Note: These meeting minutes are only a summary of the meeting. Duplication of the audio recording is available, for a fee, by contacting Community & Development Services.

The Planning Commission Meeting was called to order at 7:00 p.m. by Acting Chairman, Ron Turner.

PLEDGE OF ALLEGIANCE – Led by Bob Lewis

ROLL CALL

Commission members present: Ron Turner, Brian Harris, Paula Wilderman, Jim Keen, Dan Michalak, Bob Lewis, and Justin Klassen.

Staff present: Kyle Fenner, Director CDS; Tracey Aaron, Technical Coordinator CDS; Vince Harris, Baseline; Zach White, White Bear, Ankele and Tanaka & Waldron, Attorneys at Law.

STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S)

A. No items

CONSENT CALENDAR

A. No items

B. Announcement made by Acting Chair Ron Turner; he referenced the motion that was made before the PC at the hearing dated July 11, 2017 by Dan Michalak. He spoke of Robert’s Rules of Order, and the fact that it is said the motion can be withdrawn. He stated that he felt this was the best choice because of the previous hearing being held so late into the night, as well as the confusion that went along
with the motion that was made. He recommends that once the motion is withdrawn, the motion can be brought forward again, this time with the conditions of approval attached and noted.

C. Dan Michalak made a request to respectfully withdraw the motion to approve SR-17-0020; this was accepted by acting Chair Ron Turner.

BEGIN PP-17-0006

A. Vince Harris made a statement to briefly go over the packet that had been prepared. This is to include conditions that were mentioned at the last hearing of July 11th, as well as recommendations that were discussed and made at the previous hearing. He went on to discuss with the PC the order in which they would be looking at the items before them for a vote. He listed the Preliminary Plat, the Final Plat, and all of the Special Districts. He also stated that all recommendations and conditions of approval have been put together as requested by the PC previously.
B. Acting Chair Ron Turner asks if there are any questions from the PC, no one responded and they moved ahead.
C. Paula Wilderman questions item #6, pg. 2 of the PP; concerns about the wording of this item and whether or not other items would be needed.
D. Acting Chair Ron Turner entertained a motion for item PP-17-0006
E. Justin Klassen made a motion to Approve item PP-17-0006, the preliminary plat, to include the conditions of approval per staff A – E (he read these as well as the standard conditions.) Also to include items 1-7, pgs. 1 and 2.
F. Questions, comments from the PC?
G. Paula had a question of the applicant; Tim Craft stated that that was the final report.
H. Justin Klassen asked when this application was intended to go before the BOCC.
I. Kyle Fenner, Director of CDS responded to his question. She went over the original schedule that had been in place for the BOCC; the PP and FP were scheduled for 8-9-17; they will stay on the agenda but will be continued to a date certain of September 5; the notice for the Special Districts will have also taken place by then, they will be on the agenda to be heard on September 5th as well. The 9-5-17 will begin the hearing of all applications; the hearing will be held in the Ag building at the fairgrounds at 6 pm to 10:30 pm. They will also hold the Ag building in reserve, if needed, for 9-6-17 at the same time; if there is a third meeting required, it will be held in the BOCC hearing room at 215 Comanche St. on 9-7-17 at 10 a.m. that day.
J. There was discussion from Justin Klassen regarding the SIA; Kyle Fenner stated that it would be fully executed by 9-5-17. The applicant spoke, asking that the SIA be in substantially final form as opposed to fully executed. This would allow for no material change but would clean up the process.
K. Ron Turner spoke that the PC is merely making a recommendation regarding the “fully executed SIA.”
L. Kyle Fenner spoke that it is in process, mentioned that what the applicant requested is acceptable, she spoke of engineer Sean O’Hearn and working with him on the SIA, and she requested a statement from the applicant as to why
submitting the SIA in that form would be acceptable and work the best for the applicant.

M. Bob Lewis spoke of the SIA as well; spoke of the full execution agreed upon previously. There was further discussion with Kyle Fenner and the PC; she spoke of how it’s typically a response document and not a planning document.

N. Acting Chair called for a vote;
O. This motion had a second by Dan Michalak; the motion carried with a vote of 7-0, two commissioners not in attendance.

