

Ellis County Joint Planning Commission Meeting Minutes for September 21, 2016

Members Present:

Dick Klaus
David McDaniel
John Schulte
Nathan Leiker

Members Absent:

Brett Schmidt
Bryan Church
Rob Soneson

Staff Present:

Karen Purvis, Zoning Administrator
Carla Meier, Recording Secretary

Counsel Present:

Michael Baxter

County Administrator:

Phillip Smith-Hanes

Public Works Director:

Bill Ring

+++++

The September 21, 2016 meeting of the Ellis County Joint Planning Commission was called to order by Chairman David McDaniel at 7:00 p.m. The meeting was held at 718 Main Street Commission Chambers.

Roll call was taken four members were present. There was a quorum.

Minutes: John Schulte moved to approve the August 25, 2016 minutes as written. Dick Klaus seconded the motion. Motion carried 4-0.

Public Presentation: None

Staff Report: Chairman McDaniel requested a staff report from Karen Purvis, Zoning Administrator.

Karen presented the staff report reflecting the activities from August 22, 2016 thru Sept 19, 2016.

Old Business

Chairman McDaniel called upon Karen Purvis, Zoning Administrator to present the ongoing discussion concerning the possible changes to the County's Zoning and Subdivision Regulations. Karen proceeded with the discussion with item number 10.

Zoning Regulations

Item 10. Section 32-103 Referral of Amendments to Cities

Chairman McDaniel requested Karen and the office staff draft a letter to Ellis and Victoria notifying them as to possible amendments forthcoming to the Ellis County Zoning and Subdivision Regulations. A draft letter was presented with the City of Ellis information. Legal Counsel sees no problem with the letter.

Nathan Leiker made a motion to approve the draft letter as presented. John Schulte seconded the motion. Discussion followed. Motion carried 4-0.

Item 12. Number 16 page 1-05 the word Applicant -- the definition is fine. In Article 32 page 1 Section 32-101 there is also a reference to agent. Karen informed the Committee that our Conditional Use Permits refer to Applicant/Agent. It would be beneficial to change the term to Applicant/Agent.

John Schulte made a motion to change the word from Applicant to Applicant/Agent and have the definition remain the same. Nathan Leiker seconded the motion. Discussion followed. Motion carried 4-0.

Item 13. Article 33.-103 Penalty – (For Not Following Rules) -- should this have more added to it because it goes directly to a misdemeanor prosecution phase -- Much discussion followed --- Karen informed the Committee - if there are violations Mr. Drees, County Attorney and Mr. Jeter, County Counsel are notified. Mr. Smith-Hanes gave an explanation as to a current situation which has arisen; he answered questions and helped in the discussion.

Nathan Leiker made a motion to set up a fee schedule like the Environmental Code to double the fee to motivate people to comply with the application procedure and to leave the penalty phase in place as it may be needed. Chairman McDaniel seconded the motion. Discussion followed about fees vs fines. Legal Counsel stated State Statutes need to be followed when dealing with fines.

Nathan Leiker made a motion to table the discussion until Legal Counsel was able to research proper language of fees versus fines. John Schulte seconded the motion. Motion carried 4-0.

Karen stated this was all the changes we had for the Zoning Regulations and questioned the Committee if they had found anything.

It was decided to move on to Subdivision Regulations

Item 1 waiting for decision until jurisdiction changes

Item 2 Private Streets --- Commission requested this section be looked over. Karen said this was tied to Item 5 Section 4-102 #12 Much discussion followed. Karen called on Bill Ring to answer questions and explain about road maintenance. Mr. Ring explained how road maintenance is taken care of in Ellis County Mr. Smith-Hanes also explained about road issues affecting the finances of the county.

Nathan Leiker made a motion recommending tabling discussion on Private Roads until next meeting. Chairman McDaniel seconded the motion. Motion carried 4-0.

Item 3 Section 2-101 General Provisions having an 8 lot minimum as opposed to 6 lots Karen stated Commissioners requested the number of lots be looked at (reducing from 8 lots to 6 lots). Discussion followed among the Committee members, Mr. Smith-Hanes and Mr. Ring.

Nathan Leiker made a motion to leave the Regulation --- 8 lot minimum as is. John Schulte seconded the motion. Discussion followed. Motion carried 4-0.

Item 2 Definitions Section 1-107 #82 Subdivisions was covered previously.

Item 6 Section 4-102 Change County Engineer wording

Nathan Leiker made a motion to change the wording of County Engineer to Ellis County Public Works. John Schulte seconded the motion. Discussion followed. Motion carried 4-0.

Item 9 was covered previously.

Karen stated the Committee needs to look at the Procedural Guide pages 36 and 37. However: because, it deals with the 3 mile zone it will need to be on hold.

Karen stated that the Committee needs to think about-- if the 3 mile jurisdiction is changed -- agricultural lots are 40 acres and as they get closer to city limits -- sizes of lots will need to be changed. Do we want to change to settlement districts as stated in the comprehensive plan? No comments.

Chairman McDaniel stated there was a lot to think about with changing the Extra Territorial Jurisdiction. Then he questioned what the Commissioners had stated at the Commission Meeting last Monday. Karen said that information was in her report in the new business.

Nathan Leiker made a motion to move to the new business section of the meeting and leave discussion of subdivision regulations till next meeting. Chairman McDaniel seconded the motion Motion carried 4-0.

New Business:

Karen informed the committee that she attended the September 6 Commission Meeting and explained about its actions. At the September 12 Commission Meeting, Chairman McDaniel and Karen presented the two Conditional Use Permits, which the Commission approved

Conditional Use Permit 1612, Midwest Energy, 3-0. The Commissioners did not approve Conditional Use Permit 1613, Glen Teel/Alex Stenzel, 3-0. Karen attended the September 19 Commission meeting and stated that the Commissioners were not ready to take action on the Extra Territorial Jurisdiction so they sent it to our Zoning Commission to discuss and get recommendations.

Karen informed the Zoning Commission that the County Commissioners requested Realtors and Bankers and other interested parties be invited to the Zoning Meeting for discussion of the Extra Territorial Jurisdiction. The map showing the new jurisdiction for passed to each of the committee members.

Nathan Leiker made a motion to draft a letter to email to Realtors and Bankers and all interested parties to invite them for their input on the projected Extra Territorial Jurisdiction for our October 19th, 2016, meeting and also to state in the letter that they are strongly encouraged to attend. John Schulte seconded the motion. Motion carried 4-0.

Other Business: None

Confirmation of next meeting date: The next meeting will be scheduled for Wednesday, October 19, 2016 at the Ellis County Administrative Center, 718 Main, Lower Level Hays, KS at 7:00 p.m.

Adjournment:

John Schulte moved the meeting be adjourned. Chairman McDaniel seconded the motion. Motion carried 4-0. The meeting was adjourned at 8:52 p.m.

Respectfully Submitted

Carla Meier

Chairman

Date