

MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by President Joe O'Neill. Notice was made regarding the Open Meeting Act posted on the wall and the Pledge of allegiance was said by all.

Present were: Gene Cantrell, Jim Jepsen, Dick McCabe, Marlan Millard, Joe O'Neill, and Martin Rohde. Also present: Planning and Zoning Administrator Arnold Mellick, Dakota County Commission Rick Bousquet, and see attached list.

Moved by Gene Cantrell, second by Jim Jepsen to approve the minutes of the November 2008 meeting. Motion carried.

Moved by Jim Jepsen, second by Gene Cantrell to approve the minutes of the November 2008 Public Hearing. Motion carried.

First on the agenda was discussion of towing regulations. The board came up with some ideas drawn from South Sioux City's regulations. After much discussion it was decided that they would have the county attorney review what they have and go from her recommendations. They would also like to see if Marlan Millard would be able to find some information regarding towing regulations while at the Planning and Zoning Conference next month. Motion made by Gene Cantrell, second by Martin Rohde to table the discussion until March's meeting. Roll call vote was unanimous. Motion carried.

Next up on the agenda was the zoning conference in Grand Island. Marlan Millard will be the only one attending and will report when he comes back

Next item on the agenda pertained to the vacancy on the Planning and Zoning Board as a result of Dick McNear becoming a County Commissioner and leaving the planning and zoning board. The board said that they would need to advertise that position in the paper. Since Dick was from the Homer area, they would seek applicants from there. There was also discussion of Jim Crosgrove leaving the board. If he turns in his resignation, they will advertise for an applicant from the Willis area as well.

Rick Bousquet stated that he would like the zoning meetings moved back to the courthouse in the board of commissioners' room. There would be more room there and the board would be more addressable to the public.

Next on the agenda was to review the planning and zoning bylaws and regulations. Nobody had any area of concern to discuss at this time.

During the public comment portion of the meeting, Dennis Reinert addressed the board with concerns that the board did not make a motion to move the meeting place to Dakota City. The regulations state that the meeting place is at the Hubbard Shop. The regulations would have to be amended. The planning and zoning board will advertise for 2 weeks for a public hearing on these changes and make a recommendation to the board of commissioners to move the meeting place to Dakota City after the public hearing in February.

Scott Bousquet addressed the board for some clarification of setbacks since he was looking into expanding his swine feeding operation.

Motion made by Gene Cantrell, second by Marlan Millard to adjourn. Motion carried.

Meeting was duly adjourned at 8:15 P.M.

Respectfully submitted,  
Jolene Gubbels

MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Vice President Jim Jepsen. Notice was made regarding the Open Meeting Act posted on the wall and the Pledge of allegiance was said by all.

Present were: Gene Cantrell, Jim Jepsen, Dick McCabe, Marlan Millard and Martin Rohde. Also present: Planning and Zoning Administrator Arnold Mellick, Dakota County Commission Rick Bousquet, Dakota County Attorney Kim Watson and see attached list.

Jim Crosgrove has resigned his position on the board.

Moved by Gene Cantrell, second by Martin Rohde to approve the minutes of the January 2009 meeting. Motion carried.

Vice President Jim Jepsen declared the Public Hearing open at 7:05 P.M.

The Public Hearing closed at 7:10 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Martin Rohde, second by Marlan Millard to continue meeting at the Dakota County Road Department Shop. Roll Call Vote. Unanimous. Motion carried.

