 layout of the property.

22 Did I miss anything?

23 CHAIRMAN HAIRE: Did we get  
24 everything covered for you too, Commissioner  
25 Willette?

1 COMMISSIONER WILLETTE: I  
2 think so. I had mentioned the building uses, how  
3 busy is that building going to be, and therefore, how  
4 busy is the entrance and exit going to be.

5 COMMISSIONER KLENKE: I want  
6 to add something brought up about the stuff in place  
7 for emergency vehicles based on size.

8 MS. ZIELKE: Well, that's for  
9 developing major subdivisions. So my planner brain  
10 went to that.

11 COMMISSIONER KLENKE: Well, I  
12 mean, people unfamiliar location, if you have an  
13 emergency there too.

14 COMMISSIONER McLAREN: I agree  
15 with Mike.

16 COMMISSIONER KLENKE: Yeah.  
17 We talked about it last meeting with the --

18 COMMISSIONER McLAREN:  
19 Exactly, we skipped right past do we need two  
20 entrances on this.

21 CHAIRMAN HAIRE: Yeah.

22 COMMISSIONER McLAREN: And  
23 that's where we started out at. I hundred percent  
24 agree with that. I think that's a potentially  
25 important thing.

1 CHAIRMAN HAIRE: Exactly.

2 COMMISSIONER KLENKE: And then  
3 the site and both entrances. So whatever, but both  
4 entrances that was brought up several times on the  
5 curve and hill.

6 CHAIRMAN HAIRE: So, Mr.  
7 Vatterott, we'll try to provide you with kind of  
8 those lists so you can have it in writing, and so you  
9 can maybe look at those and maybe fine tune.

10 MR. VATTEROTT: It's something  
11 to do. Thank you very much.

12 CHAIRMAN HAIRE: Now, given  
13 that, I will take a motion -- when the motion to  
14 leave it -- leave the public hearing open to the next  
15 meeting. So -- or we can combine it and limit it a  
16 little more.

17 COMMISSIONER McLAREN: Will  
18 they have their our questions answered by the next  
19 meeting? I mean, I think we're being -- Maybe we'll  
20 leave it open longer than that.

21 CHAIRMAN HAIRE: Would that  
22 provide you enough time for a month?

23 COMMISSIONER GRUTSCH: I don't  
24 think so.

25 MR. ROHLFING: Let's schedule

1 it in a month, and then we can always, I guess, let  
2 the Board know to continue or deny. Is that  
3 possible?

4 CHAIRMAN HAIRE: Nichole, how  
5 do we handle that from a procedural format if they're  
6 not prepared at the next meeting?

7 MS. ZIELKE: Well, as far as I  
8 know, you guys have not done this, but I think that  
9 if you leave it open to the next meeting, and they  
10 are still not prepared, I would expect that they  
11 would probably have to attend or at least send  
12 something in writing to that effect.

13 But the problem would be is that you  
14 also got all these people there that are going to be  
15 attending the meeting --

16 CHAIRMAN HAIRE: Yes.

17 MS. ZIELKE: -- without  
18 knowing whether or not they're coming for no reason.

19 Also if we postpone it for two months,  
20 then we have to redo postcards and things like that.  
21 So just keep that in mind when you decide what you're  
22 like to do.

23 CHAIRMAN HAIRE: Things to  
24 consider, and we do have a preference gentlemen.

25 MR. ROHLFING: Let's do 30

1 days, and we'll present where we're at at that point.

2 CHAIRMAN HAIRE: Okay, done.

3 MR. ROHLFING: For further  
4 consideration.

5 CHAIRMAN HAIRE: Given that,  
6 I'll entertain a motion.

7 COMMISSIONER McLAREN: I would  
8 make the motion to continue this to our next meeting  
9 regularly scheduled meeting and leave it open for  
10 public comment until that -- through that meeting.

11 COMMISSIONER HARTMANN: I'll  
12 second that.

13 CHAIRMAN HAIRE: We have a  
14 motion and a second. Any further discussion to the  
15 motion?

16 (NONE)

17 If not, all those in favor say aye.

18 COMMISSIONER REINHOLD: Aye.

19 COMMISSIONER VOSS: Aye.

20 COMMISSIONER McLAREN: Aye.

21 COMMISSIONER WILLETTE: Aye.

22 COMMISSIONER GRUTSCH: Aye.

23 COMMISSIONER KLENKE: Aye.

24 COMMISSIONER HAIRE: Aye.

25 COMMISSIONER HARTMANN: Aye.

1 CHAIRMAN HAIRE: All those  
2 opposed?

3 (NONE)

4 The motion carries.

5 MS. ZIELKE: So that next  
6 meeting is August 18th. So not quite 30 days, but  
7 almost.

8 CHAIRMAN HAIRE: Thank you.

9 MS. ZIELKE: August 18th at  
10 7:00 p.m.

11 CHAIRMAN HAIRE: Preliminary  
12 Plats. None.

13 Planning and Zoning Commission Forum.  
14 Nichole, you want to discuss the first item on that  
15 with us.

16 MS. ZIELKE: So you would have  
17 received a letter from Mr. Dix, and I guess he's  
18 hoping to explain some of the concerns that the  
19 Chairman and other Commissioners had at the last  
20 meeting.

21 I heard from Bill Evans in between the  
22 two meetings, and he mentioned he was going to send  
23 me an e-mail. I think there might have been some  
24 sort of technical difficulty he was having with  
25 getting me an e-mail. I think he still had a couple

1 of concerns, but I told him -- that he wanted me to  
2 address with Mr. Dix prior to the meeting tonight,  
3 but i told him I didn't feel comfortable trying to  
4 express his concerns. So I was going to wait for  
5 that. Never got it.

6 So if there are any concerns that the  
7 Planning and Zoning Commission had, we can go to Mr.  
8 Dix and ask for him to address those as well.

9 I think primarily Bill's concern was  
10 just after this long of operation why would he now  
11 need an FFL? I think he feels that if it is because  
12 they just want to sell ammunition, that's  
13 understandable, and he'd like to see a condition  
14 placed on it that -- I hate saying this on his behalf  
15 since he isn't here. But this is my understanding,  
16 that he would like to see a limit to not being able  
17 to seel firearms.

18 Now, my understanding is they already  
19 sell ammunition there. So I do not think that that  
20 is the point of this request.

21 CHAIRMAN HAIRE: Yeah, I know  
22 that they sell ammunition there. So -- for a fact  
23 also. So --

24 If you remember -- the Commission  
25 remembers this is one when they wanted to open up

1 retail sales at the location, which they were never  
2 approved of in the original permit itself.

3 Any further questions from the group? I  
4 mean, if Bill has some conditions and we haven't  
5 explained it to Mr. Dix, then I would say we just  
6 move this for consideration to the next meeting then.

7 I don't have any other questions. I got  
8 some thoughts on it, but unless we want to go ahead  
9 and address it now and take a vote. Or we can wait  
10 since Bill had some specific issues with that.

11 MS. ZIELKE: Yeah, I think  
12 that he felt that there was a way that they could  
13 potentially do -- again, this is just my  
14 understanding of what Bill said.

15 I think he was thinking that there was a  
16 way where they could potentially put verbiage in a  
17 Groupon that could still comply with our conditions  
18 and still allow them to market it in that way.

19 But I don't what Bill had in mind, and I  
20 think maybe he was just wanting me to suggest it to  
21 Mr. Dix as a possibility.

22 Now the Groupon doesn't really affect  
23 whether or not they're allowed to do, you know, sell  
24 firearms from the location exactly unless you're  
25 concerned about them selling to the public that are

1 there on Groupon.

2 CHAIRMAN HAIRE: Well, I guess  
3 the other question that came up with that with the  
4 Groupon was originally it was going to be private  
5 membership only, and it was not going to be open to  
6 the public. So that adds another condition where do  
7 we want to review that, and is it in violation of the  
8 original Conditional Use Permit?

9 Any comments from the group?

10 COMMISSIONER GRUTSCH: Mr.  
11 Chairman, I would agree that it probably would be  
12 best to continue this to the next meeting so Bill can  
13 have his input. He seems to be the one that has the  
14 most concern --

15 CHAIRMAN HAIRE: Okay.

16 COMMISSIONER GRUTSCH: -- with  
17 issues.

18 CHAIRMAN HAIRE: Now, since we  
19 have it in this way the way it is right now, do we  
20 need to make a motion on that? I don't think so.

21 MS. ZIELKE: I don't think so  
22 either considering it's not actually an official file  
23 on the agenda --

24 CHAIRMAN HAIRE: Yeah.

25 MS. ZIELKE: -- and you're not

1 taking any official action.

2 CHAIRMAN HAIRE: Okay.

3 MS. ZIELKE: So then the next  
4 thing is just Paul Cooper. We have a gentleman that  
5 has a conditional use permit for auto repairs.  
6 Primarily he works on large vehicles, you know,  
7 diesel repair, that type of thing.

8 He would like to add an addition onto  
9 his building, and there are plans that have been  
10 included as a part of it. And basically in order to  
11 do that, it was kind of the same thing.

12 It's up to the Planning Director as to  
13 whether or not it's considered minor enough to  
14 approve within the office, minor, you know, and also  
15 minor enough to be approved administratively without  
16 them having to reapply.

17 I honestly could have probably just  
18 approved it administratively and felt fairly  
19 comfortable with it considering we've never had any  
20 issues with this individual. It's being developed to  
21 the rear of the existing building.

22 But I'd rather err on the side of  
23 caution in case anyone has any concerns with it. So  
24 I'm presenting it to you.

25 CHAIRMAN HAIRE: Yeah, I

1 clearly remember this one when we did it originally.  
2 So I don't remember any specific issues, and like you  
3 said, there hasn't been any concerns up to now.

4 So does anybody here need more  
5 additional information or would want additional  
6 information on this one?

7 COMMISSIONER KLENKE: When you  
8 say add on, are you talking double the size, triple  
9 the size?

10 MS. ZIELKE: Well, the plans  
11 here show that the existing building is 2,400 square  
12 feet and the proposed addition is 1,600. So not  
13 quite double, but substantially larger, yes.

14 COMMISSIONER GRUTSCH:  
15 Basically he's adding a couple of bays.

16 COMMISSIONER McLAREN: I  
17 remember this one pretty well. It was when I first  
18 came on to the Commission because it was -- I  
19 remember wanting to argue about whether or not we  
20 should limit him to five employees.

21 CHAIRMAN HAIRE: I think I  
22 remember that now.

23 COMMISSIONER McLAREN: And if  
24 that was one of his conditions and he's adding on,  
25 I'm all in favor of him being able to add on. I just

1 want to know if we need to change that to allow him  
2 to have more employees. I mean, at that point of  
3 time, we were awfully worried about how many cars he  
4 might have outside.

5 And if he's been a good actor, for lack  
6 of a better way to say it, and he wants to expand his  
7 business, I think we should allow him to expand his  
8 business. If he's met with all the conditions we've  
9 placed on, and there hasn't been complaints or need  
10 to investigate, I just think we need to do it so that  
11 we've done it right and somebody doesn't have a  
12 chance to come back and complain that he got some  
13 kind of special treatment. And I don't know how to  
14 do that.

15 COMMISSIONER WILLETTE: So,  
16 Nichole, if he does need to increase his employee  
17 size, is that something you can do administratively  
18 as well?

19 MS. ZIELKE: I believe that  
20 that could be the case because the use of the  
21 building isn't changing, and they're not really doing  
22 anything with the outside. Again, no violations. He  
23 actually lives on the property.

24 So unless you're increasing it, you  
25 know, substantially, I don't see any reason why you

1     couldn't give him a few more employees if you wish to  
2     do so.

3                     Now, he did not request that, but maybe  
4     he didn't know he needed to. I don't know.

5                     COMMISSIONER GRUTSCH: Well,  
6     maybe when he gets his new building built, then we'll  
7     decide. But I did have an opportunity to review the  
8     building plans, and it's a nice steel building and  
9     he's having a contractor put it up. So I mean,  
10    that's -- he's spending some money. He's got an  
11    ongoing concern there. So he's not a fly-by-night  
12    guy.

13                    CHAIRMAN HAIRE: I think the  
14    Commission had to deal with any problem. He's  
15    expanding his business. We haven't had any issues.  
16    I would say my vote would be to go ahead and let him  
17    expand the building, and if he needs to add a couple  
18    of people for the additional bays, then that's a good  
19    thing for us. So I would say we can go ahead and  
20    make that.

21                    On this one here, can you do it  
22    administratively, or do we need to take action on it?

23                    MS. ZIELKE: So I do not feel  
24    like I would actually have to issue an amended  
25    Conditional Use Permit for this one, just you know,

1 if you guys think he can do the addition, makes me  
2 comfortable and there's nothing in here specifically  
3 about the structure itself. If you want to add more  
4 employees, we would have to do an amended Conditional  
5 Use Permit, which is not a big deal.

6 He would just get one, you know, another  
7 one that says it was amended on this date, and it  
8 would be resigned again by you this time.

9 COMMISSIONER WILLETTE: But  
10 right now that's not what he's asking for?

11 MS. ZIELKE: Correct. At this  
12 point, he's just asking for the addition.

13 CHAIRMAN HAIRE: Does anyone  
14 have any issues with taking that direction?

15 COMMISSIONER HARTMANN: Nope.

16 COMMISSIONER KLENKE: No.

17 COMMISSIONER GRUTSCH: No.

18 CHAIRMAN HAIRE: So I guess  
19 we're authorizing you to go ahead and make that  
20 administrative adjustment to the Conditional Use  
21 Permit.

22 MS. ZIELKE: Okay. And as far  
23 as employees are concerned, did you want to adjust  
24 that and issue an amended CUP?

25 CHAIRMAN HAIRE: I would ask

1 him. I mean, I would say do we want to give him a  
2 number. If he wants to add a couple more employees,  
3 I don't have a particular problem with that, unless  
4 someone else does.

5 I mean, he's adding his business, and I  
6 don't think it's going to change like you said the  
7 essence of what the CUP is. So...

8 COMMISSIONER KLENKE: I mean,  
9 I kind of agree with what you said. He may not know  
10 he needs to do that. So I don't know that it's a bad  
11 idea just to say hey, your original permit said five,  
12 and just get him to think about it, you know.

13 MS. ZIELKE: Okay. Now we --

14 COMMISSIONER KLENKE: Let's  
15 say he's at 15, you know, and he just didn't realize  
16 it, you know. Not that I would have a problem with  
17 that, but I don't want him to get in trouble later  
18 on.

19 MS. ZIELKE: Oh, I mean, I  
20 think he's aware of the five employee limit because  
21 he was given this Conditional Use Permit and we  
22 inspect it periodically.

23 COMMISSIONER KLENKE: Okay.

24 MS. ZIELKE: But as far as  
25 like I could suggest a number of adding three more

1 people based on the square footage of the original  
2 building and the new building, you know, considering  
3 it's, you know, roughly two-thirds, you know, this --  
4 or yeah.