BEGIN FP-16-0005

A. Acting Chair Ron Turner asks for a motion for FP-16-0005.
B. Dan Michalak made a motion for the PC to recommend for approval, the Final Plat with all conditions (he read) A-E, Items 1-13, pages 3 and 4.
C. Acting Chair Ron Turner asks for a second; the motion has a second by Jim Keen. Acting Chair Ron Turner opens the topic for discussion.
D. Justin Klassen has questions with regard to certain conditions (5, 6, and 7).
E. Vince Harris answers his questions, explained the FP is separate from the PP; all conditions would have to be met for each individual item that is being voted on. Ron Turner also comments on the fact that the PC is simply making a recommendation to the BOCC and they can change certain things or make additions as they see fit.
F. Acting Chair Ron Turner speaks about recommendations regarding changes and improvements of the roads connected to this application.
G. Kyle Fenner made a statement to the PC that this type of item would be a part of the completed SIA. She spoke to the fact that data will be needed to complete some of the items he is requesting. Ron Turner wants to proceed with his recommendations; Bob Lewis spoke of what Ron Turner is asking for.
H. Paula Wilderman made a statement with regard to a bond issue; it may cause the applicant problems with their bonds in the future.
I. There is discussion as to whether or not a second for the motion needs to be made with the changes Ron Turner has requested.
J. Dan Michalak added the request made by Ron Turner to complete the roads within a certain timeline (after the completion of the first 320 units) to his original motion.
K. Any further discussion? Dan Michalak speaks about what Ron Turner is asking for; he wants to speak with the applicant and discuss the additional burden it may put on the applicant. The applicant replied to him that this type of request is tied to data, not a specific document. It requires additional conversation; it is not tied to a specific nexus. Justin Klassen asks if this should not be a part of Phase 2.
L. Kyle Fenner speaks about how the process has worked in the past with the aid of data, etc.
M. Further back and forth discussion; both staff and PC. There is a complete record of this hearing available, during regular business hours, for a small fee.
N. Ron Turner withdrew his motion to add to the original motion.
O. Ron Turner called the question, the vote passed with a vote of 7-0.
BEGIN SR-17-0020

A. Bob Lewis makes a motion to approve the above referenced Special District, the Water and Sanitation District be recommended with conditions (as read) A-J and items 1-4, pgs. 5 and 6.
B. Dan Michalak seconds the motion.
C. Questions and Comments from both the PC and staff. Questions regarding an annual report and the contents thereof; questions of the use of water for emergencies, also questions regarding the SIA. For a complete record of these you may visit the CDS department during regular business hours.
D. Ron Turner called the question; the vote was taken, and the motion carried on a vote of 7-0.

BEGIN SR-17-0021

A. Acting Chair Ron Turner asks for a motion on the above referenced application, the Overlay District.
B. Bob Lewis makes a motion to recommend for approval to include the findings and recommendations A-J and 1-5, pgs. 7 & 8. (He proceeded to read all findings and recommendations.
C. Justin Klassen seconded the motion; a vote was taken and the motion passed with a vote of 7 – 0.

BEGIN SR-17-0022

A. Acting Chair Ron Turner asks for a motion on this application.
B. Justin Klassen makes a motion to recommend approval of the above referenced application with findings and recommendations A – J, pg. 8 and 1-4, pgs. 9 & 10, which he proceeded to read.
C. Jim Keen seconded the motion. Acting Chair Ron Turner asks for discussion; very little, a vote was taken and the motion carried on a vote of 7 – 0.

BEGIN SR-17-0023

A. Acting Chair Ron Turner brings the above referenced application forward for a motion.
B. Jim Keen makes a motion to recommend approval of the above referenced application to include all findings and recommendations, A – J pg. 11, and 1-4, pgs. 11 & 12, which he proceeded to read.
C. Brian Harris seconded the motion; the vote was taken and the motion carried on a vote of 7-0.

BEGIN SR-17-0024

A. Acting Chair calls for a motion on the above referenced application.
B. Paula Wilderman makes a motion to recommend approval of the above referenced application with findings and recommendations, A – J, 1-4, pgs. 13 & 14, which she proceeded to read.
C. The motion was seconded by Justin Klassen; the vote carried 7-0.
BEGIN SR-17-0025

A. Acting Chair calls for a motion on the above referenced application.
B. Paula Wilderman makes a motion to recommend approval of the above referenced application with findings and recommendations, A-J pg. 15, 1-4, pgs. 15 & 16, which she proceeded to read.
C. The motion was seconded by Dan Michalak; the motion carried 7-0.

END VOTING

A. At this time Acting Chair Ron Turner asked the Planning Commissioners if anyone would like to make a statement prior to adjournment of the meeting. There were no statements to be made, but Acting Chair Ron Turner asked Kyle Fenner to address the audience as to when the BOCC will be hearing the application at the upcoming Quasi - Judicial hearing. Bob Lewis also asked Kyle Fenner if the Planning Commission was allowed to discuss the happenings of these PC hearings, or if there was a possibility that the BOCC could send the application back to the Planning Commission. Kyle Fenner answered that there could be that possibility, but this has been a public process, all in attendance were invited, and any and all content of these meetings can be discussed moving forward as long as the BOCC do not discuss this application publicly or outside of the formal upcoming quasi-judicial hearing.
B. Kyle Fenner made a statement that she would be available after the meeting to answer questions.
C. Paula Wilderman made a statement that she would also make herself available after the close of the meeting to answer questions as to why she voted like she did or any other questions citizens may have.
D. Bob Lewis made a statement thanking the staff for the hard work and time they put into the application and for making sure all of the complicated conditions were added appropriately.
E. Acting Chair Ron Turner also made a statement of thanks to everyone, and Bob Lewis made a motion to adjourn, there was a second by Dan Michalak, all were in favor and the meeting was adjourned at 8:14 p.m.

Meeting adjourned at 8:14 PM