Next item on the agenda was to discuss vacated position on the Planning Commission. Rick Bousquet noted that members needed to be reappointed. The members that needed to be reappointed needed to reapply for the position. Neil Miller's appointment should have been renewed last year along with Martin Rohde and Jim Jepsen's. The Board of Commissioners renewed Martin Rohde and Jim Jepsen's appointment, but not Neil Miller's at a recent Board of Commissioners' meeting. Rick Bousquet said it was because with Neil Miller being gone so much (wintering in the South) that his geographical area was not being represented during that time. Rick suggested to the Board of Commissioners that maybe they should try to find someone who can represent that area full time. Neil Miller could still put in an application to be considered along with the other board members whose terms are expiring in March to keep his position. Neil could still keep his position if nobody in that area applied. Jim Jepsen stated that Neil only missed 2 meeting last year. Rick Bousquet said that what the Board of Commissioners did was probably wrong. From everything he is getting now, they did it wrong. Rick said what should have been done is that everyone that was up for reappointment in 2008 should have all went out for application or were all reappointed, and then the rotation start. Rick said it should have been done that way, maybe not, but that is how it has played out so far and motions carried at the Commissioners room. Dick McCabe asked if this would be done on the Board of Adjustments also. Rick Bousquet said that they were just dealing with the Planning and Zoning Board right now. Rick said that the bylaws need to be followed to the letter. Jim Jepsen said that if they had been followed to the letter, that reappointments would have been made last March. Rick agreed and said that was a lapse on the past Commissioners and that it should have been brought up. Jim Jepsen said he read in the paper that Neil Miller wasn't even a resident of Dakota County. Rick said he never read the paper and wasn't sure of what it said. Marlan stated that Neil has a nice home on the river. Jim Jepsen stated that Neil is one to call every two weeks to find out what is going on and if you went up to the River, that you would find that Neil represents that area very well. Marty Rohde suggested they discuss the Bylaws and was wondering if something was missing in there. Marty said he spoke with the very first building inspector and he said that the Planning and Zoning Board recommended members to the Board of Commissioners. Arnie Mellick said that is what he has done in the past. It has always been hard to find people to want to be on the P&Z board. Arnie said that we need somebody from the Willis area and that he would be talking to people in that area about applying for that position. Jim Jepsen made the comment that the board should make sure that any new appointments represent the same area as the leaving board member.

Next on the agenda was to review the P&Z Bylaws and Regulations, in particular review Section 600.6. There is a contradiction pertaining to animal units. On the chart it shows 1,001 to 5,000 animal units open to 3/8 mile. On the next page in Section b. states that LFOs having up to 1,000 AUs shall locate 2,640 feet from a platted residential area and LFOs having more than 1,000 AUs shall locate at least one (1) mile from a platted residential area.

The P&Z Board will have to be a public hearing in March to change Section b. The chart is right, but Section b is wrong it should just be eliminated.

Kenny Beermann addressed the board about having his own hog operation and was looking for clarification on the setbacks and regulations regarding Section 600.6.

For Miscellaneous or Old business Arnie handed out Towing Regulations that Kim Watson put together for the P&Z board to take home and review for the next meeting.

Rick Bousquet brought up composting and was wondering how the P&Z Board was coming along with that. Jim Jepsen said that they have done some research into it, but nothing further has been done.

Jim Jepsen opened up the floor for the Public Comment portion of the meeting. Dennis Reinert wanted Kenny Beermann to know that if he went through with having a hog operation that he would have to go through 2 public hearings as part of the process.

Motion made by Marlan Millard, second by Gene Cantrell to adjourn. Motion carried.

Meeting was duly adjourned at 7:45 P.M.

Respectfully submitted,  
Jolene Gubbels

#### DAKOTA COUNTY PLANNING COMMISSION: February 17, 2009 PUBLIC HEARING

Public Hearing was called to order at 7:05 P.M. regarding changing the Bylaws pertaining to the meeting place whether it should stay at the Hubbard Shop or be moved into the basement of the courthouse.

Martin Rohde said that moving it to Dakota City would mean more mileage for almost the whole P&Z Board. Marlan Millard stated that the Hubbard Shop is more centrally located for the people in the county and that is why it was moved to its current location.

Jim Jepsen opened up the floor for public comment.

Kenny Beermann said that the meeting should be held where ever the Planning and Zoning members want it and if it was working why change it.

Kim Watson, the County Attorney was asked on her preference and she stated it did not matter either way.

Dennis Reinert didn't like the fact that some of the P&Z members had there backs to the citizens.

Rick Bousquet agreed with Dennis Reinert and said that at in the Commissioners Room, the P&Z board would be able to sit at a U shaped table and not have their backs to anyone. Plus there would be more room for the audience.

After the discussion, Jim Jepsen closed the public hearing.

MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Joe O'Neill. Notice was made regarding the Open Meeting Act posted on the wall and the Pledge of allegiance was said by all.