5 CHAIRMAN HAIRE: Okay.

6 MS. ZIELKE: That's up to you.

7 CHAIRMAN HAIRE: Unless  
8 anybody has anything, I would say we'll go ahead and  
9 authorize to make up the three employees and --

10 MS. ZIELKE: Okay. In this  
11 case, I would prefer a motion.

12 CHAIRMAN HAIRE: Okay. Let's  
13 do make a motion.

14 COMMISSIONER McLAREN: I would  
15 make a motion to allow the staff to amend the CUP to  
16 allow for the building and three additional employees  
17 as staff feels comfortable.

18 COMMISSIONER HARTMANN: I'll  
19 second that.

20 CHAIRMAN HAIRE: Second. All  
21 those in favor say aye.

22 COMMISSIONER REINHOLD: Aye.

23 COMMISSIONER VOSS: Aye.

24 COMMISSIONER McLAREN: Aye.

25 COMMISSIONER WILLETTE: Aye.

1 COMMISSIONER GRUTSCH: Aye.

2 COMMISSIONER KLENKE: Aye.

3 COMMISSIONER HAIRE: Aye.

4 COMMISSIONER HARTMANN: Aye.

5 CHAIRMAN HAIRE: All those

6 opposed?

7 (NONE)

8 Okay. Motion carries.

9 Do we have anything in the Planning  
10 Director's Report?

11 MS. ZIELKE: No. Hopefully  
12 Scottie will be back, but aside from that there's not  
13 really.

14 We are looking to potentially replace  
15 Tori's position. The Commission has decided that  
16 they are going to move forward with doing that.

17 They are going to integrate some Code  
18 Enforcement from the building perspective into that  
19 position. Not in its entirety, but they're going to  
20 take a couple of the less, I guess, technical  
21 building code issues and have that position also do  
22 that.

23 They're in the process of deciding  
24 whether or not they want to include floodplain  
25 development as part of the position it currently was

1 with Tori. But right now we're contracting out to an  
2 engineering firm. So they're going to decide if  
3 they're going to continue to do that or keep it as  
4 part of the position.

5 So at this point, we're waiting for  
6 that, but we are going to move forward with hiring  
7 someone for Code Enforcement.

8 In the meantime, I'm your gal.

9 CHAIRMAN HAIRE: Okay. With  
10 that, I'll take a motion to adjourn.

11 COMMISSIONER McLAREN: Motion  
12 to adjourn.

13 COMMISSIONER KLENKE: Second.

14 CHAIRMAN HAIRE: All those in  
15 favor.

16 COMMISSIONER REINHOLD: Aye.

17 COMMISSIONER VOSS: Aye.

18 COMMISSIONER McLAREN: Aye.

19 COMMISSIONER WILLETTE: Aye.

20 COMMISSIONER GRUTSCH: Aye.

21 COMMISSIONER KLENKE: Aye.

22 COMMISSIONER HAIRE: Aye.

23 COMMISSIONER HARTMANN: Aye.

24 CHAIRMAN HAIRE: All those  
25 against?

1 (NONE)  
2 We're adjourned.  
3 (THEREUPON, THE PROCEEDINGS  
4 CONCLUDED AT 9:09 P.M.)  
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CERTIFICATE OF REPORTER

I, PATSY A. MAYBERRY, 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. Mayberry*

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

My Commission Expires:  
August 26, 2022



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<b>A</b>	63:12 70:20 70:21 73:8 77:22 78:13 82:11,23 84:24 97:6,6 97:6	<b>adds</b> 14:11 108:6 <b>adequate</b> 28:12 41:23 43:3 51:2 95:21 99:3 <b>adequately</b> 41:18 <b>adjoining</b> 87:3 <b>adjourn</b> 117:10 117:12 <b>adjourned</b> 118:2 <b>ADJOURNME...</b> 3:19 <b>adjust</b> 96:11 113:23 <b>adjustment</b> 10:9 113:20 <b>administrative</b> 13:3 113:20 <b>administratively</b> 14:3 109:15,18 111:17 112:22 <b>administrator</b> 20:19 27:25 <b>admit</b> 87:7 <b>advised</b> 89:11 <b>aerial</b> 30:9 46:7 <b>Aero</b> 69:2,3 <b>affect</b> 49:23 107:22 <b>aforemention...</b> 119:5,10 <b>afraid</b> 17:10 <b>agenda</b> 8:19,22 9:12 108:23 <b>ago</b> 18:11,11 25:3 25:17 79:24 <b>agree</b> 93:10 101:14,24 108:11 114:9 <b>agreement</b> 18:12 <b>agricultural</b> 75:2,8 91:17 <b>ahead</b> 10:18 16:24,25 17:1 17:2 22:4	29:10 49:14 50:15 107:8 112:16,19 113:19 115:8 <b>Alaris</b> 1:25 5:16 <b>allow</b> 68:13 69:10 99:2 107:18 111:1,7 115:15,16 <b>allowed</b> 28:4 69:8,17 107:23 <b>allowing</b> 19:4 <b>ambulance</b> 41:15 <b>amend</b> 13:21 115:15 <b>amended</b> 13:16 112:24 113:4,7 113:24 <b>amendments</b> 13:19 <b>ammunition</b> 106:12,19,22 <b>amount</b> 33:9 38:24 46:20 95:21,21 <b>ample</b> 56:5 <b>and/or</b> 27:18 <b>angled</b> 41:9 <b>animals</b> 69:20 69:23 70:24 71:1 <b>answer</b> 11:11 22:15 32:11 44:15,25 65:16 90:12 <b>answered</b> 102:18 <b>anticipate</b> 33:25 51:8 <b>anticipated</b> 33:23 <b>anticipating</b> 48:15 <b>anybody</b> 15:24 17:16,19 77:24	84:10,22 110:4 115:8 <b>anybody's</b> 74:4 <b>Anyway</b> 11:2 19:23 <b>apologize</b> 38:7 62:21 85:6 <b>appeal</b> 10:10 <b>appealed</b> 10:8 <b>appear</b> 40:3 69:12 <b>appears</b> 40:7 46:7 <b>apples</b> 38:6 <b>applicable</b> 11:8 <b>applicant</b> 2:19 3:6,8 4:9 16:25 17:17 25:23 26:6 27:6 28:1,3,15 28:22 29:2,18 52:12 62:11 64:16 83:24 86:17 90:20 93:5 96:9 98:22 <b>applicants</b> 65:24 <b>application</b> 17:5 23:7 24:9 <b>Applications</b> 10:10 <b>appreciate</b> 35:22 36:9 45:6 56:10 61:20 75:15 84:15 <b>appropriate</b> 87:12 <b>approval</b> 2:6 27:21,25 73:22 <b>approve</b> 7:11,13 11:16,18 15:6 109:14 <b>approved</b> 8:5 12:6 13:5
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PUBLIC HEARING 7/21/2020

27:16 107:2 109:15,18 <b>approximate</b> 62:17 <b>approximately</b> 26:9,11,12 33:14 <b>apt</b> 42:6 <b>area</b> 22:10 26:20 27:5 31:24 32:16 32:25 33:24 34:1 36:1 38:19 43:12 44:10 49:3 64:11 66:24 67:2,3,8 68:18 68:20 69:23 72:15 77:9 78:12,19 82:1 89:10 93:23 95:18 96:1,2 99:1 <b>areas</b> 36:14,15 47:18 50:25 54:4 70:2 73:9 87:15 <b>argue</b> 110:19 <b>Article</b> 10:23 11:19 27:11 <b>aside</b> 51:18 116:12 <b>asked</b> 16:5 <b>asking</b> 14:8 60:25 113:10 113:12 <b>aspect</b> 39:21 <b>aspects</b> 72:13 <b>ASSISTANT</b> 5:13 <b>Associates</b> 29:1 <b>association</b> 98:13 <b>assume</b> 36:10 51:13 <b>assuming</b> 56:21 57:1	<b>assumptions</b> 66:23 <b>assured</b> 20:18 <b>atmosphere</b> 72:18 <b>attached</b> 4:16 <b>attainable</b> 33:10 <b>attend</b> 103:11 <b>attended</b> 69:21 <b>attending</b> 103:15 <b>audience</b> 9:18 9:25 49:19 <b>August</b> 105:6,9 119:18 <b>authority</b> 52:2 91:21 <b>authorize</b> 115:9 <b>authorizing</b> 113:19 <b>auto</b> 109:5 <b>available</b> 22:22 31:11 <b>avoid</b> 94:6 <b>aware</b> 32:1 96:10 114:20 <b>Awesome</b> 23:20 <b>awful</b> 84:13,14 <b>awfully</b> 111:3 <b>aye</b> 7:18,19,20 7:21,22,23,24 7:25 8:1 15:11 15:12,13,14,15 15:16,17,18 24:10,11,12,13 24:14,15,16,17 104:17,18,19 104:20,21,22 104:23,24,25 115:21,22,23 115:24,25 116:1,2,3,4 117:16,17,18,19 117:20,21,22 117:23	<b>B</b> <b>B</b> 2:8 4:1,6 9:3 9:10 26:7,14 26:18 32:6 53:5 91:11,15 91:19 98:5 <b>back</b> 16:20 25:4 32:12 40:18 41:8,18 42:22,25 49:18 58:19 59:19,23 68:3 72:15 78:4,10 79:4 80:12,13 80:25 81:3 82:2 87:1 88:7 90:3,9 93:8 94:18 98:18 111:12 116:12 <b>backed</b> 54:2 76:1,9 <b>background</b> 53:8 <b>backing</b> 30:1,1 42:18 43:3 76:10 80:9 <b>bad</b> 74:5 80:4 82:21 83:3 114:10 <b>Baker</b> 17:14,21 18:2,3 19:15 20:2,5,10,14 21:1,4,8 <b>bananas</b> 38:6 <b>bank</b> 96:16 <b>bar</b> 25:22 <b>barn</b> 66:20 73:25 81:25 <b>barrier</b> 73:13 90:23 <b>based</b> 101:7 115:1 <b>bases</b> 45:20 <b>basically</b> 19:11 22:2 51:23 109:10 110:15	<b>bathroom</b> 43:8 43:9 50:23 <b>bays</b> 110:15 112:18 <b>Bean</b> 79:19,20 83:10 <b>beautification</b> 77:3 <b>beautiful</b> 77:3 <b>beauty</b> 72:16 <b>beginning</b> 28:6 49:16 <b>behalf</b> 106:14 <b>believe</b> 11:2,11 21:5 43:12 47:5 52:8 57:13 65:4 111:19 <b>bend</b> 57:4 <b>benefit</b> 99:13 <b>berm</b> 34:24 <b>best</b> 43:25 70:16 75:9 108:12 119:9 <b>better</b> 12:23 78:14 80:2 88:19 111:6 <b>bicycles</b> 71:22 <b>big</b> 36:16 50:1 53:21 75:21 81:4 85:9 113:5 <b>bigger</b> 75:4 76:19 <b>biggest</b> 77:19 <b>Bill</b> 5:6 6:7,21 14:8 56:14 77:5 84:20 100:20 105:21 107:4,10,14,19 108:12 <b>Bill's</b> 106:9 <b>birds</b> 71:6 <b>bit</b> 30:5,19,22 34:5 42:14 63:15 70:18 72:16 75:13	77:18 88:25 93:5,6 94:23 95:1,12 96:1 97:10 <b>black</b> 18:19,20 <b>block</b> 55:19 56:7 99:18 <b>blowing</b> 68:4 <b>blue</b> 56:21,23 57:4 58:10 62:14 85:19 94:24 95:3 96:13 <b>bluegrass</b> 68:1 <b>Board</b> 10:8 22:19 103:2 <b>Bob</b> 44:14,17 82:15 <b>born</b> 18:12 <b>bothering</b> 19:18 19:19 <b>bottle</b> 75:11 <b>bottom</b> 55:11 <b>bought</b> 79:23 <b>boundary</b> 36:5 36:7 <b>box</b> 95:18 <b>brain</b> 101:9 <b>brand</b> 82:12 <b>breaking</b> 99:15 <b>bridge</b> 47:19 <b>bring</b> 16:20 54:16 80:6 <b>brother</b> 74:8 <b>brought</b> 47:16 101:6 102:4 <b>Buescher</b> 29:1 <b>buffer</b> 32:5 76:23 91:5 96:20 <b>build</b> 25:17 37:10 84:25 <b>building</b> 25:18 27:8,16,17 31:2 43:11 44:10 45:1,3,4 49:8 50:21 57:3
---	--	--	---	--

