

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, Paul Ireland, Jim Jepsen, Tom Lynch, Marlan Millard, and Harold Moes, Also present: and Planning and Zoning Administrator Arnold Mellick, County Commissioner Tony Gomez and see attached sheet. Absent; P&Z board members; Dick McCabe, Joe O'Neill, and Martin Rohde

Moved by Jim Jepsen, second by Paul Ireland to approve the minutes of the November 2011 meeting. Motion carried.

Chairman Marlan Millard declared the regular meeting closed and the Public Hearing open at 7:02 P.M to amend Section 302, Section 700.2, and Section 700.3.1 to reflect the adoption of the new FEMA flood plain maps. The Public Hearing closed at 7:10 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Jim Jepsen, second by Harold Moes to make a recommendation to the Board of Commissioners to pass a resolution to amend Sections 302, Section 700.2 and Section 700.3.1 of the Dakota County Planning and Zoning regulations to reflect the adoption of the new FEMA flood plain maps . Roll call vote. Unanimous. Motion passed.

Next on the agenda is to discuss changing title from Planning and Zoning Administrator to Zoning Administrator. After some discussion the board decided to leave it the same

Next on the agenda was discussion on the upcoming Planning and Zoning conference in Grand Island. Marlan said the he would go if he was still on the board in March.

Next item on the agenda is to discuss changing building permits to zoning compliance permits. The board had some discussion on the issue which led into discussion of the next agenda item which was discussion on making changes to building permit application. Arnie would like to add a clause regarding information about 90' setbacks and that all the information provided is true and correct and there will be held liable if found otherwise. Arnie will check with the county attorney to see if there needs to be a public hearing to change the current permit name and information on the permit

Next on the agenda is Miscellaneous and Old Business. Arnie reminded any board members that had terms up and wanted to reapply needed to by January 27<sup>th</sup>.

Chairman Marlan Millard opened up the floor for public comment. Dennis Reinert wanted to be sure the panel numbers were correct on the new flood plain maps. The dates were marked but he said in addition the panel numbers should be correct.

Moved by Harold Moes, second by Jim Jepsen, to adjourn. Motion carried  
Meeting was duly adjourned at 7:32 P.M.  
Respectfully submitted,  
Jolene Gubbels

DAKOTA COUNTY PLANNING COMMISSION: January 17, 2012  
PUBLIC HEARING

Public Hearing was called to order at 7:02 P.M to amend Sections 302, Section 700.2, and Section 700.3. 1 to reflect the adoption of the new FEMA flood plain maps.

After discussion, the Planning and Zoning Board reviewed the resolution.

Chairman Marlan Millard closed the public hearing at 7:10 p.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, Dick McCabe, Marlan Millard, Harold Moes, and Martin Rohde Also present: and Planning and Zoning Administrator Arnold Mellick, County Commissioner Tony Gomez and see attached list. Absent; P&Z board members; Paul Ireland, Joe O'Neill, and Brian Rush

Moved by Deb Green, second by Jim Jepsen to approve the minutes of the January 17, 2012 meeting. Motion carried.

First on agenda is election of officers. Motion made by Harold Moes, second by Marty Rohde for Marlan Millard to remain as Chairman. Roll Call Vote. Unanimous. Motion Passed.

Motion made by Jim Jepsen, second by Deb Green for Marty Rohde to remain as vice-chair. Roll Call Vote. Unanimous. Motion Passed.

Motion made by Marty Rohde, second by Deb Green to nominate Dick McCabe as secretary. Roll Call Vote. Unanimous. Motion Passed.

Chairman Marlan Millard declared the regular meeting closed and the Public Hearing open at 7:08 P.M for reviewing information to amend the current Informational Statement, Building Permit Application and Building Permit

The Public Hearing closed at 7:30 P.M. and the regular meeting of the Planning and Zoning Commission reopened.

Motion made by Harold Moes, second by Deb Green to table the issue until after the Nebraska Planning and Zoning Conference in Grand Island in March. Roll call vote. Unanimous. Motion passed.

Next on the agenda was to finalize who would be attending the Nebraska Planning and Zoning Conference in Grand Island. Marlan Millard and Arnie Mellick will be going and get together and decide which institutes they will attend while there.

Next on the agenda is Miscellaneous and Old Business. Arnie went through the list of new buildings in the area. Someone brought up Elliot Saunders property and how long he had to clean it up and if he still owned the property. Arnie said he will look into it.

Marlan opened up the floor for public comment. Dennis Reinert wanted clarification on Elliot Saunders property. Arnie said he will look into see if Elliot still owns the property and let the board know what he finds out at the next meeting.