Present: Gene Cantrell, Jim Jepsen, Tom Lynch, Harold Moes, Neil Miller, Marlan Millard, Andy Olson, Joe O'Neill and Martin Rohde. Also present: Planning and Zoning Administrator Arnold Mellick, Dakota County Commission Rick Bousquet, and see attached list.

Moved by Jim Jepsen, second by Gene Cantrell to approve the minutes of the February 2009 meeting. Motion carried

Joe O'Neill welcomed the new P&Z members to the board. They are Andy Olson, Tom Lynch, and Harold Moes

Election of officers was discussed first.

Nomination made by Gene Cantrell second by Martin Rohde for Marlan Millard to become Chairman.

Nomination made by Neil Miller second by Tom Lynch for Martin Rohde to become Vice President.

Nomination made by Neil Miller second by Gene Cantrell for Tom Lynch to become secretary.

Roll call vote Unanimous. Motion passed.

Joe O'Neill declared the Public Hearing open at 7:05 P.M.

The Public Hearing closed at 7:22 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Jim Jepsen, second by Gene Cantrell to not make any changes to Section 660.6. Roll Call vote. Unanimous. Motion carried.

Next on the agenda was the discussion of Towing and Wrecker Service Regulations. The Planning and Zoning board reviewed the regulations put together by the county attorney. After much discussion the board made a few changes to the regulations. Arnie Mellick will take the amended regulations back to the attorney for review. Motion made by Gene Cantrell, second by Joe O'Neill to table Towing and Wrecker Service Regulations until next meeting. Unanimous vote. Motion carried.

Next up for discussion is railroad crossing sight distance. Kim Watson, county attorney, sent a letter to the planning and zoning board bringing to their attention a court case that involved a county granting a building permit to a private individual to construct a structure that may be problematic to certain sight distance considerations affecting a motorist's view of a railroad crossing. The letter stated that it would not be wise to allow building construction within the sight distance area. The Planning and Zoning Board said that it would be a good idea to have a regulation regarding this. Arnie said that he would draw up a regulation for the zoning board to review.

Neil Miller made a motion, second by Martin Rohde to table the railroad crossing sight distance until the next meeting. Unanimous vote. Motion carried.

Next on the agenda is to P&Z Bylaws and Regulations

Marlan Millard brought to the attention of the planning and zoning board members that while he was in Grand Island, other planning and zoning administrators looked over our regulations and questioned why it was Dakota

County Joint Planning Commission. They said that since P&Z board is not joined with anyone, the word Joint should be removed from the name.

A motion was made by Joe O'Neill second by Jim Jepsen to consult with the county attorney for her input and table the discussion until next meeting. Unanimous vote. Motion carried.

Some discussion was brought up on tower setbacks.

A county resident with 5 acres would like to get a consanguinity permit so a family member can live by her to help care for her. The board told her she could as long as she followed all the regulations pertaining to the consanguinity permit.

Marlan opened up the floor for public comment.

Sally Reinert suggested that the board put in a statement that makes it very clear that giving a permit to operate a towing service is not giving them permission to operate a salvage yard.

Joe O'Neill said that will be done in the informational statement.

Sally Reinert also questioned the boards definition of a salvage yard and advised that they look at South Sioux City's definition.

Dennis Reinert suggested the board speak with SIMPCO about the word "Joint" being in the name and if they know why it is included.

Motion made by Gene Cantrell, second by Jim Jepsen to adjourn. Motion carried.

Meeting was duly adjourned at 8:33 P.M.

Respectfully submitted,

Jolene Gubbels

DAKOTA COUNTY PLANNING COMMISSION: April 21, 2009

PUBLIC HEARING

Public Hearing was called to order at 7:06 P.M. regarding Regulations on Performance Standard Section 600.6.

After much discussion the board decided to leave Section 600.6 as is and not to change any wording.

Joe O'Neill closed the Public Hearing at 7:22

MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Marlan Millard. Notice was made regarding the Open Meeting Act posted on the wall and the Pledge of allegiance was said by all.

Present: Gene Cantrell, Jim Jepsen, Tom Lynch, Harold Moes, Neil Miller, Marlan Millard, and Andy Olson. Absent: Joe O'Neill, Martin Rohde, Arnie Mellick – P&Z administrator and Commissioner Rick Bousquet. Also present: see attached list.