PUBLIC HEARING 7/21/2020

97:21,22 98:15 100:18 101:2,3 109:9 109:21 110:11 111:21 112:6,8,8 112:17 115:2,2 115:16 116:18 116:21 <b>buildings</b> 27:14 56:17 80:3 <b>built</b> 27:15 112:6 <b>BUSCH</b> 44:12 49:4,15 50:3 50:16,19 51:16 51:21 56:23 57:6,13,17,21 58:5,13 <b>buses</b> 23:23 <b>business</b> 2:9,15 9:11,14 10:2,3 10:12,23 26:1 28:17 35:9 111:7,8 112:15 114:5 <b>busy</b> 68:24 70:23 71:20 101:3,4 <b>butts</b> 18:24 <b>BUZZI</b> 2:17	<b>campers</b> 49:9 50:25 51:1 68:19 72:3 73:18 76:17 78:5,7,19 80:23,24 81:17 88:21 89:3 90:4 <b>campground</b> 26:7,25 27:7 51:20 67:9,14 67:24 68:8,19 68:23 69:13 70:23 71:25 73:11 74:3 78:18 88:20 <b>campgrounds</b> 26:15 69:9,16 88:11 89:22 <b>camping</b> 27:10 28:9 69:25 <b>campsite</b> 37:16 37:21 38:1 81:8 87:21 <b>campsites</b> 68:10 69:3 75:14 87:15,23 <b>capacity</b> 41:16 85:16 <b>card</b> 48:22 79:1 <b>care</b> 9:13 49:10 87:7 <b>carousing</b> 67:23 <b>carries</b> 15:22 105:4 116:8 <b>cars</b> 76:4 111:3 <b>cart</b> 43:17 <b>case</b> 4:8 9:4,4 9:15 10:5 35:24 55:7 86:24 91:10 109:23 111:20 115:11 <b>cases</b> 4:8 9:5 <b>catercorner</b> 75:1	<b>cattle</b> 75:10 <b>cause</b> 71:16 78:21 99:19 <b>caution</b> 109:23 <b>cedar</b> 26:23 27:1 30:7 31:16 46:4 69:6 72:13 76:7,19,20 77:21 <b>Cement</b> 2:16 18:8 <b>center</b> 1:2 26:24 31:17 43:21,22 48:14 54:16 54:24 58:11,11 58:15,20 59:14,16 60:6 62:6 65:9 94:19 96:5 97:23 <b>centers</b> 33:5 <b>certain</b> 25:13 70:12 <b>certainly</b> 42:10 84:4,14 <b>CERTIFICATE</b> 3:20 119:1 <b>certificates</b> 28:16 <b>CFS</b> 34:21 <b>Chair</b> 7:11 <b>Chairman</b> 6:3 6:16 7:6,15,25 8:2 10:13 11:13 11:18,21,25 14:22,24 15:2 15:9,17,19 16:4 16:15,17,23 17:12,15,23 19:13,25 20:3 20:7,11,15 21:14 22:1,8,11 22:14,25 23:9 23:13,25 24:18,25 25:6	25:12,19,24 28:20 44:7 48:2,6 49:25 50:6,10,14,17 51:11,17 52:11 56:13,16 57:23 61:10,14 61:18,25 64:14 65:23 66:3 71:10,14 72:5 72:9,22 74:18 77:11 79:14 83:8,12,20,23 84:19 86:16 90:11,19 91:1,4 91:23 92:3,13 92:21 93:1,9 94:1,8 96:8 96:24 97:2,8 97:14,15 98:8 98:20 99:20 100:3,5,10,15 100:23 101:21 102:1,6,12,21 103:4,16,23 104:2,5,13 105:1,8,11,19 106:21 108:2 108:11,15,18,24 109:2,25 110:21 112:13 113:13,18,25 115:5,7,12,20 116:5 117:9,14 117:24 <b>CHAMBERS</b> 1:3 <b>chance</b> 111:12 <b>change</b> 13:11 14:10 20:12 97:10,11 111:1 114:6 <b>changed</b> 12:19 22:21 <b>changes</b> 7:15 10:24 11:5,12 11:19 12:5,8,25 13:13 14:12,18	<b>changing</b> 111:21 <b>chaos</b> 80:8 <b>charm</b> 72:14 <b>chart</b> 14:9 <b>check</b> 31:8 43:14,15 48:21 49:10 53:8,16 55:1 98:12 <b>check-in</b> 27:9 31:1,8 43:11 44:10 45:2 48:8,12 51:12 51:19 53:11 59:21 62:6 66:21 93:22 98:25 100:19 <b>checked</b> 46:7 51:3 54:18 59:25 <b>checking</b> 52:15 53:6,7 <b>cheers</b> 67:22 <b>choose</b> 67:5 <b>chosen</b> 67:7 <b>chunk</b> 85:9 <b>circumstance</b> 54:15 <b>circumstances</b> 22:20 53:1 <b>Cisco</b> 80:20 <b>city</b> 15:25 17:17 18:8 20:1 24:22 70:7 82:16 <b>clarification</b> 16:6 25:25 98:11 <b>class</b> 53:20 <b>clay</b> 20:23 <b>clearer</b> 62:5 <b>clearing</b> 36:15 65:19 70:1,20 <b>clearly</b> 110:1 <b>close</b> 17:10 58:5 67:12 68:7,11 69:5 71:11 72:1 75:3 76:1
<b>C</b>				
<b>C</b> 1:24 2:8 3:4 4:7 5:1,17 6:1 9:4,10 26:4 53:5 <b>calculations</b> 34:21 <b>call</b> 2:3,3 6:4,6 73:16 <b>calling</b> 62:22 <b>calves</b> 75:12 <b>camp</b> 54:19 69:15 <b>camper</b> 37:21 48:23 69:8 76:14 89:5 90:9				

PUBLIC HEARING 7/21/2020

81:15 94:10 <b>closer</b> 43:1 69:12 100:1 <b>cloud</b> 18:19 <b>clouds</b> 18:20 <b>code</b> 116:17,21 117:7 <b>combine</b> 102:15 <b>come</b> 9:23 13:13 17:24 21:16 25:4 32:12 34:14 42:22 43:14,15 48:19 51:14 52:17 53:11 54:13 55:16 57:9,10 58:15,18 60:2 60:3 62:24 66:8 68:20 72:24 75:19 75:23 77:13 78:9,10 79:2,7 79:8 80:10,11 80:12 82:4 83:24 94:15 111:12 <b>comes</b> 45:7,13 59:22 63:5 65:10 81:9 98:4 <b>comfortable</b> 46:20 106:3 109:19 113:2 115:17 <b>coming</b> 10:20 25:23 34:22 47:21 53:14,21 56:6 75:19 80:23 94:24 95:8 99:12 103:18 <b>Commencing</b> 1:13 <b>comment</b> 9:19 17:10,11 36:10 42:8 48:3 83:25 85:13	94:20 98:3 104:10 <b>comments</b> 2:7 2:12,21 3:7 9:25 10:5,16 24:3 27:14 32:13 40:23 41:17 83:17 84:13 96:4 98:21 108:9 <b>commercial</b> 27:17,20 91:13 91:16 99:12 <b>Commission</b> 1:1 1:3 3:12 4:16 6:5 8:17,20 9:16,24,24 10:2,6,7,17 19:14 50:11 105:13 106:7 106:24 110:18 112:14 116:15 119:17 <b>commissioner</b> 5:4,5,6,7,8,9 5:10 6:8,11,14 6:18,20,22,24 7:1,4,12,14,19 7:20,21,22,23 7:24 8:1 11:14 11:17,23 12:4 12:10,15,18,22 13:2,10 14:4,16 14:20,25 15:7 15:11,12,13,14 15:15,16,18 16:3,12,14,22 17:4,7 20:17 21:2,7,12 23:17 23:18,22 24:10,11,12,13 24:14,15,16,17 24:23 25:1,10 25:14,16 32:14 33:12 35:2,6 35:13 36:3,8 36:19,23 37:4	37:11,15,24 38:5,10,22 39:5,9,12,16 39:24 40:2,6 40:10,19,22 40:25 41:10,13 42:1,7 43:6 44:5 47:8 48:4,7 49:13 49:17 50:8,12 52:13,22 53:13,18 54:9 55:3,10,14 56:9,13,15,25 57:7,15,19,25 58:6,14,25 59:7,11,15 60:5,8,12,19 60:24 61:4,8 61:19 62:13,16 63:2,7,13,17 63:20,24 64:4,8,12,17 64:22 65:7 65:22 83:18 83:21 84:19,21 85:5,18 86:8 86:11,18 87:11 88:9,14 89:16 89:18 90:10,13 90:21 91:3 92:9,11 93:3 94:12 95:2,4,7 95:9,14,16,22 95:24 96:25 97:3,12,13,16 97:25 98:14 98:23 100:24 101:1,5,11,14,16 101:18,22 102:2,17,23 104:7,11,18,19 104:20,21,22 104:23,24,25 108:10,16 110:7,14,16,23 111:15 112:5	113:9,15,16,17 114:8,14,23 115:14,18,22 115:23,24,25 116:1,2,3,4 117:11,13,16,17 117:18,19,20,21 117:22,23 <b>Commissione...</b> 36:9 <b>Commissioners</b> 2:4 5:2 7:8 8:7 24:4 64:15 83:16 86:17 92:4 93:2,20 105:19 <b>communicatio...</b> 2:7 8:8 10:15 <b>community</b> 53:1 75:3 <b>COMPANY</b> 2:16 <b>complain</b> 111:12 <b>complaints</b> 18:6 111:9 <b>complete</b> 87:9 <b>completely</b> 36:25 <b>complex</b> 88:2 <b>compliment</b> 32:8 <b>comply</b> 16:9 84:16,17 96:21 107:17 <b>concept</b> 32:16 33:17,18 64:18 86:20 <b>conceptual</b> 45:6 46:18 48:8 51:23 <b>concern</b> 21:10 42:22 44:8 46:23 54:5,21 55:4,6 68:5,9 69:7 77:8,19 80:22 81:7 88:10,17 98:15 106:9 108:14	112:11 <b>concerned</b> 41:14 42:20 75:12,17 76:12 107:25 113:23 <b>concerning</b> 10:5,7 66:23 <b>concerns</b> 61:5 67:18 70:10 74:17 84:18 88:6 93:18 97:17 100:13 105:18 106:1,4 106:6 109:23 110:3 <b>concise</b> 89:12 <b>CONCLUDED</b> 118:4 <b>conclusion</b> 10:4 <b>condense</b> 38:19 <b>condition</b> 106:13 108:6 <b>conditional</b> 10:8 14:1 16:10 17:5 22:3,18 26:16 35:17 45:8,10 89:15 92:8 98:7 108:8 109:5 112:25 113:4,20 114:21 <b>conditions</b> 25:13 45:10 90:22 91:2,7 92:8 107:4,17 110:24 111:8 <b>conductive</b> 75:14 <b>conducted</b> 91:13,16 <b>confidence</b> 56:10 <b>confident</b> 56:11 <b>conflicts</b> 8:8 <b>confuse</b> 52:5 <b>confused</b> 12:13 12:16 58:17 76:6,6 78:23
--	--	---	--	---

PUBLIC HEARING 7/21/2020

<p>confusion 75:22 78:11 83:4 connection 27:15 consider 8:9 96:20 103:24 consideration 16:8 45:22 46:14 48:14 89:15 96:19 98:24 104:4 107:6 considered 23:8 27:1 91:12 109:13 considering 31:24 99:5 108:22 109:19 115:2 contact 20:4 70:15 contains 26:23 continue 21:9 88:8 92:18 93:4 103:2 104:8 108:12 117:3 <b>CONTINUED</b> 3:2,10,14 continuing 92:24 contour 40:8 contours 36:11 36:13,13,18 86:23 contracting 117:1 contractor 112:9 control 69:24 convenience 27:9 44:11 45:2,15,17,22 49:10 50:22 51:7 65:9 96:5 98:5 convenient</p>	<p>60:14 convention 97:23 converted 45:1 94:14 converting 50:21 conveying 88:1 Cooper 3:15 109:4 copies 62:3 copy 7:9 62:1 corner 54:1 57:1 57:2,6 65:11 65:20 74:3,5 82:5,8 94:24 95:10 corners 79:7 correct 13:1 16:19 37:1 41:6 41:12 51:15,16 51:21 56:22 57:4 58:4,13 64:5,7 92:15 113:11 corrections 7:10 7:16 cottages 82:12 82:13 85:11 <b>COUNSEL</b> 5:14 country 67:15 72:14 countryside 72:17 county 1:1,2 4:3 4:4 6:5 8:18 19:7 20:6,19 27:16,19,24 28:17 33:15 52:3 82:6 County's 99:13 County-maint... 27:4 couple 18:12 48:5 49:24 85:22 94:11 105:25 110:15</p>	<p>112:17 114:2 116:20 course 12:11 31:10 34:17 42:22 53:9 85:4,10,20,22 97:21 Court 119:2,15 covered 45:20 76:21 100:24 covers 85:22 cows 75:11 cracks 92:6 create 49:7 84:9 credit 48:21 creek 26:23 27:1 31:16 46:4 57:8,9,10 57:10,11 69:6 72:13 76:7,19 76:20 77:21 cross 14:15 55:18 cross-out 14:14 crossed 14:11 <b>CROSSTALK</b> 49:12 58:24 59:2 61:24 crowd 75:21 crowded 68:25 <b>CRYSTAL</b> 5:13 culvert 34:5,5 57:12,16,18 62:25 <b>CUP</b> 3:13,15 24:7,9,21 25:7 27:15,22 28:19 66:15 113:24 114:7 115:15 curious 84:23 current 45:4 84:11 86:6 currently 30:25 85:15 116:25 curve 65:11 78:3</p>	<p>102:5 customers 42:21 52:25 77:9 84:11,12 cut 60:1 <hr/><b>D</b><hr/>D 2:1 3:1 4:8 6:1 9:5,10 53:5 D/B/A 2:16 dab 19:1 dailies 71:18 daily 67:9 70:13 71:19 damage 20:20 Dan 5:3 6:15 24:24 dangerous 71:19 81:5 82:8 dark 89:25 darker 63:11 89:1 date 11:1 92:19 113:7 daughter 41:20 66:18 daughter-in-law 42:25 day 49:2 80:15 days 10:9 27:13 69:9,12 104:1 105:6 deal 54:11,22 77:9 81:10 84:17 112:14 113:5 dealt 9:12 dear 72:15 Debbie 5:7 7:2 deceiving 88:24 decent 78:4 decide 10:2 90:22 103:21 112:7 117:2 decided 116:15</p>	<p>deciding 97:9 116:23 decision 10:6 11:3 45:19 declarations 2:4 8:13 declare 8:7 deed 20:8 deer 71:5 81:8 81:17 definitely 54:24 definitive 97:18 demonstrate 22:20 denial 21:25 denied 21:22 24:22 25:2,2 25:8 Dennis 5:10 6:17 deny 16:10 17:5 22:17 24:7 103:2 denying 24:9 Department 10:11 27:16,20 depending 43:4 44:1 87:19 described 119:7 describing 36:4 description 4:2 13:18 design 35:16,17 86:19 88:8 designed 34:18 34:19 desire 8:24 67:8 69:13,22 desires 84:5 destructive 70:6 detail 73:21,22 99:6 detailed 98:25 details 26:2 74:15 92:6 detain 95:19,19</p>
--	--	--	--	--