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

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

Respectfully submitted,

Jolene Gubbels

DAKOTA COUNTY PLANNING COMMISSION: February 21, 2012

PUBLIC HEARING

Public Hearing was called to order at 7:08 P.M to amend the current Informational Statement, Building Permit Application and Building Permit. Arnie discussed what changes he would like to make. Changes included; to add 90' setback from center of road, or 50' from neighboring fence line which ever is greater, statement saying

that the information is true and correct to the best of their knowledge and if not, they are subject to penalties outlined in Nebraska Revised Statutes §23.114.05, and changing the Building Permit to a Zoning Permit. Chairman Marlan Millard opened the floor to public comment. Dennis Reinert made a request that the board wait to make any changes until after the zoning conference in March. Arnie stated that it is becoming a common practice in counties to change from a zoning permit to building permit. Deb Green questioned whether we could ask questions regarding the building if we are calling it a zoning permit. Questions were brought up if the county needed to have a building inspector along with a zoning inspector.

Chairman Marlan Millard closed the public hearing at 7:30 p.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, Paul Ireland, Jim Jepsen, Marlan Millard, Harold Moes, Joe O'Neill, Martin Rohde, and Brian Rush Also present: and Planning and Zoning Administrator Arnold Mellick, County Commissioner Tony Gomez and see attached list. Absent; P&Z board members; Dick McCabe

Chairman Marlan Millard declared the regular meeting closed and the Public Hearing open at 7:03 P.M. to review a Conditional Use Application for Bernadine Sullivan/American Tower Corp. for the purpose of mounting a Verizon antenna on an existing tower

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

Motion made by Jim Jepsen, second by Paul Ireland to approve the Conditional Use Permit Application and send their recommendation to the Board of Commissioners for final approval. Roll call vote. Unanimous. Motion passed.

Moved by Marty Rohde, second by Harold Moes to approve the minutes of the February 21, 2012 meeting. Motion carried.

Arnie Mellick welcomed Brian Rush, our newest planning and zoning member. Tony Gomez arrived at 7:10

Next on the agenda is Tom Twohig to address the board regarding sectioning off a piece of ground to put up a shed. His son Mike wants to put up a shed on Tom's ground. The ground has to be in Mike's name for the loan, but they want to section off less than 5 acres to put the shed on. Mike's name is on the trust to eventually own all the surrounding ground. It's a narrow piece that is landlocked by Tom's ground and his dad's ground. Shed will be approximately 200' off the county road. It was stated that if the ground is sectioned off less than 5 acres, then it can never be sold as an acreage. The board agreed that it would not be a problem to section off only what is needed to put the shed on since he will eventually own the surrounding ground. Mike will have to come in and fill out an informational statement.

Next on the agenda is to establish a timeline for new owners to clean up Dakota City Scrap LLC at Willis. After doing research, it was discovered that Elliot Saunders has bought it back and still owns it. Elliot was unable to attend the meeting, but told Arnie that he is hoping by the middle of summer to have it cleaned up depending on financing. Tony suggested giving him a specific date to have it cleaned up. A question was brought up if we are talking about cleaning up the surface of the ground, or any ground contamination that may be there. The board would like to have Elliot to attend the next meeting for further discussion.

Next on the agenda is Miscellaneous and Old Business. Arnie went through the list of new buildings in the area.

Marlan opened up the floor for public comment. Sally Reinert stated that she would like to see Elliot's property cleaned up and all zoning laws upheld and enforced in that area.

Moved by Marty Rohde, second by Harold Moes, to adjourn. Motion carried

Meeting was duly adjourned at 7:31 P.M.

Respectfully submitted,

Jolene Gubbels

DAKOTA COUNTY PLANNING COMMISSION: March 20, 2012

PUBLIC HEARING

Public Hearing was called to order at 7:03 P.M to review a Conditional Use Application for Bernadine Sullivan/American Tower Corp. for the purpose of mounting a Verizon antenna on an existing tower and installing a prefabricated shelter at the base of the shelter to improve the communications service in Jackson, NE. Daniel Dean with Bernadine Sullivan/American Tower Corp. stated through phone conference they are hoping to get started with the project in August once environmental study is complete and will improve cell phone communications for a 7.5 to 10 mile radius.

Chairman Marlan Millard opened the floor to public comment. No comment

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

MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Vice Chairman Martin Rohde. 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, Paul Ireland, Dick McCabe, Harold Moes, Joe O'Neill, Martin Rohde, and Brian Rush Also present: and Planning and Zoning Administrator Arnold Mellick. Absent; P&Z board members; Jim Jepsen, Marlan Millard.

Moved by Joe O'Neill, second by Paul Ireland to approve the minutes of the March 20, 2012 meeting. Motion carried.

First item on the agenda was to discuss Elliot Saunders cleanup timeline on his Willis property. Elliot was sent and agenda and a letter requesting him to attend the meeting. He however was not present. Arnie Mellick stated that a bunch of cars have been removed already from the property. Arnie suggested having the county attorney sending him a letter to clean up the area. One question was brought up as to whether the cleanup was on the surface only or garbage cleaned up that has been buried on the property. Arnie suggest contacting the EPA and finding out what they can do to enforce cleanup.

