

1 **ON FEBRUARY 9, 2017 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY**  
2 **COUNCIL CHAMBERS LOCATED AT 147 N 840 WEST HURRICANE, UT.**

3  
4 **Members Present:** Ken Bradshaw, Rebecca Bronemann, Ralph Ballard, Bob Petersen, Paul Farthing,  
5 and Yovonda Hall

6  
7 **Staff Present:** Planning Director Toni Foran, Planning Assistant Cindy Beteag, City Attorney Fay  
8 Reber, City Council members Kevin Tervort, Pam Humphries, Darin Larson, and Cheryl Reeve

9  
10 Chairman Petersen called the meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Rebecca  
11 Bronemann and Ken Bradshaw offered the prayer. Roll call was taken.

12  
13 Yovonda Hall motioned to approve the February 9, 2017 agenda as posted. Ken Bradshaw seconded the  
14 motion. Motion carried with all Commissioners voting aye.

15  
16 Chairman Petersen opened the Public Hearing at 6:03 p.m. to take comments on the following:

- 17  
18 **1. A zoning map change request from RA-1, Residential Agriculture, to PDO/RA-1, Planned**  
19 **Development Overlay, for approximately 84 acres located south of 1500 South at 920 West with**  
20 **24 parcel numbers for the purpose of building a ski lake subdivision with 49 single family lots and**  
21 **3 lakes.**

22 **Lou Muzingo** came forward and read a letter opposing the zone change. A copy of the letter is  
23 available in the Planning Commission book in the Planning Department.

24 **Carrie Forbes** stated her brother purchased a home on 1500 South and plans on retiring there. She  
25 is representing him. She stated the noise related to a lake subdivision will impact the area  
26 considerably. She stated the comparison of the airport noise is not even close to what water  
27 recreation activity can be. She stated the noise can be loud, constant, and extremely disturbing. She  
28 asked what noise ordinance and time restriction would be put in place to protect the character of  
29 the area. She stated her brother is also concerned about the collapsible soil with three acres of  
30 water sitting on it and about the use of the water to keep the lakes full. She stated if the water is  
31 stagnant then it will develop pests.

32 **Duane Beecher** stated he has 25 acres of farm land directly south of this property. He stated a lake  
33 subdivision is not compatible with farming and agriculture. He wants to stay in that location. He  
34 stated he is very against a lake subdivision. It will bring a lot of traffic. He likes the current zoning.

35 **Sandra Garner** stated she has lived in this area for 26 years. She has an orchard that they spray and  
36 they want to continue to do so. She stated this would bring too many people to the area and then  
37 they start complaining about them spraying and they don't want to lose their orchard. She stated  
38 the noise and traffic on a dead end road will be terrible. She stated she is very opposed to this zone  
39 change. The soil is bad in this area and it would be too many houses. She mentioned a time when  
40 water had collected in a pond and the mosquitos were so thick they couldn't go outside. She stated  
41 that would be a concern with this development too.

42 **Robert Bohne** stated this proposal would be directly across the street from him. He explained it is  
43 currently a dead end street. He stated there are only ten homes in area right now and this would  
44 increase the traffic to about 100 vehicles a day. He doesn't see how putting that many homes will  
45 benefit anyone who currently lives there. He feels three lakes is too many for that acreage. He  
46 stated no one would be able to ski in that size of a lake.

47 **Collete Wadsworth** stated she owns 50 acres that borders the proposed property. She stated they  
48 have had this land in her family since before she was born. She wants to continue to farm. She  
49 stated her family has animals, fruit trees, and an arena for barrels. She stated this is not a  
50 development that fits in this area. She stated she would like the people that are proposing this to

1 talk first because a lot of people are upset and it could be for no reason. She would like to know the  
2 difference between RA- 1 and PDO/RA 1? She asked what other rights do they get with a PDO? She  
3 stated all of her land is zoned RA-1 and they have animals. She stated as more people move in and  
4 they don't know about agriculture, then they don't know to shut gates behind them and then  
5 animals get loose. She questioned how they are going to accommodate the people who what to  
6 continue agriculture. She asked how many times the same piece of property can be brought for an  
7 outlandish development and the surrounding property owners have to continue coming to state  
8 their objections. She asked who is responsible for the settling around the lakes and how they are  
9 going to keep the lakes from leaking. She asked if the lakes would be lined and where the water will  
10 come from. She stated she has a lot of association with the Canal Company and the stock holders  
11 are not going to allow them to get it from there. She stated if they do this, she would like a people  
12 proof fence between the development and her property because too many people bother the  
13 animals and don't know anything about them. She submitted a letter with her questions that is  
14 available in the Planning Department.