PUBLIC HEARING 7/21/2020

95:20 <b>detention</b> 27:23 31:20 34:1,3 34:25 35:3 95:6,18,25 96:1,2 <b>determines</b> 14:2 <b>develop</b> 33:5 39:4 46:25 <b>developed</b> 60:15 61:1 109:20 <b>developing</b> 101:9 <b>development</b> 11:7 30:13 31:5 31:9,14 33:9,9 42:6,12 96:16 116:25 <b>diesel</b> 109:7 <b>difference</b> 86:22 <b>differences</b> 29:21 <b>different</b> 23:1,6 46:1,22 47:1 61:9 79:12 85:22 89:8 91:18 <b>differential</b> 37:23 <b>difficult</b> 74:12 <b>difficulty</b> 105:24 <b>diligence</b> 22:23 <b>dimensions</b> 100:14 <b>dinner</b> 73:17 <b>direct</b> 98:13 <b>direction</b> 34:8 40:15,16 113:14 <b>Director</b> 14:2 109:12 <b>Director's</b> 3:18 116:10 <b>disallow</b> 69:18 <b>discuss</b> 3:16 16:20 105:14	<b>discussed</b> 11:3 <b>discussion</b> 2:13 2:20 3:9 10:5 12:1 15:5 17:1 17:13 104:14 <b>distance</b> 65:1,8 78:17 89:21,21 <b>distances</b> 64:19 64:24 65:15 <b>district</b> 11:8 22:3 26:7,15,15 98:6 <b>disturb</b> 47:18 <b>ditch</b> 30:12 34:6 34:22 <b>ditches</b> 34:9 <b>Dix</b> 3:13 105:17 106:2,8 107:5 107:21 <b>document</b> 14:13 <b>documentation</b> 16:7 27:21 28:18 <b>dogs</b> 69:1,17,18 69:19 <b>doing</b> 18:16 29:25 30:6,12 38:6 51:3 75:11 79:2 111:21 116:16 <b>dominated</b> 89:5 <b>double</b> 110:8,13 <b>downcast</b> 94:6 <b>dozen</b> 38:17 <b>drainage</b> 30:12 34:6 87:22,24 95:3 <b>drains</b> 87:23 <b>draws</b> 34:16 <b>drive</b> 31:7 42:10 43:23 51:6 53:3 55:19 60:6 71:24 90:1,2,8 94:15 99:8 <b>drive-through</b>	81:1 <b>driver</b> 80:16 <b>drivers</b> 52:5 <b>drivers'</b> 52:10 <b>drives</b> 29:23 54:17 55:9 86:24 <b>driveway</b> 49:23 50:5 58:23 65:3 <b>driving</b> 43:2 80:24 <b>DRN</b> 42:5 <b>drop</b> 87:18 <b>dual</b> 47:12 <b>due</b> 30:11 52:4 <hr/> <b>E</b> <b>E</b> 2:1,8 3:1 4:1 5:1,1 6:1,1 <b>e-mail</b> 105:23 105:25 <b>eagles</b> 71:6 <b>earlier</b> 28:6 57:8 59:24 62:7,22 85:14 <b>early</b> 68:2 <b>ease</b> 29:25 <b>easement</b> 75:7 <b>easier</b> 84:25 <b>easily</b> 33:10 <b>east</b> 1:4 26:17 26:23 30:11,13 30:20 31:8 <b>east/west</b> 29:23 39:22 <b>easy</b> 87:5 <b>economy</b> 18:17 <b>edge</b> 33:18 89:25 90:1 99:15,15,18 <b>effect</b> 73:13 103:12 <b>eight</b> 35:23 36:24 62:14 62:19 63:12 70:20,22	90:15 97:6 <b>eight-acre</b> 33:8 <b>either</b> 64:25 65:21 76:9 82:16 86:25 87:23 91:10 108:22 <b>electric</b> 31:10 <b>elevated</b> 87:2 <b>Elevation-wise</b> 90:14 <b>ELEVENTH</b> 5:18 <b>else's</b> 18:24 81:4 <b>emergency</b> 46:24 47:2,5 47:11,25 101:7 101:13 <b>employee</b> 111:16 114:20 <b>employees</b> 110:20 111:2 112:1 113:4,23 114:2 115:9,16 <b>ends</b> 68:2 <b>enforce</b> 69:18 <b>enforcement</b> 70:8 116:18 117:7 <b>engineer</b> 28:25 62:12 <b>Engineer/Hig...</b> 27:24 <b>engineering</b> 117:2 <b>enjoy</b> 43:21 67:8,10,13 70:4,12 72:16 72:17 <b>enjoyable</b> 68:1 68:22 <b>enjoyed</b> 70:17 <b>enter</b> 76:20 77:23 79:11 <b>entering</b> 65:1 70:13 <b>enters</b> 58:19	<b>entertain</b> 7:11 15:6 16:21 104:6 <b>entertaining</b> 15:1 <b>entirety</b> 116:19 <b>entrance</b> 27:20 34:13 46:21 47:6 48:10,12 49:5,22,22 51:7,15 52:18 53:20 56:8 59:18,23 60:2 60:17,22 63:25 64:25 71:23 73:25 76:13,15 77:20 78:3,20 80:11 81:3 90:15 97:19 99:6,12 99:14 100:8,13 101:4 <b>entrances</b> 27:18 46:19 75:17,18 75:23 76:8 78:17 93:15,15 93:21 101:20 102:3,4 <b>environment</b> 52:25 84:10 <b>envision</b> 63:10 <b>equal</b> 33:11 <b>equipment</b> 71:18 75:5 <b>Eric</b> 79:19,20 <b>err</b> 109:22 <b>especially</b> 30:10 38:15 <b>essence</b> 114:7 <b>essentially</b> 58:22 <b>establish</b> 20:6 <b>established</b> 28:5 <b>Etlah</b> 26:8 27:3 27:4 31:7 33:14 48:19
---	--	--	--	---

PUBLIC HEARING 7/21/2020

48:24 51:14 51:24 52:5,18 54:3,24 55:16 59:16,18 60:11 61:17 62:21 64:20 65:11 66:19 73:4,12 74:4,13,25 76:24 78:21 80:7,18 82:3 90:8 93:23 <b>Evans</b> 6:7,8 105:21 <b>evening</b> 28:25 29:2 44:15 68:3 <b>evenings</b> 67:22 <b>event</b> 26:23 43:21,22 48:14,15 54:23 58:11,11 58:15,19 59:14 59:16 60:6 83:4 94:19 <b>Events</b> 11:5 31:17 <b>evergreen</b> 30:7 <b>everybody</b> 53:3 77:20 <b>EVIDENCE</b> 9:7 29:16 62:9 <b>exact</b> 56:3 99:25 <b>exactly</b> 25:19 58:9 64:1 67:5 97:23 101:19 102:1 107:24 <b>examined</b> 27:19 <b>example</b> 98:10 <b>exclusive</b> 34:25 <b>exclusively</b> 35:3 <b>excuse</b> 32:23 <b>exhibit</b> 4:4,6,7,8 4:10,11,13 9:2 9:3,4,5 29:14 29:18 62:1,2,11	<b>exhibits</b> 4:15 8:15 9:10 <b>existing</b> 12:19 12:20 13:16 27:18 31:15 32:8 38:21 45:1 50:21 56:17 57:2 59:23 60:22 94:13 100:18 109:21 110:11 <b>exit</b> 64:25 71:23 76:11,12 77:23 78:21 97:19 101:4 <b>expand</b> 111:6,7 112:17 <b>expanding</b> 50:24 112:15 <b>expect</b> 98:17,19 103:10 <b>expecting</b> 48:18 <b>expensive</b> 94:17 <b>experience</b> 33:23 67:22 <b>experiences</b> 70:16 <b>Expires</b> 119:17 <b>explain</b> 105:18 <b>explained</b> 107:5 <b>explanation</b> 16:7 <b>express</b> 106:4 <b>extend</b> 63:6 <b>extension</b> 27:2 <b>extensive</b> 69:9 <b>eyes</b> 52:10,10	40:3 106:22 <b>facts</b> 26:10 79:6 <b>failed</b> 16:9 <b>fairly</b> 109:18 <b>fall</b> 37:16 38:2 <b>familiar</b> 78:12 85:6 <b>families</b> 66:25 73:5 <b>family</b> 66:17 73:4,7 <b>family's</b> 81:15 <b>far</b> 13:25 31:18 67:12 81:24 98:17 99:6 103:7 113:22 114:24 <b>farm</b> 3:4 26:5 66:16 71:17 79:20,21,21 79:24 80:2 82:23 <b>farm's</b> 81:14 <b>farmers</b> 48:25 <b>farming</b> 66:24 77:8 <b>farms</b> 73:7 <b>Farrell</b> 21:20 <b>favor</b> 7:18 15:10 24:6 104:17 110:25 115:21 117:15 <b>favorably</b> 18:7 <b>favorite</b> 71:7 <b>fear</b> 67:23 70:13 <b>feasible</b> 19:5 <b>fee</b> 22:5 <b>feedback</b> 88:6 <b>feel</b> 19:5 32:7,7 46:19,23 75:22 92:12 106:3 112:23 <b>feels</b> 106:11 115:17 <b>feet</b> 30:16 34:13 36:22 48:9 59:22 64:25	77:1 78:5 87:18 90:2,4,7 90:7,16 96:15 96:18 110:12 <b>felt</b> 107:12 109:18 <b>FFL</b> 106:11 <b>fifteen</b> 34:13 <b>fifth-wheel</b> 41:18 53:21 <b>figure</b> 14:11,12 80:17 88:5 97:7 <b>file</b> 2:10,16 3:4 4:8 9:4,19 10:23 15:23 16:24 17:20 21:15 24:1 26:2 35:9 66:4,8 72:24 74:21 77:13 79:16 83:14 108:22 <b>files</b> 10:20 <b>filled</b> 48:16 92:6 <b>final</b> 10:6 41:22 72:12 <b>fine</b> 38:9 42:19 73:17 102:9 <b>fire</b> 11:8 38:3 47:3 <b>firearms</b> 106:17 107:24 <b>firm</b> 117:2 <b>first</b> 9:12,16,20 17:16 33:3 35:7 39:14 57:9 70:21 76:15 80:23 89:22 90:9 93:10 105:14 110:17 <b>first-rate</b> 84:8 <b>fit</b> 94:21 <b>five</b> 33:8 34:13 54:2 87:18 110:20 114:11	114:20 <b>fixed</b> 23:17 <b>flat</b> 87:14,16,21 <b>flatter</b> 30:2 <b>floating</b> 44:2 <b>floodplain</b> 116:24 <b>floor</b> 1:3 84:14 <b>Florida</b> 88:19 <b>flow</b> 31:13,22 32:1 33:15,25 34:6,15,20 <b>flowed</b> 33:16 <b>flows</b> 33:24 34:3 35:1 <b>fly-by-night</b> 112:11 <b>follow</b> 53:23 <b>followed</b> 9:16 <b>following</b> 40:4,7 <b>follows</b> 40:14 <b>food</b> 80:9,10,12 80:15 <b>fooling</b> 77:25 <b>foot</b> 86:23 <b>footage</b> 115:1 <b>footprint</b> 30:5 30:23 35:18 38:19 42:12 64:11 <b>foregoing</b> 119:4 <b>format</b> 103:5 <b>forth</b> 79:4 <b>Forum</b> 3:12 105:13 <b>forward</b> 17:24 25:23 41:8 66:8 116:16 117:6 <b>four</b> 14:12,13,15 33:19 37:22 87:9 <b>fox</b> 71:5 <b>Frankenberg</b> 6:10,11 29:1 <b>Franklin</b> 1:1,2 4:4 6:5 8:18
---	--	---	--	--

PUBLIC HEARING 7/21/2020

20:19 27:16,19 <b>freedom</b> 70:12 <b>freely</b> 67:18 70:24 <b>Friday</b> 48:18 52:15 <b>Fridays</b> 75:20 <b>friendly</b> 67:11 <b>front</b> 9:23 38:14 <b>frontage</b> 51:23 52:6 <b>full</b> 34:21 35:17 88:3 <b>full-size</b> 49:9 51:1 <b>further</b> 11:25 15:5 16:6,6 39:4 57:21,23 57:24 64:15 104:3,14 107:3 <b>future</b> 19:2 84:11	80:15 92:5 102:12 104:5 114:21 <b>gives</b> 62:4 <b>giving</b> 57:3 <b>go</b> 10:18,22 11:5 13:14 14:13 16:24,25 17:1 17:2 18:14 22:4 29:8,10 29:23 33:25 35:24 39:3,22 40:18 42:4 48:19 49:13 50:15 51:13,19 55:24 58:15 74:6 78:9 79:1 80:25 81:17 86:7 88:6 91:6 93:8 94:4,13 106:7 107:8 112:16,19 113:19 115:8 <b>goal</b> 87:9 <b>goes</b> 19:9 33:18 58:19 59:12 67:21 75:4 83:4 <b>going</b> 10:22 18:3 19:2,10 21:10 29:7 30:17 31:23 32:20,24 34:10,15,20 37:8 38:1,2,17 39:8,10,13,15 40:17 42:4,13 42:22 43:7,14 44:10,11 48:21 49:21 51:12 53:22,25 54:12,19 55:1 55:8 62:1 63:10 65:4,19 71:10 73:12 76:9,16,24 78:4,7,18,21	78:24,25 79:7 79:8,9 80:8,17 81:5,7,11,19,23 83:1,5,7 86:24 86:25 87:2,14 87:15,16,18 90:15 91:19 92:4 93:4,16 93:21 94:4,10 94:13 96:19,21 97:5 98:19 99:7,11,18,25 100:1,13 101:3 101:4 103:14 105:22 106:4 108:4,5 114:6 116:16,17,19 117:2,3,6 <b>golf</b> 43:17 85:4 85:10,20,21 <b>good</b> 25:15 28:24 46:13 56:18 74:10,13 74:16 76:21 84:6 94:8,23 96:24 99:21 111:5 112:18 <b>governed</b> 8:17 <b>GOVERNMENT</b> 1:2 <b>grade</b> 30:2,3 77:6,7 87:5,6 88:2,3 95:6 <b>graded</b> 37:1,2 39:13 <b>grades</b> 33:2 38:15,15 <b>grading</b> 30:17 36:5,7 38:20 38:25 39:3,4 39:19,20 86:19 87:7,8 <b>grain</b> 49:1 81:22 <b>grandfather</b> 25:4 <b>grandfathered</b> 13:8	<b>grandparents</b> 18:11 <b>Granted</b> 80:19 <b>grass</b> 77:1 <b>gravel</b> 42:14 50:20 <b>gravity</b> 31:13,16 <b>great</b> 33:11 43:10 75:21 76:4 88:6 94:9 <b>greatly</b> 67:9,14 67:24 70:3,23 <b>ground</b> 81:13 <b>group</b> 50:2 68:21 107:3 108:9 <b>Groupon</b> 107:17 107:22 108:1,4 <b>grow</b> 77:2 <b>Grutsch</b> 5:8 6:13,14 7:12 7:23 11:17 12:18 15:15 16:3,22 17:4 20:17 21:2,7 21:12 23:18,22 24:14 32:14 32:23 33:12 35:2 47:8,17 48:4,7 49:13 49:17 50:8,12 52:13,22 53:13,18 54:9 55:3,10,14 56:9 57:15 58:25 59:7,11 59:15 64:17 64:22 65:7 65:22 86:18 87:11 88:9,14 89:16 92:11 95:2,7,14,22 98:23 102:23 104:22 108:10 108:16 110:14 112:5 113:17	116:1 117:20 <b>guess</b> 63:22 92:14 94:20 103:1 105:17 108:2 113:18 116:20 <b>guidance</b> 93:12 <b>guide</b> 89:2 <b>guy</b> 53:23,24 79:4 112:12 <b>guys</b> 11:3 49:20 72:8 79:23 82:13 103:8 113:1
<b>G</b>				
<b>G</b> 2:8 6:1 <b>gal</b> 117:8 <b>gate</b> 76:3 <b>general</b> 100:20 <b>Generally</b> 75:3 <b>gentleman</b> 23:1 109:4 <b>gentlemen</b> 103:24 <b>getting</b> 56:4 58:16 71:11 72:1 75:15 79:10 99:15 105:25 <b>ghost</b> 80:13 <b>give</b> 8:6 10:24 17:1 26:2 41:22 49:9 51:4 53:4 55:23,25 79:1 93:5,6,13 95:1 112:1 114:1 <b>given</b> 8:25 48:14 69:8				

**H**

**H** 2:8 4:1  
**H-E-R-R-O-N**  
66:13  
**habitats** 71:1  
**Haire** 5:3 6:3,15  
6:16 7:6,15,25  
8:2 10:13 11:13  
11:21,25 14:24  
15:2,9,17,19  
16:17,23 17:12  
17:15,23 19:13  
19:25 20:3,7  
20:11,15 21:14  
22:1,8,11,14,25  
23:9,13,25  
24:16,18,25  
25:6,12,19,24  
28:20 48:2,6  
49:25 50:6,10  
50:14,17 51:11  
51:17 52:11  
56:13 57:23  
61:10,14,18  
64:14 65:23  
66:3 71:10,14  
72:5,9,22  
74:18 77:11  
79:14 83:8,12  
83:20,23  
84:19 86:16  
90:11,19 91:1