The next two agenda items was to discuss changing building permits to zoning compliance permit and making changes to the building permit application and informational statement. When Arnie was at the Nebraska Planning and Zoning annual meeting in Kearney in March he spoke with Dave Ptak who is head of Nebraska Planning and Zoning and is also a lawyer. Mr. Ptak stated that when we change our permits from a building permit to a zoning permit we are making residents conform to our zoning laws and ordinances. Arnie showed the planning and zoning board the changes that would be made to the building permit and information statement application and the zoning permit that will be issued. There are approximately 27 places in the regulations that refer to a building permit that would have to be changed to zoning permit. Motion made by Joe O'Neill, second by Harold Moes to send there recommendation to the commissioners to approve these changes. Roll Call vote, Unanimous. Motion carried

Next on the agenda is Miscellaneous and Old Business. Arnie discussed his trip to Kearney for the Nebraska Planning and Zoning annual conference. One issue is LB 1126 that states that towns and villages extend there extraterritorial jurisdictions to the next quarter mile to square up their jurisdiction lines. If this passes, which might be next year of it does, then that would be the time to have South Sioux City and Dakota City square up there lines to extend to Hwy 110 and Hwy 35. Also, that it is a state statue to have a permit before any construction on a non-farm building. It is already in our regulations, but is a state law now. Arnie also handed out to information on what the duties are of the Board of Adjustments and what they are allowed to do. Arnie also stated that a new comprehensive plan is being written for South Sioux City and the surrounding areas. Arnie brought up Conditional Use permits and if we still needed to charge the yearly renewal fee. The board decided that if Arnie needs to be going out and doing inspections for the yearly renewals that the fee should stay in place. Arnie went through the list of new buildings in the area.

Marty Rohde opened up the floor for public comment. Sally Reinert stated that concerns about Elliot Saunders property and that it was a good idea to get the county attorney involved. The board discussed having the county attorney sending him a letter and requesting him to be at the next meeting and present a plan of action for cleanup.

Moved by Harold Moes, second by Paul Ireland, to adjourn. Motion carried

Meeting was duly adjourned at 7:43 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 Chairman Martin Rohde. 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, Paul Ireland, Jim Jepsen, Dick McCabe, and Martin Rohde. Also present: and Planning and Zoning Administrator Arnold Mellick. Absent; P&Z board members; Marlan Millard, Harold Moes, Joe O'Neill and Brian Rush.

Moved by Jim Jepsen, second by Deb Green to approve the minutes of the April 17, 2012 meeting. Motion carried.

First item on the agenda was to discuss Elliot Saunders cleanup timeline on his Willis property. Elliott stated that he thought that he would have everything cleaned up in July. Motion was made by Paul Ireland, second by Dick McCabe to give Elliott Saunders until September 1, 2012 to clean up property. Roll Call vote. Unanimous. Motion carried.

Next on the agenda is Miscellaneous and Old Business. None

Marty Rohde opened up the floor for public comment. No public

Moved by Jim Jepsen, second by Deb Green, to adjourn. Motion carried  
Meeting was duly adjourned at 7:12 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, Paul Ireland, Marlan Millard, Harold Moes, Joe O'Neill, and Martin Rohde. Also present: Planning and Zoning Administrator Arnold Mellick, County Commissioner Tony Gomez. Absent; P&Z board members; Dick McCabe and Brian Rush

Moved by Joe O'Neill, second by Harold Moes to approve the minutes of the May 15, 2012 meeting. Motion carried

Chairman Marlan Millard declared the regular meeting closed and the Public Hearing open at 7:03 P.M to approve/disapprove the preliminary plat and final plat of the Phase III of Rotunnda Place subdivision in South Sioux City's extraterritorial jurisdiction

The Public Hearing closed at 7:09 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 preliminary plat of Phase III Rotunnda Place subdivision and send their recommendation to the Board of Commissioners for final approval. Roll call vote. Unanimous. Motion passed.

Motion made by Marty Rohde, second by Harold Moes to approve the final plat of Phase III Rotunnda Place subdivision and send their recommendation to the Board of Commissioners for final approval. Roll call vote. Unanimous. Motion passed.

Next on the agenda is Miscellaneous and Old Business. Arnie handed out the changes for the planning and zoning books to reflect the change from building permits to zoning permits. Arnie went through the list of new buildings in the area.

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

Moved by Harold Moes, second by Paul Ireland, to adjourn. Motion carried

Meeting was duly adjourned at 7:20 P.M.

Respectfully submitted,

Jolene Gubbels

DAKOTA COUNTY PLANNING COMMISSION: AUGUST 19, 2012  
PUBLIC HEARING

Public Hearing was called to order at 7:03 P.M to review the preliminary and final plat for phase III of the Rottunda Place subdivision in South Sioux City's extraterritorial jurisdiction. The planning and zoning board reviewed the maps.

Chairman Marlan Millard opened the floor to public comment. No comment

Chairman Marlan Millard closed the public hearing at 7:09 p.m.