15 **Applicant Brittney Christensen** stated she and her husband Jason are the ones proposing this  
16 development. She explained they have partnered with someone that built Last Chance Lakes in  
17 Utah County which is a similar project. She stated she understands the concern the neighbors  
18 have, saying they have purchased underground water rights that they will pump up with a well and  
19 they have some canal rights. They will use these resources to fill the lake but they know there will  
20 be seepage and evaporation so they will continue to fill them as needed. She stated they plan on  
21 fencing the lakes for protection. She stated there is noise associated with the boats but they are  
22 not the bigger boats and not as loud as an airplane. She mentioned with any water there is a  
23 possibility of mosquitos but they would do an abatement program so it wouldn't be a nuisance.  
24 Rebecca Bronemann asked if the surrounding properties would still be able to spray their orchards.  
25 Ms. Christensen stated she doesn't think that would be a problem. A resident asked her to address  
26 the lights and if they will be on all the time. Ms. Christensen stated they don't know if they will put  
27 up lights like Last Chance but they are open to any suggestions. Another resident asked if this  
28 would be a gated community. Ms. Christensen stated only the residents that live on the lakes would  
29 have access to them. Carrie Forbes asked how they would deal with the collapsible soil under three  
30 acres of water. Ms. Christensen explained the deepest the lake would be is twelve feet but most  
31 areas would only be six feet deep. She stated they have a geotechnical engineer doing extensive  
32 research on the property right now and they are giving expecting recommendations on what can be  
33 built there. Ms. Forbes asked who would be responsible if the soil collapsed. Ms. Christensen stated  
34 the engineers have guarantees and insurance that if the developers follow their recommendations  
35 then they will cover it. Ms. Forbes asked what written guarantee would the surrounding properties  
36 receive that it will not affect their homes and if it does who is responsible to fix it. Ms. Christensen  
37 stated the engineers will provide a written guarantee when they write their report. She mentioned  
38 they are only proposing to build forty-nine homes, not the original eighty five homes that were  
39 approved. Collete Wadsworth stated she has never seen an engineering company provide  
40 insurance for mistakes. She stated if something goes wrong engineers change their name and don't  
41 help any of the people that were affected. Ms. Christensen stated their engineers have seen the  
42 bad times and have stayed in business because they are more conservative. She stated they do  
43 want to make sure the property and their investment is protected. City Attorney Reber pointed out  
44 the bottom line is if there is a problem down the line it is a long process to get any results. A  
45 resident asked why they chose this area. Ms. Christensen stated they have been looking for a while  
46 and this area fit the acreage and price. Ms. Forbes stated she doesn't know if people will want to  
47 live around the agriculture and animals if they aren't familiar with it. Ms. Christensen stated she has  
48 been to four other projects like this and they are all surrounded by agricultural because they need  
49 to have the acreage for this type of development. She stated everyone that lives there understands  
50 what is around them. Durward Wadsworth asked if they had contacted the canal company. Ms.

1 Christensen stated they have underground water they have under contract and canal company  
2 shares they are purchasing from someone. Mr. Wadsworth asked how many shares they plan  
3 purchasing. Ms. Christensen stated they have eighteen shares under contract. Ms. Forbes asked if  
4 the underground water would tap into the City aquifer. Ms. Christensen stated she is unsure but  
5 more than likely if the state allows it. Ms. Forbes stated the City should have a big concern with  
6 that. Ms. Christensen stated they are purchasing it. Ms. Forbes stated it doesn't matter how they  
7 get it, once it is gone it is gone.