PUBLIC HEARING 7/21/2020

91:23 92:3,13 92:21 93:1,9 94:1,8 96:8 96:24 97:2,8 97:15 98:8,20 99:20 100:3,5 100:10,15,23 101:21 102:1,6 102:12,21 103:4,16,23 104:2,5,13,24 105:1,8,11 106:21 108:2 108:15,18,24 109:2,25 110:21 112:13 113:13,18,25 115:5,7,12,20 116:3,5 117:9 117:14,22,24 half 32:17 35:7 35:23 38:17 58:4 half-way 79:9 hall 67:21 hand 42:5 119:13 handle 42:6 56:5,18 85:17 103:5 hands 58:16 happen 53:2 54:14 78:6 82:17 happening 43:19,19 54:13 happens 94:14 happy 11:11 25:2 hard 14:14 32:18 32:20 33:1,3 81:2 82:24 86:2 Hartmann 5:10 6:17,18 8:1 15:18 24:17 96:25 97:3,12 97:25 104:11	104:25 113:15 115:18 116:4 117:23 hash 97:7 hate 72:19 106:14 Haven 59:12 head 31:9 headlights 52:4 hear 20:23 49:18 50:18 67:20 68:3 73:16 heard 4:8 9:5 66:15 97:5 105:21 hearing 1:11 2:5 8:12,24 9:20 20:22 22:24 92:19,25 93:5 102:14 hearings 8:21 8:23 heavily 39:13 heavy 33:22,23 held 70:5 119:6 hell 80:17 help 58:2 63:17 75:16 helped 61:20 helps 58:8 hereto 4:16 hereunto 119:12 Herron 66:12,13 71:13,15 72:7 72:10 hey 38:14 53:3 54:18 55:24 114:11 Hi 73:2 high-end 75:21 highway 20:19 27:19 58:18,21 59:1,8 62:22 75:19 99:9 hill 47:20,22 76:25 102:5	hills 73:14 79:8 hiring 117:6 hit 89:12,13 hog 79:24 80:1 hogs 75:10 hold 10:21 29:13 54:12 holder 34:18 HOLDMEIER 5:13 holds 72:15 hollering 73:18 83:7 home 67:18 68:7 73:4 homes 53:21 70:14 94:11 honestly 109:17 hookups 31:11 hooting 83:6 hope 59:20 62:6 hopefully 21:9 87:18 116:11 hoping 105:18 hosting 48:15 hotel 26:24 31:17 hours 10:12 19:20 28:1 45:16 88:4 98:12 house 25:17 82:14,16 houses 73:7 hundred 48:9 59:22 81:15 90:7 101:23 hundred-acre 82:23 hung 99:16,17 hunt 81:7,12,16 hunting 81:9,18 81:21 hurdle 44:3 husband 66:18	I idea 38:14 44:25 52:1 60:4 62:7 93:7 114:11 ideas 43:24 44:2 IDENTIFICATI... 4:2 9:8 29:17 62:10 IDENTIFIED 4:13 identify 46:2 image 72:13,19 immediate 26:23 impact 71:1 impacting 32:3 impacts 68:9 impartially 8:10 impervious 31:24 32:15 32:25 33:7 imperviousne... 42:11 implement 56:3 important 72:13 85:25 101:25 impose 13:7 imposed 47:6 impression 100:12 inches 37:22 38:1 87:10 include 23:7 116:24 included 46:1 109:10 including 28:2 Incorporated 26:5 increase 67:24 111:16 increased 31:22 increasing 32:15,24	111:24 indications 42:6 individual 109:20 individuals 8:24 indoor 14:9 influence 8:9 information 22:22 25:9 69:20 76:22 92:7,16 93:12 110:5,6 initial 29:6,6 43:12 60:4 initially 33:21 input 108:13 inside 36:4,5 inspect 114:22 installed 33:20 instance 86:21 integrate 116:17 intention 34:17 49:7 interested 73:23 interferes 85:25 interior 55:22 intermittent 96:12,17 internal 29:22 51:18 intersection 76:1,2 investigate 111:10 investment 80:3 investor 79:22 involve 8:21 involved 47:4 involves 8:24 ironed 45:19 issuance 27:22 28:19 issue 10:2 20:1
--	---	--	--	---

PUBLIC HEARING 7/21/2020

51:9 52:9	111:13 114:9	112:25 113:6	leash 69:21	list 92:7
53:19 59:24	kinds 81:22	114:9,10,12,15	leashed 69:19	listen 71:7 73:17
71:21 112:24	Klenke 5:9 6:19	114:16 115:2,3	leave 51:13	lists 102:8
113:24	6:20 7:24	115:3	93:25 102:14	Litigation 1:25
issues 8:10	15:16 24:15	knowing 73:23	102:14,20	5:16
71:16,24	92:9 101:5,11	103:18	103:9 104:9	little 30:5,19,22
107:10 108:17	101:16 102:2	knows 75:4	leaving 75:16	34:5 38:4
109:20 110:2	104:23 110:7	Koch 74:24,25	left 37:5 57:22	42:10,14 47:1
112:15 113:14	113:16 114:8,14		60:10 73:12	52:21 62:5
116:21	114:23 116:2	<u>L</u>	94:24	63:11,15 70:18
it'd 19:6 57:20	117:13,21	L 2:8	left-hand 57:24	72:16 75:12,13
it'll 35:4 62:2	knoll 65:2	lack 111:5	LEGAL 5:14	77:18 88:24
item 9:13 105:14	know 13:25	lacking 73:21	legislative	93:5,6 94:23
items 9:11,13	18:17 19:2,12	laid 88:24	20:12	95:1,12 96:1
<u>J</u>	19:16,20,23	lake 85:1,11	legitimate 86:9	97:10 99:5
jam 19:22	20:18,24	land 4:4 8:18	86:12	102:16
Jason 74:24,25	29:19 34:14	18:3 26:21	length 69:7	live 19:18 21:20
Jefferson 20:1	36:9 38:2	40:8 67:4 70:1	let's 11:1 35:12	48:25 67:5,7
Jim 5:8 6:13	40:14 42:17	70:13 73:8	38:14 53:9,10	71:8 73:8
47:16 48:2	42:25 43:1,2	75:8,9 90:18	54:14 102:25	74:25 77:17
job 12:23	43:16,17,20	lanes 99:18	103:25 114:14	lives 66:24
Joe 48:21	43:22 44:2	large 31:19 32:5	115:12	67:9 70:13
John 3:4 26:4	45:9,10,14,15	34:5 47:18	letter 55:25	111:23
82:15	45:16 47:1,24	48:15 62:24	105:17	living 22:9
July 1:12 6:2,4	49:21,22,24	62:25 68:21	level 43:4	located 26:8,14
June 7:9 11:2	50:1 52:7,22	68:25 71:18	69:24	74:1 94:11
15:24	53:8 54:19	73:7,8 93:23	licenses 28:16	98:5
	55:20,22,23	109:6	lien 18:13	location 31:6,10
<u>K</u>	64:24 65:5	larger 18:23	life 67:10	47:20,22,25
Kassebaum	67:12 70:18	30:5,5,22	lift 31:13	62:23 71:2
73:2,3	73:18,24 74:4	36:1 37:10	light 16:4 56:23	101:12 107:1,24
keep 49:20	74:9,12,16	87:23 110:13	68:1 86:1 94:6	locations 30:4
55:24 77:5	76:7,19,20	laughing 67:23	lighting 94:3,4	LOCUST 1:4
103:21 117:3	79:5 80:3 81:4	laundry 45:2	94:6 100:2	long 19:4 51:7
keeping 87:22	82:6,11,13	50:23	lights 52:9	54:1 79:24
kept 72:2,3	84:22 86:4,13	law 8:23 19:6	limit 68:13	93:23 106:10
kids 37:18 73:16	88:6 90:17	70:8	102:15 106:16	long-term 69:11
killed 79:11	91:21 93:16	lay 90:18	110:20 114:20	longer 67:17
killing 84:17	94:13 95:17	laying 40:13	limited 28:3	73:6 102:20
kind 10:24 34:6	96:13,22	layout 4:10 29:7	31:23	look 29:20
45:18 50:15	97:24 98:16	29:8,9,21	limits 70:7	30:9 36:24
72:1 75:1	98:18 99:24	30:3,17,21	line 19:9 34:15	40:13 42:16,17
77:25 84:9	100:7,9 103:2	35:21 36:17	62:20 78:19	42:17 43:2
88:19 89:2	103:8 106:21	74:15 89:13	83:2 85:19,19	48:1 56:16,20
91:21 95:25	107:23 109:6	97:10 100:21	88:25 89:25	62:20 65:6
102:7 109:11	109:14 111:1,13	layouts 89:8	90:3,5 94:25	80:2 84:25
	111:25 112:4,4	leads 49:6 62:5	95:3 96:13	86:4 102:9

PUBLIC HEARING 7/21/2020

<p>looked 50:24 52:1 64:18,24 65:8 89:7</p> <p>looking 31:3 38:15 43:1 57:11 58:1,2,9 63:21 75:7 93:7 116:14</p> <p>looks 40:11 41:2 48:11 61:9 63:25 65:10 77:2 84:25 85:1 94:17,21 94:24 95:11</p> <p>lose 69:23</p> <p>lost 76:7</p> <p>lot 18:4 31:23 33:6 38:18 49:8 50:20 52:19 60:3 61:20 68:15 73:21 75:4,18 76:16 84:13,14 86:2,21,22 89:10 92:5 93:15,17 94:18</p> <p>lots 30:2 34:15 38:18 39:1,7 67:22 73:8 80:25 81:1 88:4,4,4</p> <p>loud 67:22 68:1 68:25</p> <p>LOUIS 5:19</p> <p>love 88:2</p> <p>low-density 26:22 67:1,4,8 91:14</p> <p>lower 40:7 90:16 94:23 96:5</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p>ma'am 22:8,11 23:14</p> <p>main 29:21,25 30:6 51:14</p>	<p>maintain 30:7 30:18 38:16 93:22</p> <p>maintained 38:25</p> <p>maintaining 30:15</p> <p>major 68:5 101:9</p> <p>majority 26:20</p> <p>map 4:6 9:3 55:24 58:10 84:25</p> <p>Mark 6:10</p> <p>marked 9:8 29:17 62:2,10</p> <p>market 107:18</p> <p>marks 29:13</p> <p>marred 72:19</p> <p>Mary 66:12,13 75:2</p> <p>mass 36:15 78:11 80:8</p> <p>Master 4:7 9:3</p> <p>matter 8:23 10:19</p> <p>matters 8:19,21 8:22</p> <p>maximum 37:22</p> <p>Mayberry 1:24 5:17 119:2,15</p> <p>McLAREN 5:6 6:21,22 7:14 7:21 12:4,10,15 12:22 13:2,10 14:4,16,20,25 15:7,13 16:14 24:12 25:16 35:6,13 36:3,8 36:19,23 37:4 37:11,15,24 38:5,10,22 39:5,9,12,16 39:24 40:2,6 40:10,19,22 40:25 41:10,13</p>	<p>42:1,7 43:6 44:5 56:15,25 57:7,19,25 58:6,14 60:5 60:8,12,19,24 61:4,8,19 62:13,16 63:2 63:7,13,17,20 63:24 64:4,8 64:12 83:18,21 84:21 85:5,18 86:8,11 93:3 94:12 95:4,9 95:16,24 101:14,18,22 102:17 104:7 104:20 110:16 110:23 115:14 115:24 117:11 117:18</p> <p>mean 25:6 30:15 35:16 41:20 42:3 47:4,23 53:7 54:7 55:18 74:7 89:1 95:17,19 97:5 101:12 102:19 107:4 111:2 112:9 114:1,5,8 114:19</p> <p>meanders 34:6 34:7</p> <p>means 80:5 89:5</p> <p>measurements 97:20</p> <p>meet 13:6 53:4 65:1,4</p> <p>meeting 6:4 7:9 8:14,17 9:6 11:1 11:2 12:9 16:5 92:20,22 101:17 102:15 102:19 103:6,9 103:15 104:8,9 104:10 105:6</p>	<p>105:20 106:2 107:6 108:12</p> <p>meetings 105:22</p> <p>meets 65:15 85:19</p> <p>MEMBER 49:19</p> <p>membership 108:5</p> <p>mention 30:22 79:3 81:6,20 81:22</p> <p>mentioned 31:18 32:15 49:6 51:22 52:8 70:18 84:23 88:10 101:2 105:22</p> <p>met 111:8</p> <p>Microsoft 14:10</p> <p>mid 86:21,21</p> <p>middle 19:1 33:17 96:6</p> <p>Midyett 21:19 21:20 22:6,9 22:12 23:11,15 23:20,24</p> <p>Mike 5:9 6:19 77:16,17 101:15</p> <p>mile 26:9 58:4 58:4</p> <p>minable 23:4</p> <p>mind 33:4,8 87:22 103:21 107:19</p> <p>mine 18:14,25 54:5</p> <p>mineral 25:3</p> <p>minimal 38:24</p> <p>minimize 39:19 39:20 87:7</p> <p>mining 18:3,18 19:3,17 20:23 21:9</p> <p>minor 11:12 13:19 14:3 36:13 109:13,14,15</p>	<p>minutes 2:6 7:9 7:13 8:5</p> <p>misconstruing 41:1</p> <p>missed 76:11</p> <p>missing 53:14</p> <p>Missouri 1:5 5:19 8:23 19:7 119:4,16</p> <p>mixed 32:23</p> <p>model 34:22</p> <p>MoDOT 52:3,8</p> <p>money 80:1 112:10</p> <p>monitoring 70:6</p> <p>month 3:10,14 13:12 102:22 103:1</p> <p>months 103:19</p> <p>morning 19:22 83:6</p> <p>motion 7:11,13 11:16,18 15:6,8 15:22 16:4,10 16:21 17:2,5 24:4,6,21 92:14 93:11 102:13,13 104:6,8,14,15 105:4 108:20 115:11,13,15 116:8 117:10,11</p> <p>motor 53:20,21</p> <p>motorcycles 81:23</p> <p>move 10:2 17:13 26:1 67:17 70:12 96:1,6 107:6 116:16 117:6</p> <p>moved 70:3,11 75:15</p> <p>movement 32:2</p> <p>moving 70:17</p> <p>multiple 46:19 51:2 53:20 76:5</p>
---	--	--	---	---