Motion made by Gene Cantrell, second by Neil Miller to approve April minutes. (7-21-09)

The P&Z board began discussing the Towing and Wrecker Service regulations. A motion was made by Jim Jepsen second by Neil Miller to correct the typo error on Curtis Arndt's conditional use permit from a RV Park to a Towing Service and reissue it to him. Roll call vote. Unanimous. Motion carried. The Planning and Zoning board will ask Arnie to take their request to the county attorney.

Motion made by Jim Jepsen second by Neil Miler to accept towing regulations and move to have a public hearing next month. After the public hearing, the planning and zoning board will decide if they should recommend the towing regulations to the Board of Commissioners. If the Board of Commissioners receives a recommendation from the P&Z board, they will have another public hearing to decide if they should pass the regulations.

There was some discussion on the term "Joint" as it pertains to the Planning and Zoning Board. The county attorney noted in a letter that according to Nebraska Revised Statue section 23-114.01, it appears that the word "joint" refers to all of the different villages and locations from which the P&Z members are appointed. For example, 1 from Emerson, 1 from Homer, 1 from Jackson. The county attorney believes the word "joint" is referring to having a member from each of these villages or locations. Removing the word "joint" could affect how many members come from which villages/locations. Therefore, it may not be in the P&Z's best interest to remove "joint" from their title. The Planning and Zoning Board decided to leave the word "Joint" as it is.

The P&Z board discussed railroad sight distance. The board tabled the issue for next meeting when Arnie would be present.

Next on the agenda was discussion of Bylaws and Regulations. Jim Jepsen brought up the camping regulations pertaining to the Hubbard Dam. Most of the dam will be in Hubbard city limits, but Jim would like to take the regs to the state so they are familiar with our regs.

Tom Lynch had questions regarding conditional use permits and the P&Z board discussed the topic with him.

Marlan opened up the floor for public comment.

Sally Reinert stated that a conditional use permit shouldn't be issued to Curtis Arndt because the towing regulations haven't been accepted by the Board of Commissioners yet.

Lou Franco addressed the board with questions regarding a conditional use permit. The P&Z board discussed the process for obtaining a conditional use permit with her.

Motion made by Neil Miller, second by Gene Cantrell, to adjourn. Motion carried.

Meeting was duly adjourned at 7:47 P.M.

Respectfully submitted,  
Jolene Gubbels



MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Marlan Millard. Notice was made regarding the Open Meeting Act posted on the wall and the Pledge of Allegiance was said by all.

Present were: Gene Cantrell, Tom Lynch, Harold Moes, Neil Miller, Marlan Millard, Andy Olson, and Joe O'Neill. Also present: Planning and Zoning Administrator Arnold Mellick, Dakota County Commission Rick Bousquet, and see attached list.

Moved by Joe O'Neill, second by Gene Cantrell to approve the minutes of the May 2009 meeting. Motion carried.

Chairman Marlan Millard declared the Public Hearing open at 7:02 P.M.

The Public Hearing closed at 7:15 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Neil Miller, second by Joe O'Neill to adopt the Towing and Wrecker Service Regulations with the change to Section G (3) from

**G. Standards for Issuance.**

(3)The applicant and all employees are fit and proper persons to conduct or work in the proposed business

To

(3) The applicant and all employees are fit and proper persons(as **defined by the Federal Motor Carrier Regulations Handbook**) to conduct or work in the proposed business.

Roll Call Vote. Unanimous. Motion carried. Regulations will be sent to the County Board of Commissioners for their approval/disapproval.

Next on the agenda is Char Carpenter. She presented a plaque on behalf of the Nebraska Planning & Zoning Association for an Appointed Official Service Award to Marlan Millard for all his involvement in Planning and Zoning for Dakota County.

Next item on the agenda discussed was Elliot Saunders business North of Jackson. Elliot called earlier and stated that he could not attend tonight's meeting and asked to be put on next months agenda. Motion made by Joe O'Neill and second by Gene Cantrell to table the issue until next month. All in favor. Unanimous. Motion carried.

Next on the agenda is railroad sight distance. County Attorney has not had a chance to draw up any regulations. Motion made by Joe O'Neill, second by Neil Miller to table until next meeting. All in favor. Unanimous. Motion carried.

