

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, Marlan Millard, Harold Moes, Joe O'Neill, and Martin Rohde. Also present: County Commissioner Rick Bousquet. Absent; Planning and Zoning Administrator Arnold Mellick, and P&Z board members Jim Jepsen, Neil Miller, and Andy Olson.

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

First item on the agenda is to discuss procedures for Penalties of P&Z violations. Discussion was held, but nothing was decided on what steps should be followed or how the P&Z administrator should proceed in assessing a fine if someone violates the P&Z laws.

Next item on the agenda is the South Sioux City/Dakota County zoning boundaries. There was some discussion on the zoning boundaries.

Next on the agenda was Bob Hacker's parcel of property. No one was there to explain their situation, so the board moved on.

The planning and zoning conference in Grand Island in February was discussed. Marlan is planning on attending and Rick Bousquet in considering going.

Next on the agenda was the Flood Plain Maps. The board will wait for Arnold Mellick to discuss them. Motion made by Joe O'Neill and second by Gene Cantrell to table to the South Sioux City/ Dakota County boundaries and the Flood Plain Maps until next meeting. Unanimous vote. Motion carried

Next on the agenda was Miscellaneous and Old Business. Marlan read a letter from Sally Reinert to the P&Z board commending them on passing the P&Z violations amendment.

Marlan Millard opened the floor for public comment. Sally Reinert had a question about the dollar amount for building permits for repairs. The board decided to look at Section 510 of the zoning regulations at the next meeting.

Moved by Gene Cantrell, second by Harold Moes to adjourn. Motion carried
Meeting was duly adjourned at 7:28 P.M.
Respectfully submitted,

Jolene Gubbels

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Present were: Gene Cantrell, Harold Moes, Marlan Millard, Andy Olson, and Joe O'Neill. Also present: County Commissioner Rick Bousquet and Planning and Zoning Administrator Arnold Mellick. Absent; P&Z board members Tom Lynch, Jim Jepsen, Neil Miller, and Martin Rohde.

Moved by Gene Cantrell, second by Joe O'Neill to approve the minutes of the January 2010 meeting. Motion carried.

First item on the agenda is to discuss procedures for Penalties of P&Z violations. Discussion was held and it was decided that the first step is to notify the individual by phone of his planning and zoning violation. Second step is to send a certified letter. The third step is to turn it over to the county attorney.

The board discussed Bob Hacker and Molly Millers parcel of property. With the proposed new dam site, their property will lose part of its 400 foot of frontage, which they had to buy to make it a legal acreage. A motion was made by Joe O'Neill, second by Harold Moes that the board would allow part of their acreage to be sectioned off for proposed dam site. A letter will be sent to the register of deeds and recorded that it will remain a legal lot without the 400 ft of frontage and will not affect the resale of the property. Unanimous vote. Motion carried.

Next item on the agenda is the South Sioux City/Dakota County zoning boundaries. Motion was made by Joe O'Neill, second by Gene Cantrell to accept the boundary lines to move out to Hwy 110 and Hwy 35. Unanimous vote. Motion carried.

Next item on the agenda is to discuss the dollar amount in Section 510. The limit for improvements is currently \$1000 and the board would like to raise it to \$2000. The board will have a public hearing next month to make this change.

Next on the agenda is to review the flood plain maps. There is a meeting on March 2, 2010 at the courthouse with FEMA to discuss the maps. Rick Bousquet and Marlan Millard will attend this meeting.

Moved by Gene Cantrell, second by Joe O'Neill to adjourn. Motion carried
Meeting was duly adjourned at 8:00 P.M.
Respectfully submitted,

Jolene Gubbels

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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: Jim Jepsen, Tom Lynch, Harold Moes, Marlan Millard, Andy Olson, and Martin Rohde. Also present: County Commissioner Rick Bousquet and Planning and Zoning Administrator Arnold Mellick and see attached list. Absent; P&Z board members Neil Miller, and Joe O'Neill.

Moved by Jim Jepsen, second by Andy Olson to approve the minutes of the February 2010 meeting. Motion carried.

Chairman Marlan Millard declared the regular meeting closed and the Public Hearing open at 7:02 P.M for Section 510 of the Planning and Zoning Regulations; Administration.

The Public Hearing closed at 7:13 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Tom Lynch to send on amendment change to the County Commissioners. No second. Section 510 will not have any amendments changes as will stay at one thousand dollars (\$1,000).

Next item on the agenda is Bryan Tranmer to discuss splitting of acreage. He had 9.66 acres and wants to split the acreage and sell land to his daughter so she can build a house. The board recommended that they contact neighboring land owner to sell .34 acres to make it a legal 5 acres for both properties.

Next on the agenda is to discuss storing of non ag equipment and running a business in the Farmstead area. Justin Teunissen with Nelson Engineering was here to represent Donnie Grant's property that is in question. After much discussion, it was decided that Arnie would send him a letter to inform him of the zoning laws and if he wanted to do something outside the zoning laws that he will need to come before the planning and zoning board.