PUBLIC HEARING 7/21/2020

music 67:25 68:25	neighboring 45:11	75:1 90:1	26:1,2 36:8	70:23
<hr/>	neighbors 67:11	north/south	37:14,24 39:5	opened 9:14,15
<b>N</b>	81:6,8,20	29:24 39:23	39:24 40:19	operate 26:6
N 2:1,8 3:1 5:1	84:5,10	<b>Notary</b> 119:3,16	45:5 46:9,12	operated 27:1
6:1	neighbors'	note 72:12	46:16 56:12	operating 12:12
name 9:20 18:2	49:24	notes 99:24	57:7 59:10	operation 12:19
28:25 44:23	nest 71:8	119:8	61:18 63:7	12:21 16:8
55:23 66:12	never 106:5	notice 29:22	66:1,7 72:9	19:17 28:2
71:6 73:3	107:1 109:19	notification	75:11 83:23	45:16 106:10
74:25 81:14,15	new 2:15 9:13	22:7	85:5 90:10	<b>operationally</b>
name's 79:20	10:2 13:14,23	noxious 84:10	91:3 93:1,9	43:25
named 55:21	22:21 26:1	number 11:4	99:22 100:4	<b>operations</b> 19:3
narrow 75:6	27:18 29:8	14:18 33:17	104:2 108:15	19:21 68:10
narrower 42:11	27:18 29:8	48:8 49:1	109:2 113:22	86:6
nasty 80:3	35:9 44:9	53:12,25	114:13,23 115:5	operator 85:17
natural 34:12	59:12 64:18	68:12 70:24	115:10,12 116:8	<b>opinion</b> 47:7
36:17 78:23	65:8 82:13	86:20 89:12	117:9	97:20
naturally 90:17	112:6 115:2	89:13 114:2,25	<b>old</b> 13:15	<b>opinions</b> 84:15
nearby 67:19	nice 68:23 76:2	<hr/>	<b>Olive</b> 26:9	<b>opportunity</b> 8:7
nearly 71:25	76:21 77:2	<b>O</b>	48:19 59:5,12	8:25 49:9
necessarily	112:8	<b>O</b> 6:1	76:3,25 78:15	50:13 51:4
25:22 35:19	<b>Nichole</b> 5:12	o'clock 83:6	78:17 80:7	66:14 112:7
47:12 70:2,25	6:6 7:7 8:13	o8o 118:5	99:1	<b>opposed</b> 8:3
<b>necessary</b>	10:14,23 22:2	obnoxious 84:9	<b>on-site</b> 69:15	15:20 93:7
28:16	22:14 26:2	<b>Occasion</b> 13:19	<b>once</b> 9:12 14:12	105:2 116:6
<b>need</b> 16:20	28:21 91:24	13:21 14:9	14:18 25:7	<b>opposes</b> 47:11
17:23 19:13	92:15 96:8	<b>Oetter</b> 77:16,17	30:17 38:5,14	<b>opposite</b> 37:9
27:15,19 44:19	99:20 103:4	<b>off-site</b> 32:1	52:16 53:22	71:25
45:9,16 46:15	105:14 111:16	<b>offer</b> 67:16	54:13 81:16	<b>OPPOSITION</b>
52:24 54:14	<b>niece</b> 74:7	<b>office</b> 109:14	85:6	4:12
65:5 69:22	<b>night</b> 10:3 49:2	<b>offices</b> 10:11	<b>one-acre</b> 33:6	<b>option</b> 52:4
71:11 81:1 83:8	52:4,15 71:7	<b>official</b> 4:6,7 9:3	<b>one-foot</b> 36:11	70:9
93:5,6 96:19	85:25 86:2	9:3 108:22	36:13,17	<b>options</b> 71:23
97:19,20,24	<b>nine</b> 81:24	109:1	<b>one-way</b> 41:7	<b>order</b> 2:3 6:4
101:19 106:11	<b>Ninety</b> 69:8	<b>oh</b> 12:3 14:7	<b>one-ways</b> 41:6	69:10 87:17
108:20 110:4	<b>noise</b> 67:13	25:6 47:16	<b>ones</b> 89:1	109:10
111:1,9,10,16	69:24 75:13	48:9 53:25	<b>ongoing</b> 16:8	<b>original</b> 32:16
112:22	83:3	63:8 114:19	112:11	38:11 107:2
<b>needed</b> 76:13	<b>noises</b> 70:2	<b>okay</b> 8:5,12	<b>Onondaga</b>	108:8 114:11
112:4	<b>noisy</b> 68:25	10:21 14:4,16	68:23	115:1
<b>needs</b> 45:18	<b>Nope</b> 113:15	15:9,10,23	<b>opaque</b> 91:12	<b>originally</b> 32:17
112:17 114:10	<b>normal</b> 10:11	16:22,23 17:14	<b>open</b> 16:24	51:22 108:4
<b>neighbor</b> 73:16	69:25	17:15 19:15	36:14 76:19	110:1
82:21 84:6	<b>north</b> 5:18 18:24	20:2,5,10,14	91:9 102:14,20	<b>outdoor</b> 68:25
<b>neighborhood</b>	18:25 26:9,19	20:15 21:1	103:9 104:9	<b>outdoors</b> 91:14
82:20	31:2 33:13,14	22:12 23:9,15	106:25 108:5	91:16
	62:21 63:22	24:21 25:11,24	<b>open-ended</b>	<b>outer</b> 47:14

PUBLIC HEARING 7/21/2020

<p>outlying 70:2  outside 41:3,6  95:17 111:4,22  Overall 71:20  overflow 34:12  overhead 56:17  56:20  overview 31:19  owls 71:8  owner 51:25  owners 45:12</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p>P 2:8 5:1,1 6:1  p.m 1:13 28:6  105:10 118:4  packet 32:17  packets 29:6  pad 37:21 87:10  pads 87:1  PAGE 2:2 3:3  4:2  paid 81:13 82:18  papers 49:20  paragraph 72:8  parallel 60:23  parcel 23:2,6,8  26:10 46:1,8  61:9 86:4  parcels 23:3  85:22  pardon 59:3  park 26:7,25  27:7,11 28:14  35:3,5 48:10  53:3,11 54:17  54:17 55:1  56:7,7 58:22  59:24 60:22  68:10 72:20  77:23 79:1  82:14 98:13  99:1,6,8  100:19  park's 69:20  parked 28:11  89:4 90:4</p>	<p>parkers 56:5  parking 30:4,23  49:8 50:20  55:6  parks 26:15  68:12,13,17  69:18  part 9:19 31:5,16  34:11 37:7  60:16 109:10  116:25 117:4  particular 114:3  parties 20:21  party 68:18,21  69:1  partying 67:21  69:25  pass 29:7,10  passed 19:6  29:19 62:2  path 43:17 90:6  patio 73:15  Patsy 1:24 5:17  119:2,15  Paul 3:15 109:4  pavement  32:19  pay 22:5  peace 70:3  72:17  pending 24:4  people 18:4,5  19:12,16,18  44:1 50:18  51:2 52:5  54:2 68:14,16  74:9,9 75:13  75:23 76:6  78:23 79:5,9  80:24 88:10  93:19 94:18  101:12 103:14  112:18 115:1  percent 33:7  37:17 62:17  77:6 80:24  101:23</p>	<p>perennial 96:14  perineal 96:12  period 19:8  periodically  114:22  permit 12:21  13:5,22 16:11  17:6 22:3,18  25:18 26:16  32:9 35:18  39:3 42:5  45:11 92:8  98:7 107:2  108:8 109:5  112:25 113:5  113:21 114:11,21  permits 10:8  13:19 14:1  28:16 45:8  permitted 27:12  28:9,10,13  98:10  permitting 42:4  person 68:13  78:11  personal 70:10  72:2,3 88:21  perspective  116:18  ph 77:16,17  photo 30:9  physical 67:13  physically  42:25  pick 77:22  pickup 48:23  picnic 38:3  piece 46:2  pieces 85:20  pinpoint 35:12  pipe 33:16,20  33:21 34:4,5,6  62:25 63:3  pit 18:21 38:3  pits 18:22  place 9:1 26:12  27:12 34:18</p>	<p>45:16 66:22  68:24 69:4  72:15 80:4  101:6 119:6  placed 106:14  111:9  places 69:1  plan 4:7 9:4  31:3 39:4  45:13 49:6  56:3,7 62:20  73:21 88:3  94:3 96:11  98:25 100:2  Planing 6:5  planned 45:9  97:23  planner 5:12  101:9  planning 1:1  2:10 3:12,18  5:2,11 8:17,20  10:1,6,7 11:19  14:2 27:20  28:18 31:19  45:7 50:21  105:13 106:7  109:12 116:9  plans 46:18  51:23 97:18  109:9 110:10  112:8  planted 90:24  plants 90:24  Plats 3:11 105:12  play 95:15  pleasant 72:18  please 8:14,15  66:8 72:6,24  77:13 83:24  plenty 85:16  86:5  plot 75:8  plus 70:20  point 13:14 25:2  25:15 47:14  85:24 86:21</p>	<p>86:22 90:16  94:8 96:24  104:1 106:20  111:2 113:12  117:5  pointer 62:12  62:23  points 47:13  pollution 85:25  86:1 94:6  pond 95:6,25  porch 68:4  portion 26:13  pose 92:4  position 116:15  116:19,21,25  117:4  possibility 94:15  107:21  possible 10:1  68:5 76:13  81:18 96:2  97:4 103:3  possibly 30:20  78:19 88:21  post 69:15  postcards  103:20  postpone  103:19  potential 50:25  60:13 79:10  95:11 97:11  100:18  potentially  68:14 94:3,5  101:24 107:13  107:16 116:14  prairie 77:1  precede 20:9  preexisting 12:5  prefer 115:11  preference  103:24  Preliminary 3:11  105:11  prepared 103:6</p>
---	---	--	---	--

PUBLIC HEARING 7/21/2020

103:10 present 5:15 6:9,12 8:14 10:16 15:25 16:25 28:22 28:23 67:20 71:24 104:1 presentation 2:11,18,19 3:5 3:6 38:11 70:19 presented 12:8 22:23 35:8 presenting 89:14 109:24 pretty 40:11 72:6 75:3,6 77:19 97:17 99:21 110:17 prevent 69:11 previous 13:8 22:24 29:22 previously 119:6 primarily 30:11 106:9 109:6 primary 29:22 print 9:20 prior 27:21 28:18 106:2 privacy 67:13 private 108:4 probably 12:16 19:23 23:6 38:6 76:14 81:15 85:2 87:12 92:18 99:5 103:11 108:11 109:17 problem 54:7,8 78:22 99:19 103:13 112:14 114:3,16 problems 94:18 procedural 103:5 procedures 2:5 8:14	proceed 10:6 20:8 proceeding 119:4 proceedings 2:2 3:3 118:3 119:7,11 process 45:7 53:7 116:23 Professional 119:2 prohibitively 94:17 project 33:13 proper 65:20 65:21 properties 26:8 26:17,18,22 67:1,4 91:18 property 18:13 18:20,23,24 18:25 19:1,18 20:8 21:5 22:21 23:4 26:14,22 31:25 45:11 50:5 59:19 63:22,25 66:19 68:6 70:11,14 71:3 72:3,4 75:1,20 79:22,23 80:4 81:10,18 82:19 85:7,9,15,20 86:13 88:22 94:4,25 95:20 96:6 100:21 111:23 proposed 11:7 26:11,18,21,25 27:3,10,23 30:13,24 66:15 67:2 71:2 78:2 95:6 97:21 110:12 proposing 27:6 30:25 31:4	protect 45:11 provide 50:25 51:1 93:10 98:21 99:22 102:7,22 provided 9:21 11:8 28:13 provides 30:3 public 1:11 2:12 2:21 3:7 8:21 8:23,24 9:6 9:20 10:19 92:19,25 93:4 102:14 104:10 107:25 108:6 119:3,16 pull 41:8 55:8,11 55:15,19,24 60:17 74:2,2,5 74:6,11,12 76:14 81:25 98:17 pull-through 88:12 pull-throughs 89:7,8,10 pulling 42:17 55:7 98:17 pumped 31:15 purchase 68:7 purple 58:12 85:19 purpose 31:4 purposes 47:21 push 30:19 33:2 put 18:13 35:25 45:10 77:4 79:25 82:10,11 82:11 90:22 90:23 91:1 94:5 96:2 98:12 107:16 112:9 putting 48:17 91:7	quarter 32:18 58:4 question 12:14 12:17 20:16 21:22 23:16 24:24 33:11 35:7,22 41:22 43:5,10 44:8,9 44:16,25 51:11 53:15 65:14 69:14 73:10 83:22 84:20 86:9,12,19 89:19 90:12 92:3 108:3 questioned 41:21 questions 9:17 10:4 11:10,14 14:23 15:3 32:11 45:14 48:5 52:12,14 64:15 65:24 73:20 83:16 84:1 86:17 90:20 91:24 92:5 93:20 102:18 107:3,7 queue 48:20 51:8,12 52:18 53:15 queuing 49:7 50:25 54:5 54:23,24 quiet 28:2,5 69:19 70:3 72:17 quieter 69:4 quite 19:21 30:10 32:5 53:22 56:10 105:6 110:13 quorum 7:5	rabbit 81:9 raccoons 71:5 radios 69:1 radiuses 99:7,8 rain 33:22 raised 18:6 ran 33:22 42:18 51:24 52:9 range 13:13 ravine 62:25 ravines 30:11,12 34:9 re-purpose 31:1 43:7 read 9:16 ready 23:23 54:14 real 76:9 99:19 realize 46:25 114:15 really 14:22 22:2 45:25 56:18 58:3 61:20 68:23 75:17 76:2 89:1 107:22 111:21 116:13 reapplication 21:24 reapply 13:22 21:23 22:4,5 23:12 25:9 109:16 rear 109:21 reason 30:6 32:4 37:9 85:24 91:20 103:18 111:25 reasonable 22:23 25:8 70:8 79:12 reasons 29:8 29:25 rebut 83:25 REBUTTAL 3:8 receive 27:21 28:18
			<b>R</b>	
		<b>Q</b>	R 1:24 2:8 5:1,17 6:1	