Next was the discussion of Curtis Arndt's conditional use permit. Arnie Mellick consulted with the County Attorney Kim Watson on this issue. Kim stated that a conditional use permit should not be issued to Mr. Arndt until the Towing and Wrecker Service Regulations are passed by the Board of Commissioners.

Next on the agenda is review P&Z Bylaws and Regulations. Discussion was made on applying penalties and fines for being in violations of P&Z Regulations.

Arnie brought up mobile home widths and if we should follow state statues of 18'wide. The County attorney is looking into it this issue

Motion made by Tom Lynch, second by Neil Miller, to adjourn. Motion carried.

Meeting was duly adjourned at 7:44 P.M.  
Respectfully submitted,  
Jolene Gubbels

DAKOTA COUNTY PLANNING COMMISSION: June 16, 2009  
PUBLIC HEARING

Public Hearing was called to order at 7:02 P.M in regards to adopting Towing Wrecker Service Regulations  
After no comment from the P&Z Board, Marlan Millard opened up the floor for public comment  
Lou Franco had some questions regarding the coniferous trees that would be used to provide screening. She also had a question about Section G (3) as to what “fit and proper” refers to.  
Gary Smith made reference to the Federal Motor Carrier Regulations handbook which defines what it means to be “fit and proper”

After the discussion, Marlan Millard closed the public hearing.

MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Marlan Millard. Notice was made regarding the Open Meeting Act posted on the wall and the Pledge of allegiance was said by all.

Present: Gene Cantrell, Jim Jepsen, Tom Lynch, Harold Moes, Neil Miller, and Marlan Millard. Arnie Mellick – P&Z administrator and Commissioner Rick Bousquet. Absent: Andy Olson, Joe O’Neill, and Martin Rohde. Also present: see attached list.

Motion made by Neil Miller, second by Gene Cantrell to approve June’s minutes. Unanimous. Motion carried.

Tom Lynch brought up the fact that the June minutes mentioned our previous discussion on penalties for violation of P & Z regulations. Arnie said he would get the Co. Attorney’s office to prepare a proposed ordinance for our review/approval at next meeting.

The P&Z board began by discussing Elliot Saunders business North of Jackson. The P&Z members all agreed that his business is grandfathered in, so he doesn’t need to make any changes.

The P&Z board discussed the Railroad Sight Distance Regulations. Arnie spoke with Kim Watson, the county attorney and she said that there is a state regulation regarding this. It is Title 415 Nebraska Department of Roads - Rail and Public Transportation Division, Chapter 6, section 002.01G Sight Distance. If the planning and zoning board wanted to add a sentence to their regulations stating that they would follow this regulation they could. Motion made by Jim Jepsen, second by Harold Moes to have a public hearing next month to add to the Dakota County P&Z Regulations that the county would follow the state of Nebraska’s regulations on this. Unanimous. Motion carried.

Arnie told the P&Z members that the Towing regulations were passed by the Board of Commissioners. They are to be added to Ag zoning under Conditional Uses 600.3. #17.

Marlan Millard opened up the floor for Public Comment.

Betty O’Neill discussed with Arnie about sending her a letter that the old Crystal Lake is in South Sioux City’s jurisdiction. Arnie told her all comments needed to be referred to the county attorney on this issue. She stated that she wanted a copy of tonight’s minutes and a copy of the email from Kim Watson regarding giving her any information.

Dennis Reinert asked that the new towing regulations be put on the county website

Motion made by Neil Miller, second by Gene Cantrell, to adjourn. Motion carried.

Meeting was duly adjourned at 7:28 P.M.

Respectfully submitted,

Jolene Gubbels

MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Marlan Millard. Notice was made regarding the Open Meeting Act posted on the wall and the Pledge of allegiance was said by all.

Present: Gene Cantrell, Jim Jepsen, Tom Lynch, Harold Moes, Neil Miller, Marlan Millard and Joe O'Neill. Arnie Mellick – P&Z administrator and Commissioner Rick Bousquet. Absent: Andy Olson, and Martin Rohde. Also present: see attached list.

Motion made by Gene Cantrell, second by Jim Jepsen to approve July's minutes. Unanimous. Motion carried.

Chairman Marlan Millard declared the regular meeting closed and the Public Hearing open at 7:03 P.M for Conditional Use Permit for Curtis Arndt's towing service.