Next on the agenda is to discuss the procedures for Penalties of P&Z violations. Section 509; Enforcement deals with this issue. Arnie presented the board with an amendment version of Section 509, with the changes the board discussed at the last meeting. There was some discussion regarding building a portable building. The board agreed with the changes and Section 509 will be scheduled on the agenda next month April 20, 2010 for a public hearing.

Next on the agenda is Miscellaneous and Old Business. Marlan went to the Nebraska Planning and Zoning Conference in Grand Island and brought back some information about wind towers that he shared with the board.

Marlan opened up the floor for public comment. Dennis Reinert asked about clarification of agenda item regarding Section 509. He asked if the board was in general agreement about accepting the changes. Arnie said yes, since they scheduled it for public hearing on April 20th.

Moved by Martin Rohde, second by Jim Jepsen to adjourn. Motion carried
Meeting was duly adjourned at 8:10 P.M.
Respectfully submitted,

Jolene Gubbels

Public Hearing was called to order at 7:02 P.M in regards to Administration. Section 510 of the Dakota County Regulations to raise the amount alteration amount from one thousand (\$1,000) to two thousand (\$2,000).

The alterations would pertain to structural alterations.

The issue was discussed by the Planning & Zoning Board.

There was one public comment from Dennis Reinert in favor of the change.

Chairman Marlan Millard closed the public hearing at 7:13p.m.

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: Deb Green, Jim Jepsen, Harold Moes, Marlan Millard, Neil Miller, Joe O'Neill and Martin Rohde. Also present: and Planning and Zoning Administrator Arnold Mellick and see attached list. Absent; P&Z board members Tom Lynch, and Andy Olson and County Commissioner Rick Bousquet.

Moved by Jim Jepsen, second by Marty Rohde to approve the minutes of the March 2010 meeting. Motion carried.

Chairman Marlan Millard declared the regular meeting closed and the Public Hearing open at 7:02 P.M for Section 509 of the Planning and Zoning Regulations; Enforcement. The Public Hearing closed at 7:10 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Neil Miller, second by Harold Moes to send on amendment change to the County Commissioners. Roll call vote. Unanimous. Motion passed.

Next item on the agenda is election of new officers. Motion made by Joe O'Neill, second by Jim Jepsen to keep all members the same. Roll Call Vote. Unanimous. Motion Passed. Marlan Millard will remain chairman, Marty Rohde will remain as vice-chair and Tom Lynch as secretary.

Next on the agenda is Miscellaneous and Old Business. No items discussed.

Marlan opened up the floor for public comment. Dennis Reinert addressed the board with comments regarding South Sioux City and Dakota County's boundary line.

Moved by Jim Jepsen, second by Harold Moes, to adjourn. Motion carried

Meeting was duly adjourned at 7:25 P.M.

Respectfully submitted,

Jolene Gubbels

DAKOTA COUNTY PLANNING COMMISSION: April 20, 2010
PUBLIC HEARING

Public Hearing was called to order at 7:02 P.M in regards to Enforcement. Section 509 of the Dakota County Regulations to add a three step process to the enforcement procedure.

The issue was discussed by the Planning & Zoning Board, then opened for public comment. No public comment.

Chairman Marlan Millard closed the public hearing at 7:10p.m.

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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: Deb Green, Jim Jepsen, Tom Lynch, Harold Moes, Marlan Millard, Neil Miller, Joe O'Neill and Martin Rohde. Also present: and Planning and Zoning Administrator Arnold Mellick and see attached list. Absent; P&Z board members Andy Olson and County Commissioner Rick Bousquet.

Moved by Marty Rohde, second by Joe O'Neill to approve the minutes of the April 2010 meeting. Motion carried.

First item on the agenda is to discuss Section 301.04 regarding the term gender. Section 301.04 is in the Subdivision Regulations and the board discussed adding it to Section 201 #5 under Zoning Ordinances. Motion was made by Neil Miller and second by Deb Green. Unanimous. Motion carried.

Next item on the agenda is an update on the dam site south of Hubbard. Jim Jepsen attended a recent meeting and reported on the updates. Most of the appraisals have been done on the area and then after a waiting period they must go through, the land owners will be approached. They are hoping to have some of the land purchased by fall and start dirt work by spring.

Next on the agenda is Miscellaneous and Old Business.

Arnie stated that Neil Miller called him about trucks hauling sludge North of Jackson. Arnie spoke with Tyson and they have their proper permits from the state of Nebraska to continue with their work. Neil stated that most of the problems were from the trucks that were hauling the sludge were driving to fast and creating a lot of dust.

Marlan opened up the floor for public comment. Dennis Reinert discussed contacting Tyson about getting the trucks to slow down.

Joe O'Neill brought up home businesses in the areas zoned agriculture. If the individual wanting to set up the business would have a business relating to agriculture they would not have to rezone.