PUBLIC HEARING 7/21/2020

received 7:9 105:17	94:10	26:22 67:1,4 91:14	64:1,2,11 65:11 65:11,13,22	80:18 82:5 89:20,23
receptacles 28:12	releasing 31:22	residents 66:19	66:20 68:4	90:8,16 93:23
reconsiderati... 22:17	remediation 21:6	resigned 113:8	77:4 78:3	94:10 96:4
reconsidered 22:19	remember 52:2 106:24 110:1,2 110:17,19,22	respect 84:5	79:21 81:3,12	98:18 99:2,18
record 9:2,9 10:19	remembers 106:25	respond 22:2 65:14	85:23 87:13,13	100:18
rectangles 88:25	rep 20:4	responsible	88:13,23	roads 19:22,23
red 66:20	repair 109:7	20:21,21 70:5 81:19	89:13 95:9,10	33:1 39:22
73:25 81:25	repairs 109:5	restaurant	101:19 108:19	40:3 55:20
redo 103:20	repeat 50:17	26:24 33:6	111:11 113:10	55:22
reduce 42:12	replace 116:14	67:25 80:14	117:1	roadway 41:2
67:10,14	report 3:18 9:15 116:10	restricted 81:11 86:6	right-hand 57:5	54:12
70:24	Reported 1:23	resubmit 22:5	right-of-way	roadways
reducing 31:25	Reporter 3:20	result 11:1	27:5 89:25	20:20 28:11
reduction 68:6	119:1,3,15	retail 98:9 107:1	90:3,5	roam 70:24
refer 96:12	representing 29:2	retained 4:15	rights 18:22	Robert 3:13
referring 12:7	represents 72:14 119:10	retract 12:17	25:3	44:24
refineries 18:12	reputation 68:18	retreat 26:24	rises 38:4	rock 33:2 69:2
refractory 18:22	request 13:22 16:9 32:10	review 11:9 15:25 108:7 112:7	River 2:16 15:25	69:3
regardless 96:21	requested 11:12 46:11	reviewed 27:24 47:17	17:17 18:8	Rohlfing 28:24
registration 50:22	requesting 25:23	revised 4:10 29:8	24:22	28:25 29:5,15
regularly 104:9	require 8:22 21:5 26:16	revisions 29:9	road 21:20	32:22 34:2
regulation 19:8	47:2,3 91:8,10	Rich 28:25	23:17,17 26:8	35:4,11,15
regulations 4:5	required 28:17 65:15 91:12	51:22	26:9 27:4,4,4	36:6,12,21
8:18 9:2 11:20	requirement 91:22 94:5	RICK 28:24	31:7 33:14,16	37:2,6,14,20
13:5,6,9,15,16	requirements 13:7,24 96:23	29:5	33:18,22 41:19	37:25 38:8,12
20:6,8 21:3	residences 72:1 72:2	ride 71:21	42:8 47:2,3,14	39:2,6,11,14,18
91:5,6	residencies 69:11	right 13:4 14:21	48:20,24	39:25 40:5,9
Reinhold 5:4	residential	24:7 25:10,17	49:2 51:5,10	40:12,20,24
6:23,24 7:19		25:20 30:15	51:14,18,19,23	41:5,11,25
11:23 15:11		31:3 33:18	51:24 52:5,6	42:3,9 43:10
24:10,23 25:1		35:23 36:19	52:18,21 53:10	44:14 47:10
25:10,14 89:18		38:12 39:2,17	54:3,17,20,25	52:20,24
90:10,13,21		40:9 41:10	57:1,4,11 59:6	53:17 54:6,10
91:3 104:18		43:13 49:5	59:12,16,17,21	55:5,12,17
115:22 117:16		50:20 53:17	60:1,11,14,15	56:12 58:21
related 67:14		54:6 58:23	60:22 61:1,17	59:3,9 61:13
relationships 8:8		59:14,18 60:1	62:5,21 63:21	62:4,15,19
relatively 87:16		60:2 61:11,11	64:1,21 65:10	63:4,8,15,19
		62:25 63:9	65:12 66:19	63:23 64:2,6
			71:16,17,19,22	64:10,20,23
			73:4,11,12 74:5	65:13 66:2
			74:6,9,10,13	87:4,13 88:13
			74:25 75:6	88:23 89:24
			76:4,9,10,10	90:14 92:1
			76:17 77:4,18	102:25 103:25
			77:25 79:4,6	104:3

PUBLIC HEARING 7/21/2020

roll 2:3 6:6 33:2	sales 98:9 107:1	62:20 63:9,10	shopping 33:5	43:16 58:1,3
rolling 48:19	sanitary 31:12	71:5 72:19	51:4	67:2 68:14
room 9:23 41:15	41:23	74:13 77:5	short 80:20	87:5,24 102:3
43:3 86:5	<b>Saturdays</b>	78:6,14 86:1	84:16	sites 41:2,3,19
95:1	75:20	88:7 89:4	shoulder 42:14	88:12
roughly 115:3	save 36:16	94:3,3,7	show 14:5 30:15	sits 49:5 50:19
round 69:14	38:20,20	98:24,25	50:1 52:16	sitting 12:16
71:17	39:20 87:7	99:13 106:13	58:18 62:14	48:23 51:9
rules 20:25	saves 36:2	106:16 111:25	78:20 80:9	73:15 78:24
21:24 25:7	saw 39:15 70:21	<b>seeing</b> 70:14	110:11	80:18,19,21
run 43:24 81:22	saying 38:23	seel 106:17	showed 89:3	situation 67:23
running 79:4	39:10,13 50:4	sees 88:11	showing 31:6,14	88:16 97:19
99:14	50:18 55:7	sell 106:12,19	shown 34:1	six 23:19 37:25
runs 59:21	56:4 77:20	106:22 107:23	48:12 49:6	48:9 68:13
60:22	79:5 80:5	<b>selling</b> 107:25	shut 75:25 82:6	87:9
rush 54:12,25	81:25 95:10	<b>semi-truck</b>	82:6	size 31:25 38:18
RV 26:6,15,25	98:4 106:14	42:18	shuttle 43:24	38:18 69:5
27:7,7,11 28:4	says 14:2 61:15	<b>send</b> 103:11	side 31:3,14,21	99:10 101:7
30:4 35:3,5	113:7	105:22	32:5 33:4,14	110:8,9 111:17
37:18 41:18	<b>schedule</b>	<b>sense</b> 67:15	40:14,15 43:13	skill 43:4
46:22 48:10	102:25	70:12 89:9	57:5,24 62:21	skipped 101:19
51:14 58:22	<b>scheduled</b>	<b>sensible</b> 53:10	65:21 87:1,24	slope 37:17 81:2
67:9 68:10,19	104:9	<b>separate</b> 25:22	90:3 96:5	87:19,19
69:8 72:20	school 23:23	45:22 46:14	109:22	slopes 90:17
74:5,6,12	Scottie 116:12	46:14 49:5	sides 42:14 71:4	slow 76:9
77:23 82:13	screen 91:20	<b>serve</b> 35:5	sight 47:21	smack 19:1
98:12,13 99:1	screening 91:11	<b>service</b> 94:16	64:19,24 65:1	small 18:21 33:9
99:6,8,17	season 81:9	<b>Services</b> 1:25	65:8 78:16	38:4 71:18
100:19	seasonal 69:14	5:16	97:18	75:8 76:17
RV's 51:20	seasons 81:9	<b>set</b> 13:14 28:2	sign 17:24 61:15	88:21
RVs 27:11 28:8	second 1:3 7:14	33:4,8 85:14	66:9	smaller 34:5
30:1 48:18,20	11:22,24 15:10	92:7 119:12	sign-in 9:21	38:13,19 69:2
49:9 51:1,9	16:13 17:8,16	<b>setback</b> 89:20	signage 61:12	73:9
53:20 56:5	29:13 57:9	89:22 90:8	76:19	smelly 75:14
68:11 80:6	104:12,14	<b>seven</b> 36:25	signed 18:12	snowbirds
81:2 98:17	115:19,20	37:9 48:9	similar 51:25	69:13
99:3,11,14	117:13	70:21 97:6	<b>simple</b> 35:7	soils 87:19
	<b>section</b> 14:1	<b>seven-foot</b>	sir 35:5 39:15	solve 94:18
	22:17 40:7	37:16	56:24 60:7	somebody
	62:14,17	<b>sewage</b> 31:16	61:3,6,16,23	12:12 17:21
<b>S</b> 2:8 4:1 5:1 6:1	<b>see</b> 11:1,4,7 14:14	<b>sewer</b> 31:11,12	63:23 64:7	19:4 41:18
safe 52:25	20:23 30:10	31:12	65:14,19 71:13	78:25 79:10
71:21 79:12	33:17 34:22	<b>sheds</b> 47:16	85:23	81:4 85:13
82:3	35:21 37:5,16	<b>sheet</b> 9:21	sit 91:25	111:11
<b>safely</b> 56:6	38:23 39:6	<b>shooting</b> 13:12	site 26:18,21	somewhat 40:5
<b>safety</b> 33:3	47:24 49:19	37:22	27:3 30:8,19	86:5
41:15 70:11	54:13 60:17	<b>shop</b> 49:9	31:9 36:5 37:5	son 83:1
71:21,24				

PUBLIC HEARING 7/21/2020

son-in-law 41:21 42:24	spell 78:4	station 31:1,8,13 48:9,12 51:13 99:1	stricter 13:7	Susan 73:2,3
soon 20:24 53:24	spending 112:10	48:9,12 51:13 99:1	stringent 91:6	swear 119:5
sooner 78:7	spent 87:6	stay 43:18 51:4 68:21 69:8 96:15	structure 47:19 113:3	swell 94:22
sorry 19:17 44:8 61:13 98:2	spoke 13:12 21:20 57:8 88:10 93:19	stayed 20:21 68:17	struggling 58:3	swipe 48:21
sort 99:4 105:24	spot 51:2 54:18 54:19 59:21 61:11 76:16 77:23 78:9,10 78:10 79:12 81:5	staying 43:20 44:1	stuff 12:5,11 45:18 101:6	sworn 9:21 17:24 18:1 21:18 29:4 44:20,22 66:9,11 73:1 74:23 77:15 79:18
sound 73:13,13	spots 49:7 51:2	stays 34:24	style 99:11	system 31:16 41:23
sounds 92:18	spread 34:23 69:4 95:25	steam 96:14	subdivided 80:1	
south 26:17 31:13,14,20,21 63:16	spreads 36:1	steel 112:8	subdivisions 46:25 101:9	
space 28:4 30:3 53:25 56:2,5 57:24 95:12,12 96:11	square 33:15 110:11 115:1	steep 30:2 39:8 39:10,15 86:25	submittal 29:6	
spaces 27:7,10 28:4,8 30:4 30:23 46:20 46:22 48:16 52:14	ST 5:19	step 72:15	submitted 7:13 9:9 11:20	
spacing 89:2 94:22	stabilize 87:20	STEPHEN 17:14	submitters 83:19	
speak 9:19,22 21:15 24:1 47:10 66:4,4,8 72:23 74:20 77:12 79:15 83:13	stacked 78:8	Steve 18:2	substantial 33:23 45:3	
SPEAKER 17:9	stacking 79:3	stipulations 12:24	substantially 22:21 91:13,16 110:13 111:25	
speaking 17:17 17:19 28:23 50:7 51:24	Stacy 21:19,19	stole 47:9	suggest 107:20 114:25	
special 11:4 13:18,21 14:8 72:18 111:13	staff 5:11 9:15,17 27:14 115:15,17	stop 76:5	suggestion 93:25 94:7 100:20	
specific 107:10 110:2	stage 52:17,21 78:5 93:16	stopped 76:9 80:11	summary 99:21	
specifically 113:2	staging 49:3 60:15 61:1 78:18 82:1 93:23 99:3	store 27:9 44:11 45:2,15,17,22 49:10 50:22 51:7 60:14 74:1 78:2 93:22 98:5	super 87:2	
specifics 97:20 97:24 100:8	Stan 6:25	storm 33:22	supervision 119:9	
specified 92:19 100:9	standard 69:19 91:22	stormwater 27:23 31:18 31:20 33:13 36:10	sure 20:20,24 29:15 40:24 42:13 48:13,16 50:3 65:2 82:14,22 83:1 84:3 86:14 87:25 97:12 98:11	
speeding 79:6	stands 71:20	straddles 18:23	surface 32:18 33:1,3 39:7,20	
	STANLEY 5:5	stream 32:2 95:8 96:13,16 96:18,20	surfaced 32:20	
	start 19:21 49:16 80:6 91:7	streams 96:12 96:22	surfacing 99:4	
	started 70:21 101:23	street 1:4 5:18 61:15 65:3 76:3	surrounding 26:20 67:2 68:20	
	state 20:4,8 21:5 24:7 28:17 68:12,17 69:17 119:3,16		surrounds 71:3	
	stated 23:1		survey 47:24	
	states 27:11 69:20			
				T
				T 4:1
				table 16:6,15,18 38:3 92:15
				tabled 15:24
				take 11:16 16:15 16:18 19:4 20:1 26:12 49:10 53:22,25 60:10 86:20 87:21 88:15 89:10 92:14 93:25 96:18 102:13 107:9 112:22 116:20 117:10
				taken 9:13 47:13 119:5,7
				takes 85:9
				talk 18:7,8 88:7 93:15
				talked 101:17
				talking 34:4 49:20,21 56:22 58:15 62:18 66:21 68:14 69:5 96:22 110:8
				talks 43:18,19
				tearing 19:23
				technical 105:24 116:20
				telescope 85:9