The Public Hearing closed at 7:10 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Joe O'Neill, second by Jim Jepsen, to approve the Conditional Use Permit for Curtis Arndt's towing service. Roll Call vote, Unanimous. Motion Carried. Application will be sent to the Board of Commissioners for final approval.

Chairman Marlan Millard declared the regular meeting closed and the Public Hearing open at 7:11 P.M. for Railroad sight distances.

The Public Hearing closed at 7:18 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Jim Jepsen, second by Joe O'Neill to approve amending Dakota County Planning and Zoning regulations to include railroad sight distance in space limitations and to send this amendment to the Board of Commissioners for final approval. Roll Call vote, Unanimous. Motion Carried.

Next on the agenda in the county towing regulations. This is an agreement with the County Sheriffs Department and towing services that want to participate. This is informational only for the P&Z board.

Next on the agenda is review P&Z Bylaws and Regulations. Tom Lynch brought up penalties for violations of planning and zoning regulations. Arnie Mellick stated that the P&Z board follows that state statues for penalties. Rick Bousquet thought there should be stricter penalties that the county should follow. Arnie Mellick will contact the county attorney to discuss having a penalty page for violations.

Next on the agenda was miscellaneous and old business. Arnie informed the board the John Howard put up a pole shed.

Jim Jepsen brought attention to the board that the Hubbard Dam, watershed program wanted the planning and zoning committee to have a watershed program for future homes that might be built by the dam. Jim Jepsen will have more information at the next meeting and would like to be on next months agenda.

Rick Bousquet brought up Winifred Drive, the road beside the county shed. Rick wants Arnie to look into who is responsible for the road whether it be the county or the city of Hubbard.

Marlan Millard brought up boundary lines with South Sioux City and the Dakota County. Rick said he found out that the area that Tony Gomez has his rodeos on is in South Sioux City's jurisdiction.

Marlan opened up the floor for public comment.

Tony Trudell asked about putting a trailer house up. The board told him he could as long as he followed the Planning and Zoning regulations governing mobile homes.

More comment was brought up on Winifred Drive and who is responsible for the road if there is an easement. Arnie will talk to the county attorney Kim Watson on that issue.

Tony Trudell asked about a culvert and Arnie referred him to the road department.

Scott Bousquet had a question about property lines and building sites. He wanted clarification on boundary lines. He has a piece of property about 2 acres he wants to build on. The 2 acres belongs with property across the road. Since the property is divided by a county road, he should be able to build as long as he follows the proper set backs.

Motion made by Neil Miller, second by Gene Cantrell to adjourn. Motion Carried.

Meeting was duly adjourned at 7:58 P.M.

Respectfully submitted,  
Jolene Gubbels

DAKOTA COUNTY PLANNING COMMISSION: August 18, 2009  
PUBLIC HEARING

Public Hearing was called to order at 7:03 P.M in regards to Conditional Use Permit for Curtis Arndts towing service.

After no comment was made from the Planning & Zoning Board or the public, Chairman Marlan Millard closed the public hearing at 7:10

Public Hearing was called to order at 7:11 P.M. in regards to amending Planning and Zoning Regulations to include railroad sight distance on Space Limitations.

It was discussed that Arnie Mellick would consider the railroad sight distances when issuing a building permit. After no further comment, Chairman Marlan Millard closed the public hearing at 7:18.

MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Marlan Millard. Notice was made regarding the Open Meeting Act posted on the wall and the Pledge of allegiance was said by all.

Present: Gene Cantrell, Jim Jepsen, Tom Lynch, Harold Moes, Neil Miller, Marlan Millard, Andy Olson and Marty Rohde. Arnie Mellick – P&Z administrator. Absent: Joe O'Neill and Commissioner Rick Bousquet. Also present: see attached list.

Motion made by Jim Jepsen, second by Gene Cantrell to approve Augusts' minutes. Unanimous. Motion carried.

Chairman Marlan Millard declared the regular meeting closed and the Public Hearing open at 7:04 P.M for an application for a Conditional Use Permit for Nelson Engineering to put up a MET Tower (meteorological tower).

The Public Hearing closed at 7:15 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Marty Rohde, second by Harold Moes, to approve the application Conditional Use Permit for Nelson Engineering. Roll Call vote, Unanimous. Motion Carried. Application will be sent to the Board of Commissioners for final approval.