Moved by Jim Jepsen, second by Joe O'Neill, to adjourn. Motion carried

Meeting was duly adjourned at 7:35 P.M.

Respectfully submitted,

Jolene Gubbels

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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: Deb Green, Jim Jepsen, Tom Lynch, Marlan Millard and Neil Miller, Also present: and Planning and Zoning Administrator Arnold Mellick, County Commissioner Rick Bousquet and see attached list. Absent; P&Z board members Harold Moes, Andy Olson, and Joe O'Neill and Martin Rohde.

Moved by Jim Jepsen, second by Neil Miller to approve the minutes of the August 2010 meeting. Motion carried.

First item on the agenda is to discuss potential site for a rodeo arena located northeast of Emerson. Juan Alamillo would like to know what it would take to be compliant with planning and zoning regulations to hold several rodeos a year. He has 22 acres so there will be no parking on the road. It will be under Ag so he would need a conditional use permit. Arnie will talk with the county attorney to see if rodeos will fall under Section 600.3 under #7.

Next item on the agenda is to discuss Section 510 Administration. Discussion was held to determine what type of remodeling and alterations need a building permit. The County attorney felt that if someone puts in new flooring or cabinets and spends an excess of \$1000 it is still not a structural change and would not need a building permit. If walls are being removed and an actual structural change is made, then a permit would be needed.

Next on the agenda is to discuss commercial trucking regulations. An individual is interested in starting up a commercial trucking business in the counties jurisdiction. Arnie just wanted to inform the board of his interests and that there might be a need to rezone this area in the future.

Next on the agenda is to discuss a letter that was sent from FEMA regarding the new floodplain maps. A big concern of the P&Z board is to make the public aware of the floodplain changes so residents can appeal within the 90 day time frame of the appeals process. Arnie will set up a meeting with the STAR to discuss the best way to notify the residents of Dakota County of the flood plain changes.

Next on the agenda is Miscellaneous and Old Business. Arnie reviewed the new building permits and informational statements since the last meeting.

Marlan opened up the floor for public comment. No comment.

Moved by Jim Jepsen, second by Neil Miller, to adjourn. Motion carried
Meeting was duly adjourned at 7:45 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: Deb Green, Tom Lynch, Marlan Millard, Harold Moes, and Joe O'Neill, Also present: and Planning and Zoning Administrator Arnold Mellick, County Commissioner Tony Gomez and see attached list. Absent; P&Z board members Jim Jepsen, Neil Miller, Andy Olson, and Martin Rohde.

Moved by Harold Moes, second by Deb Green to approve the minutes of the October 2010 meeting. Motion carried.

Chairman Marlan Millard declared the regular meeting closed and the Public Hearing open at 7:03 P.M for Section 201. of the Planning and Zoning Regulations; Rules.

The Public Hearing closed at 7:05 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Joe O'Neill, second by Harold Moes to send the amendment change to the County Commissioners to add additional rule #5: "Gender: The masculine shall include the feminine and neuter". Roll call vote. Unanimous. Motion passed.

Next on the agenda it to discuss Section 600.3(7) Conditional Uses. Additional wording to be included in #7 to include rodeos. Motion made by Joe O'Neill and second by Harold Moes to have a public hearing to add rodeos to section 600.3(7).Unanimous. Motion carried.

Next on the agenda is discussion on a letter sent from FEMA regarding the flood plain appeal period. Arnie spoke with staff from the Star about running an add regarding floodplain changes. The appeal period will end in January to appeal any changes from the old maps to the new maps. Arnie has the new maps in the office, but only for the rural county. If a resident of a city or village wanted to review the maps, they would have to go their town clerks.

Next on the agenda is Miscellaneous and Old Business. Arnie said that Verizon wants to put antennas on the tower north of Jackson and wanted to know what had to be done to be able to do this. As Arnie and the County attorney see it, that under Section 800, Location of Towers and Construction Standards #2, they would need a conditional use permit to make any modifications. He said that Verizon will probably approaching the P&Z Board in the near future to request a conditional use permit.

Arnie also commented on a building permit for Stan and Deb Copple.

Marlan opened up the floor for public comment. Dennis Reinert asked for clarification on Section 201.

Moved by Joe O'Neill, second by Harold Moes, to adjourn. Motion carried

Meeting was duly adjourned at 7:23 P.M.

Respectfully submitted,

Jolene Gubbels

DAKOTA COUNTY PLANNING COMMISSION: November 16, 2010 PUBLIC HEARING

Public Hearing was called to order at 7:03 P.M in regards to Rules. Section 201 of the Dakota County Regulations to add additional rule #5: "Gender: The masculine shall include the feminine and neuter."

The issue was discussed by the Planning & Zoning Board, and then opened for public comment. Sally Reinert stated her approval of the change.

Chairman Marlan Millard closed the public hearing at 7:05p.m.