8 **Ken Richins** stated he built in this area twenty five years ago. He is next door to this property. He is  
9 familiar with the unstable soils. He spent a lot of time preparing his land to make sure it is stable for  
10 his house. He has tried to keep as much water as possible away from his house. He stated one of  
11 the lakes is very close to his house and he has never seen a liner that doesn't have seepage. He  
12 stated a single gopher can change everything. He stated his grandpa had property around the  
13 corner that had a five foot high area. His grandpa moved the high spot and after watering for five  
14 years he had to haul soil back in to fill the hole. He stated it is a real concern for this to not affect  
15 other properties. The City already has issues in other areas. He stated he knows it is hard because  
16 you want to let people build but you have to protect the surrounding properties. He mentioned if a  
17 young couple bought one of these houses and it settled it would destroy them financially.

18  
19 **2. A Land Use Code change to the definitions to bring the daycare definitions in line with the State**  
20 **licensing categories**

21 Toni Foran explained this is a clean up to the City's current ordinance. She stated the ordinance has dated  
22 definitions in the code and this change will update the City's code to match the state definitions.

23  
24 Chairman Petersen closed the Public Hearing at 6:37 p.m. and the Public Meeting began.

25  
26 **New Business:**

27 **2017-ZC-03 and 2017-PSP-01 Consideration and possible recommendation to the City Council on a zoning**  
28 **map change request from RA-1, Residential Agriculture, to PDO/RA-1, Planned Development Overlay, for**  
29 **approximately 84 acres located south of 1500 South at 920 West with 24 parcel numbers for the purpose**  
30 **of building a ski lake subdivision with 49 single family lots and 3 lakes – Brittany Christensen, applicant**

31 Paul Farthing asked why there are 24 parcels numbers for 49 lots. Toni Foran explained the property is  
32 divided up between 4 different owners but it will be combined in the end if this is approved. Mr. Farthing  
33 stated their application mentioned overnight rentals. He asked how many would be rentals. Brittney  
34 Christensen stated they were considering the outside houses being used as overnight rentals. She stated  
35 they thought they would allow twenty lots for the vacation rentals. Toni Foran stated that would require  
36 onsite management and they would have to submit all the plans for approval. Ralph Ballard clarified the  
37 PDO would designate the area for vacation rental. Yovonda Hall asked if overnight rentals could be  
38 approved for this development since they did not propose the amenities with this application. Ms. Foran  
39 stated not unless the applicants come back with a modified plan. Ms. Hall asked how they would keep the  
40 water from seeping. Ms. Christensen stated they have not received all the recommendations from the  
41 engineer but they have two options. The first option is a synthetic lining and the other is a chemical that  
42 you put on the ground and it binds with the soil to seal the land. Ms. Hall stated an engineer will always tell  
43 you can do something if you make the plans for it which isn't always true. She stated she has doubts that  
44 the seal would work. She stated if the water leaked it would have a lot of damage. Ms. Christensen  
45 mentioned once they get the geotechnical report they can share it with the Commissioners. Mr. Farthing  
46 asked about stagnant water. Ms. Christensen stated there will be some natural seepage, evaporation and  
47 they will be putting water into the lake. They have other lakes like this and the water doesn't stagnate.  
48 Jason Christensen stated there is a filter mechanism. He stated they care greatly about water, maintaining  
49 clarity, and maintaining plant life. The most important thing with a lake is the water and keeping it full. He  
50 stated they understand there is collapsible soil and the one thing that makes it collapse is water so the only