PUBLIC HEARING 7/21/2020

85:23,24	<b>things</b> 41:14	<b>tiered</b> 87:8	<b>totally</b> 35:20	48:23 49:1
<b>tell</b> 13:17 19:17	45:17 49:11	<b>tiering</b> 90:18	39:6 54:21	80:9,10,12,15
38:17 47:12	90:24 93:14	<b>tight</b> 88:17	<b>touch</b> 34:10	80:22 81:22
54:18 55:8	96:11 103:20	<b>Tim</b> 6:23	<b>tough</b> 40:11	89:3
65:14 79:1	103:23	<b>time</b> 8:6 9:1	<b>town</b> 67:21	<b>true</b> 119:10
<b>ten</b> 34:13 35:24	<b>think</b> 16:17,18	10:9,15,17 12:11	80:13	<b>try</b> 24:7 25:4
35:25 36:1,4,7	25:7 33:4	13:14 16:1 17:2	<b>track</b> 33:5	30:18 49:14
36:24 37:8	35:24 37:8,12	18:5 19:4 21:21	55:25	61:20 81:2,11
48:22 70:22	37:12,18 44:12	22:18 28:5	<b>tracking</b> 14:9,10	84:8,16,17
90:16 97:6	48:17 53:1,2,9	29:20 32:12	<b>tractor-trailer</b>	89:11 93:8
<b>ten-acre</b> 33:9	53:11,19 54:23	43:16 52:17	80:19	102:7
<b>ten-foot</b> 69:21	56:2 65:19	54:1 56:6	<b>traffic</b> 47:15	<b>trying</b> 18:8
86:22	73:23 74:15	66:9 68:15	58:19 71:16	36:16 38:16
<b>tend</b> 95:17	76:16 78:4	69:10 71:12	75:4 86:2	39:19 42:11
<b>tendency</b> 78:24	85:1,23 88:5	72:15 74:11	98:16	75:9 77:2,7
<b>tent</b> 27:10 28:9	88:24 93:2,4	78:6,20 87:6	<b>trailer</b> 33:2	78:25 80:6
<b>term</b> 96:14	93:6,12,17,18	92:4,7,13	43:23 87:10	82:20 87:6
<b>testify</b> 8:25	94:9,22 95:17	102:22 111:3	<b>trailers</b> 42:18	88:20 94:16
<b>thank</b> 7:6 8:12	97:8,16,19	113:8 119:6	48:23 53:21	106:3
10:13 12:23	98:15 100:5	<b>time's</b> 72:5	59:19 99:14	<b>tucked</b> 86:3
14:21,23 21:11	101:2,24	<b>timeline</b> 21:23	<b>transcribed</b>	<b>tune</b> 102:9
21:12 22:12	102:19,24	<b>times</b> 28:2	119:8	<b>turn</b> 9:22 48:19
23:9,20,24	103:8 105:23	68:14 69:21	<b>transcript</b> 119:11	50:1 53:23
25:24 28:20	105:25 106:9	71:7 72:18	<b>trash</b> 28:12,13	<b>turtles</b> 71:5
44:5 47:17	106:11,19	76:5 102:4	<b>travel</b> 60:3 70:2	<b>TVs</b> 68:25
58:7 59:9	107:11,15,20	<b>TIMOTHY</b> 5:4	71:19,20 90:6	<b>twice</b> 88:15
64:12 66:1,2	108:20,21	<b>today's</b> 8:9	<b>traverse</b> 49:1	<b>two</b> 18:20,22
66:14 71:13	110:21 111:7,10	<b>told</b> 18:4 52:3	71:2	40:23 41:13,17
72:10,21,22	112:13 113:1	68:20 81:16	<b>treatment</b> 85:12	46:18 54:4
74:17,18,24	114:6,12,20	87:5 106:1,3	111:13	59:22 69:10
77:10,11,16	<b>thinking</b> 46:13	<b>tonight</b> 32:6,9	<b>treeline</b> 63:5,6	71:25 79:23
79:13,14 83:11	84:22 93:14	35:17 44:4	63:9,11	83:6 85:20
83:12 89:16	107:15	54:22 56:3	<b>trees</b> 30:7,8,10	87:15 101:19
91:23 92:1	<b>thinks</b> 77:24	65:17 88:3,5	30:18 36:2,16	103:19 105:22
102:11 105:8	<b>thought</b> 43:13	89:14 106:2	37:1,3,5,7	<b>two-foot</b> 38:2
<b>Thanks</b> 14:25	74:2 86:12	<b>Tonight's</b> 8:16	38:16 71:8	<b>two-thirds</b> 115:3
<b>thee</b> 87:20	<b>thoughts</b> 55:2	<b>top</b> 34:23 47:20	73:11 75:16	<b>two-way</b> 41:7
<b>themselves</b> 82:7	107:8	55:13,15,18	77:6 87:7	<b>type</b> 91:11,11,11
<b>thing</b> 11:6 18:16	<b>three</b> 39:1	57:4 65:2	90:24	91:15,19,19
34:12 40:1	59:22 72:2	76:25 96:16	<b>triangle</b> 65:16	100:11 109:7
42:19 46:17	87:15 96:4	<b>topo</b> 36:10,14	<b>tried</b> 84:6	<b>typically</b> 88:11
77:21 87:6	114:25 115:9	36:24	<b>triple</b> 110:8	
89:4 90:18	115:16	<b>tore</b> 21:4	<b>trouble</b> 58:16	<b>U</b>
93:19 94:23	<b>threshold</b>	<b>Tori</b> 117:1	114:17	<b>U</b> 2:8 82:16
98:1 100:12	35:25	<b>Tori's</b> 116:15	<b>truck</b> 43:23	<b>Uh-huh</b> 48:6
101:25 109:4,7	<b>thunder</b> 47:9	<b>total</b> 14:23	80:16,20 89:5	71:14 94:1
109:11 112:19	<b>ticket</b> 53:4	26:10 27:6	<b>trucks</b> 43:2	100:10,16

PUBLIC HEARING 7/21/2020

unattended 69:23	10:8 14:1 16:10 17:6 22:3,18	34:10 38:21 39:21	want 10:24 13:11 17:1 18:10 22:4	34:7 42:19 48:13 53:12
underneath 33:15	26:16 35:18,18 35:21 39:3	vehicles 28:10 49:2 59:23	22:15 23:22 24:8 29:10	53:24 55:11 64:25 67:12
understand 35:20 38:23 46:6 54:21 56:16 60:20 60:25 61:22 82:9 84:24 86:15 88:15 95:5,5	45:8,11 51:6,18 51:19 75:3,24 82:1 89:15 91:16 92:8 96:14 98:7 108:8 109:5 111:20 112:25 113:5,20 114:21	101:7 109:6 verbiage 107:16 version 14:14 versus 29:23 30:2 39:22	34:11,11 35:11 35:21,25 36:15,16 42:8 43:21 47:18 48:3 49:15 50:15 52:17 66:14 68:7 73:17,22	80:12,13,24 81:18 82:2,3 84:8 85:13 88:24 95:8,17 96:7 107:12,16 107:18 108:19 108:19 111:6
understandab... 106:13	uses 91:13 97:21 97:22 98:15	VICE-CHAIR... 5:3	75:23 77:22 79:11 81:25	we'll 16:21,24 16:25 17:2,12 20:24 26:1
understanding 13:20 77:21 106:15,18 107:14	101:2 usual 99:14 usually 33:5 75:20 80:16 80:18	view 46:7 62:5 65:21 73:7 viewed 66:24 violation 108:7 violations 111:22	82:13,15,19,20 82:22,25 83:1 83:2,25 84:9 89:11 92:14,18 94:7 97:9 98:21 101:5 105:14 106:12 107:8 108:7	33:1,3 34:20 34:22 42:16 46:15 53:4,5 54:17,18 79:2 87:20 102:7 102:19 104:1 112:6 115:8
undesirable 70:25	utilize 31:2 utilized 28:8 71:17	visibility 47:21 47:21 78:16 97:18 visible 73:10 vision 65:16 visit 40:20 Visitor 10:15	99:21 101:5 105:14 106:12 107:8 108:7 110:5 111:1 113:3,23 114:1 114:17 116:24	we're 10:22 29:1 30:17 31:6,14 32:6,9 34:10 35:17 36:16 37:7,22 39:19 42:4,20 43:14 44:3 47:11 50:4,21 55:1,8 56:22 58:1,1 62:18 65:1,4,19 68:14 69:5 73:9,14 75:8,11 81:9 87:22 89:14 92:24 93:4,7 96:20 96:22 97:5 102:19 104:1 113:19 117:1,5 118:2
undeveloped 26:21 67:3		void 37:1,3 Voss 5:5 6:25 7:1,20 15:12 24:11 104:19 115:23 117:17	107:8 108:7 110:5 111:1 113:3,23 114:1 114:17 116:24	
unfamiliar 101:12	<b>V</b>	voice 84:15 voices 66:15 void 37:1,3 Voss 5:5 6:25 7:1,20 15:12 24:11 104:19 115:23 117:17	wanted 11:6 13:13 15:25 19:16 20:18,20 23:12 91:6 98:11 100:7 106:1,25	34:7 42:19 48:13 53:12 53:24 55:11 64:25 67:12 80:12,13,24 81:18 82:2,3 84:8 85:13 88:24 95:8,17 96:7 107:12,16 107:18 108:19 108:19 111:6 we'll 16:21,24 16:25 17:2,12 20:24 26:1 33:1,3 34:20 34:22 42:16 46:15 53:4,5 54:17,18 79:2 87:20 102:7 102:19 104:1 112:6 115:8 we're 10:22 29:1 30:17 31:6,14 32:6,9 34:10 35:17 36:16 37:7,22 39:19 42:4,20 43:14 44:3 47:11 50:4,21 55:1,8 56:22 58:1,1 62:18 65:1,4,19 68:14 69:5 73:9,14 75:8,11 81:9 87:22 89:14 92:24 93:4,7 96:20 96:22 97:5 102:19 104:1 113:19 117:1,5 118:2 we've 32:4 44:3 54:11 58:10,11 70:16 75:8,9 82:24,24 84:6 85:10,10,11 87:23 88:5
Unfinished 2:9 9:11,12 10:3,22	valleys 73:14 value 68:6 varieties 71:1 variety 71:6 various 89:8 vary 30:20 vast 31:24 Vatterott 3:4 26:4 44:14,17 44:23,24 45:21,25 46:4 46:9,12 59:5 59:13,17 60:7 60:10,16,21 61:2,6,16,22 65:18 66:16 84:3 85:3,8,21 86:10,14 87:5 98:3 102:7,10	vote 2:14,22 3:17 10:3 24:8 107:9 112:16	wanting 74:20 100:2 107:20 110:19	
unhook 43:23	45:21,25 46:4 46:9,12 59:5 59:13,17 60:7 60:10,16,21 61:2,6,16,22 65:18 66:16 84:3 85:3,8,21 86:10,14 87:5 98:3 102:7,10	W 26:19 wagons 76:21 wait 106:4 107:9 waiting 48:24 51:3 117:5 waive 53:2 walk 14:5 71:21	wants 84:5 111:6 114:2	
UNICEM 2:17	Vatterott's 80:4 Vatterotts 32:7 82:7,14 89:11		Washington/... 31:21	
UNIDENTIFIED 4:11 17:9	vegetation		wastewater 85:12	
Unified 4:4 8:18			watch 37:18	
UNION 1:5			water 31:11 33:22 47:16 95:21	
unique 99:10			watershed 75:16	
units 36:2 38:13 38:18 42:2 47:2 50:23 85:14,15 87:3			way 14:9 25:5	
unlawful 70:6				
unreasonable 73:24				
unspoiled 72:16				
untouched 30:16				
unusual 99:10				
unwanted 70:15				
USA 2:17				
use 4:4 8:18				

PUBLIC HEARING 7/21/2020

90:2 92:5 97:5,18 109:19 111:8,11 wedding 83:5,5 weekend 68:21 68:24 73:19 weeks 23:19 69:10 weird 19:21 went 18:15,16 79:25 101:10 Wesley 29:7,11 west 26:19 30:11,13,14,19 32:2,5 wheelbase 99:11 WHEREOF 119:12 whooping 73:18 wide 41:4,19 42:8 71:6 widen 95:12 wider 99:13 width 27:5 100:9 wife 41:20 75:10 wildlife 70:17 Willette 5:7 7:3 7:4,22 15:14 16:12 17:7 24:13 97:13,16 98:14 100:25 101:1 104:21 111:15 113:9 115:25 117:19 wind's 68:4 wish 112:1 wishes 26:6 wishing 10:16 21:15 24:1 66:4,7 72:23 WITNESS 17:25 21:17 44:21 66:10 72:25 74:22 77:14 79:17 119:12	<b>WITNESSES</b> 29:3 wold 34:25 woman 13:12 wonder 68:6 Wonderful 64:9 wondering 19:3 46:17 woods 71:3 word 14:10 88:19 worded 92:24 words 32:24 work 21:10 40:17 43:25 78:6 88:25 91:21 worked 82:19 82:24 works 109:6 world 33:10 worried 111:3 worse 37:8,12 37:12 worst 77:23 worthwhile 18:17 wouldn't 30:20 51:17,19 54:24 55:7 82:17,22 wow 39:7 wrap 71:11 72:6 83:9 writing 102:8 103:12 wrong 76:15 <hr/> <b>X</b> <hr/> x 2:1 3:1 4:1 27:8 <hr/> <b>Y</b> <hr/> yards 81:24 yeah 14:7,24 15:9 17:12 25:20 36:17 37:7 39:18 40:12 42:9	49:4 50:14,16 52:20 54:9 55:18 57:17 59:3,9 84:21 85:21 86:10 87:14 98:8 101:16,21 106:21 107:11 108:24 109:25 115:4 year 69:14 71:17 years 18:11,11,15 18:15 19:9 25:3,17 73:5 81:15 Yep 90:13 <hr/> <b>Z</b> <hr/> ZIELKE 2:5,11,18 3:5 5:12 6:7 6:10,13,15,17 6:19,21,23,25 7:2,5 8:16 10:25 12:7,13 12:20 13:1,4,17 14:7,17 22:16 23:5 25:21 26:4 29:12 44:7,19 45:5 45:24 46:3,6 46:10,16 61:25 91:4 92:17,23 93:24 94:2 96:9 98:2,9 99:23 100:4,7 100:11,17 101:8 103:7,17 105:5 105:9,16 107:11 108:21 108:25 109:3 110:10 111:19 112:23 113:11 113:22 114:13 114:19,24 115:6 115:10 116:11 zone 32:6 76:23	zoned 26:18,19 zoning 1:1 2:10 3:12 4:6 5:2,11 6:5 8:20 9:3 10:7,9 11:19 22:3 26:7,14 27:21 28:18 98:6 105:13 106:7 <hr/> <b>0</b> <hr/> <b>1</b> <hr/> 14:10,13 29:18 40:10 53:5 1,600 110:12 1:00 19:21 10 2:7,11 10:23 11:19 19:8 35:9 37:17 53:25 62:17 77:6 10:00 28:6 100 11:5 14:19 58:18,22 59:1 59:1,8 62:22 64:25 75:19 96:15 104 3:10 105 3:11,13 109 3:14,15 11 2:12 110 3:16 116 3:17,18 117 3:19 119 3:20 12 2:13 73:8 82:23 13 73:8 13003 3:13 140140 3:15 15 2:14,18 19:8 54:19 99:3 114:15 15-foot 41:3,19 42:8,10 16 2:19,20 54:19 16th 15:24	18 2:21 86:21 18th 105:6,9 <hr/> <b>2</b> <hr/> 2 4:11 27:11 53:5 62:11 2,400 110:11 2:00 19:22 2:1 87:19 20 19:9 52:16 54:12 56:5 99:3 20-year 66:18 200 30:15 46:5 73:18 77:22 78:5,13 82:10 84:24 200045 2:10 10:23 200068 2:16 15:23 16:24 200106 3:4 26:3 2020 1:12 2:6 6:2 2022 119:18 2070 61:11,15 211:12 6:2 2151 74:25 21st 6:4 24 2:22 24/7 69:15 25 40:11 90:2 25-foot 90:2 26 2:6 3:5 119:18 29 3:6 4:10 <hr/> <b>3</b> <hr/> 3 53:5 3:1 87:19 30 27:8 33:14 47:1 90:7 103:25 105:6 300 11:4 85:14 314 5:20 35 33:15 37:17
--	---	--	---	---

PUBLIC HEARING 7/21/2020

38:11	711 5:18			
<hr/> <b>4</b> <hr/>	<hr/> <b>8</b> <hr/>			
4 26:9 48:8	8 2:4,5,6 32:17			
86:20	35:7 62:17			
40 27:8	86:22			
400 1:4	8.5-acre 26:12			
45 73:5	80 37:17 38:11			
48 38:24	80-acre 58:1,3			
48-inch 33:21	84 3:8 26:11			
49 38:23,24	46:1 56:21			
47:2	<hr/> <b>9</b> <hr/>			
<hr/> <b>5</b> <hr/>	9 4:4,6,7,8			
5 32:18	9:09 118:4			
50 27:6 28:3	90 10:9 27:12			
36:21 38:24	69:12 80:24			
38:24 41:24	92 3:9			
46:21 47:3	95 33:6			
48:16,17,17,18	98 22:17			
52:14 68:10,14	9th 11:2			
69:3 78:19				
80:6 81:17				
88:15 89:12				
96:18				
50-car 52:19				
<hr/> <b>6</b> <hr/>				
6 2:3 68:14				
6:00 28:7				
60 85:15				
60-foot 27:5				
75:7				
60-inch 33:16				
33:20 57:11,16				
57:18 63:3				
62 4:11,13				
63084 1:5				
63101 5:19				
644-2191 5:20				
66 3:7				
<hr/> <b>7</b> <hr/>				
7 35:8				
7:00 1:13 105:10				
70 18:10,11,15,15				
25:3,16 90:4				