Next item on the agenda is to review penalties for violations of P&Z laws. The handout from the County Attorney which defines the Nebraska State Statue Section 23-114.05 County zoning; violations; penalty; injunction, would be added to the Dakota County P&Z Regulations pg 26 Section 518. Violations and Penalty. Section 518 makes reference to the Nebraska State Statue already, but now the actual definition and penalty amount would be added. The P&Z board will have a public hearing next month on this issue.

Next on the agenda is to discuss the Hubbard Watershed Program for the proposed dam. Jim Jepsen discussed bumper strips to prevent water runoff from surrounding property into the dam. The P& Z Board will keep an eye on the development of the proposed dam and make amendments to the regulations as needed.

Next on the agenda is to review P&Z Bylaws and Regulations. The board had no comment

Next on the agenda was miscellaneous and old business. Arnie informed the board that Dennis Rohde is putting up an addition to his home, Scott Mohnson is putting up a storage shed, and Shirley Davis is putting up a garage.

Marlan opened up the floor for public comment. Dennis Reinert asked about the Towing Regulations and the Railroad sight distance amendments to be added to the website. Arnie said that he would check into it.

Motion made by Jim Jepsen, second by Neil Miller to adjourn. Unanimous. Motion Carried.

Meeting was duly adjourned at 7:40 P.M.

Respectfully submitted,  
Jolene Gubbels

Public Hearing was called to order at 7:04P.M in regards to Conditional Use Permit for Nelson Engineering to put up a MET Tower (meteorological tower). The proposed location is in the NE Quarter of Section 32, T-29-N, R-7-E in Dakota County, Nebraska. James Lindgren from Nelson Engineering approached the board with details of the tower. A MET tower is used to collect wind speeds for potential wind turbine building. They are not meant to be permanent, but usually up for a period of 1 year to 5 years.

After some discussion made from the Planning & Zoning Board, Chairman Marlan Millard closed the public hearing at 7:15

MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Marlan Millard. Notice was made regarding the Open Meeting Act posted on the wall and the Pledge of allegiance was said by all.

Present: Gene Cantrell, Jim Jepsen, Tom Lynch, Neil Miller, Marlan Millard, and Andy Olson. Arnie Mellick – P&Z Administrator and Commissioner Rick Bousquet. Absent: Harold Moes, Joe O’Neill and Marty Rohde. Also present: Dennis Reinert.

Motion made by Gene Cantrell, second by Jim Jepsen to approve Octobers’ minutes. Unanimous. Motion carried.

Chairman Marlan Millard declared the regular meeting closed and the Public Hearing open at 7:04 P.M for Section 518 of the Planning and Zoning Regulations; Penalties for violations of P&Z laws.

The Public Hearing closed at 7:08 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Jim Jepsen, second by Gene Cantrell, to approve amendments to Section 518. Roll Call vote, Unanimous. Motion Carried. Amendment will be sent to the Board of Commissioners for final approval.

Next on the agenda is to review P&Z Bylaws and Regulations. Arnie noted to the P&Z board that the towing regulations insert should have a date of July 13, 2009, instead of 2007.

There was some discussion on the Hubbard Watershed for the proposed dam. There was also some discussion on nuisance laws, the term “joint” referring to Dakota County Joint Planning Commission, and boundaries with South Sioux City.

Marlan opened up the floor for public comment. Dennis Reinert talked about the Towing Regulations and the Railroad sight distance amendments on-line. He commented that they were just inserts and not in the actual regulations.

Motion made by Gene Cantrell, second by Jim Jepsen to adjourn. Unanimous. Motion Carried.

Meeting was duly adjourned at 7:40 P.M.

Respectfully submitted,  
Jolene Gubbels

DAKOTA COUNTY PLANNING COMMISSION: Nov 17, 2009

PUBLIC HEARING

Public Hearing was called to order at 7:04 P.M in regards to Penalties for violations of P&Z laws. Section 518 of the Dakota County Regulations will define the state statue that the regulations already refer to and include the penalty for violations.

After some discussion made from the Planning & Zoning Board, and no public comment, Chairman Marlan Millard closed the public hearing at 7:08