1 way they can ensure the water won't collapse the soil is to go to the bottom of the collapsible soils. He  
2 explained they are in the process of finding the bottom right now. Currently they have reached forty feet  
3 below ground and the soil is so light and flour like so it is hard to pull it up through the drill. He stated even  
4 the testing has been problematic and they understand the concerns. He stated they are going to build  
5 houses and they don't want them settling or the bottom of the lake to disappear. He stated they will  
6 participate in mosquito abatement programs. Ms. Hall pointed out the history of collapsible soil in the area.  
7 She stated they picked the area with the worst soil and the most potential for a development like this to  
8 fail. She stated that is one of the things they have to look at when deciding if they are going to approve it.  
9 Mr. Christensen stated if the engineering comes back and says they can't do it then they will leave. He  
10 stated he won't proceed unless it can be done successfully. They are adding all the steps to avoid problems  
11 including hours in the lab. Mr. Farthing stated he feels it is premature to discuss until they can see the  
12 engineering. Mr. Christensen stated he isn't asking for approval of a subdivision or construction drawings  
13 only the zone change. Ms. Foran stated in this case they are asking approval to do the lakes not just houses  
14 and that is where the concern comes from. Ms. Hall asked the panel for a poll on what they are thinking.  
15 Rebecca Bronemann stated this area is a hotspot for earthquakes and there is a major fault line so when  
16 there is unstable soil, water and a fault line then everything will crumble if an earthquake hits. Ms. Hall  
17 stated water always migrates and all lakes leak. Mr. Christensen stated it will leak but it's how you control  
18 it. Ms. Hall stated the Commissioners have discussed many times that intensive development out there is  
19 not desirable because of the conditions. She stated by adding lakes it makes it even worse. Chairman  
20 Petersen pointed out there are already approvals for this area and it required deed restrictions so the  
21 people who purchases the property would be aware of the conditions. He asked if this development would  
22 have deed restrictions as well. Ms. Foran stated the City has a form that is used for any area with potential  
23 problems that is required to be signed before a building permit can be pulled. Mr. Farthing asked if there  
24 would be an HOA to maintain the development. Mr. Christensen stated yes. Ms. Hall asked how long a  
25 developer is liable for the damages on homes they develop. Mr. Christensen stated seven years. Ms. Hall  
26 stated she thinks it is too high of a risk to approve. Ms. Bronemann asked for clarification on if the water  
27 would come from the town aquifer. Ms. Foran stated if they apply for a change in use for the water rights  
28 they are buying then there is a comment period during which people can make comments. She stated if it  
29 will impact the City's water rights then they will make comments. Mr. Ballard stated the State Engineer  
30 would determine all that. He stated the agriculture infringements have been a concern for a while. He is  
31 happy for someone to do something profitable but there are a lot of concerns. He stated the price of the  
32 land is good but by the time they do everything the engineer recommends they spend more and it still is  
33 not secure. He pointed out this development would be less traffic then what was previously approved. He  
34 feels mosquitos could be controlled. He questioned getting water and power to the development. Ken  
35 Richins stated they have a hard time with pipes in the road in that area because of the settling. Mr. Ballard  
36 mentioned when other subdivision in this area were reviewed there was a significant amount of  
37 infrastructure that had to go in to maintain it. He stated there is major risks in putting infrastructure in the  
38 ground because of the soil and it is disturbed there is tremendous effects to it. He stated he has a concern  
39 with the liner and the construction is critical. He stated it is hard for them to make a decision without  
40 knowing what the engineer is recommending. Mr. Christensen stated they have discussed three different  
41 types of liners but they have to go through labs before they can determine what will work. He knows they  
42 will have to spend a lot of money on engineering to determine what will work and if they can't find a  
43 solution they can't build. He stated they are here as part of the process to see if a solution can be met to  
44 make it work. He stated they can make it work with the current zoning but there would be less open space.  
45 He stated that could be option still if the zone change isn't approved. He stated their two major concerns  
46 are water and soil. Mr. Ballard stated the water rights they mentioned earlier in the meeting are not  
47 enough for this project. Mr. Christensen agreed and stated they are not done collecting water rights. He  
48 knows they need 200 acre feet of water to supply the lakes and keep them maintained. He stated it will use  
49 about the same amount of water as a wheel line running 24/7 after the initial fill. Mr. Ballard asked if the  
50 lake would be fenced or if the fence would be on outside the properties. Mr. Christensen stated they would

1 like to allow the homeowners access to the lakes but they will work with the City to put it where it is  
2 needed. Mr. Ballard stated what he understands is that the applicant is asking if this is even a possibility.  
3 Mr. Christensen stated they can't spend a lot of money on engineering if the project isn't going to work. Mr.  
4 Ballard asked about the landscaping around the lakes. He stated he understands organic material creates  
5 algae but questioned how far beyond the shores they do landscape. Mr. Christensen stated from the beach  
6 it will go to grass or whatever the homeowner decides to put there. He explained they don't want willows  
7 or anything with a large progressing root system that would puncture the lining. He stated they keep that  
8 down to prevent more problems with rodents and mosquitos. Mr. Ballard stated it will be more like a pond  
9 with a beach. Commissioners discussed what the geotechnical engineer recommended on the other  
10 project. Mr. Christensen stated the landscaping will start ten feet out. He stated it is a controlled  
11 environment. They color the lake and control the fish. Mr. Ballard mentioned the water availability with be  
12 determined by the State Engineer. He stated the soil sustainability is an issue and there is not a legitimate  
13 way to protect the surrounding property owners. He stated times of operation was a concern from some of  
14 the residents. Mr. Christensen stated they will not ask for anything above the city ordinance. Mr. Ballard  
15 stated they do need to consider it is not compatible with the agriculture. He mentioned there have been a  
16 lot of valid points that need to be considered. Ms. Hall questioned if the noise fits in an area that is already  
17 established. She stated this is bringing the lake noise to the people that were already there and even if they  
18 follow the noise ordinance it still will affect the other residences. Mr. Christensen agreed they may need to  
19 wait for the engineering. He stated it might benefit everyone to see what the issues are before they make a  
20 decision. Chairman Petersen stated they gave the previous applicant the opportunity to table their  
21 application until the engineer could submit the geotechnical report. He stated he doesn't feel they have  
22 enough information to make a decision. He asked if they would want the same option. Mr. Christensen  
23 stated it doesn't affect them to wait because they are doing the engineering right now. A resident asked if  
24 they would be on septic. Ms. Foran explained the current design doesn't work for sewer to all the lots but  
25 they could redesign the project to make it work. Ms. Forbes asked, "If a gopher dug a hole in the lake would  
26 the liner work?" Mr. Christensen stated they have discussed a lot of different scenarios but they haven't  
27 discussed gophers. Commissioners decided tabling the application is best option for everyone. Mr. Reber  
28 stated the application would have to be continued not tabled or they would have to have another Public  
29 Hearing. Mr. Ballard pointed out the Public Hearing has been held so the surrounding property owners  
30 wouldn't be able to comment at the next meeting. *Ralph Ballard motioned to continue application 2017-ZC-*  
31 *03 and 2017-PSP-01 until March 9, 2017. Rebecca Bronemann seconded the motion. The vote was as*  
32 *follows; Ken Bradshaw-Aye, Rebecca Bronemann-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Paul Farthing-*  
33 *Aye, and Yovonda Hall-Nay. Motion carried.*  
34

35 **2017-FSP-02 Consideration and possible approval of final site plan for the expansion of the site located at**  
36 **470 West State Street to add an animal boarding kennel and a public storage building and associated**  
37 **parking and landscaping– Allen Bice applicant**

38 Karl Rasmussen was present to represent Allen Bice. He stated they want to add a boarding kennel and  
39 indoor storage to Mr. Bice's existing business. It will have a nice facade that will adhere to the city code. He  
40 stated there will be an office but it won't be metal. Ralph Ballard questioned why it couldn't be metal. Toni  
41 Foran explained the ordinance requires a conditional use permit for metal buildings in the commercial  
42 zone. She mentioned the applications are showing one of the sides with a stucco facade and awnings but  
43 the other side will be metal. Commissioners discussed the surrounding properties. Rita Bice stated the  
44 boarding clinic will be directly behind the clinic and the storage units will be on the North West side of the  
45 property. Ms. Bice stated the facade will match the clinic. Mr. Ballard stated at one time there was a  
46 proposal for a hotel behind Barista's. He asked if that was still the plan for that area. Ms. Foran stated that  
47 plan has gone away and it is now approved for retail. Mr. Ballard clarified the building will be insulated so  
48 no noise will affect the neighbors. Chairman Petersen mentioned the concern of the east side being all  
49 metal. Mr. Rasmussen stated it is corrugated and they can match the color to the stucco. He mentioned it  
50 will have baked on enamel that will last longer than the stucco. Chairman Petersen asked if they had seen

1 the staff comments. Mr. Rasmussen stated yes. Chairman Petersen asked if they would be offering relief to  
2 the east side. Mr. Rasmussen stated the pop out and the landscaping will have more definition than the vet  
3 clinic. He stated it will look very charming. Ms. Foran commented the plans look nice and they have more  
4 parking than needed but under the ordinance the Commissioners need to make a finding for approving the  
5 metal building. *Paul Farthing motioned to approve application 2017-CUP-04 as presented to include the*  
6 *staff findings; 1. The proposed building is in keeping with the General Plan and Land Use Code. 2. The*  
7 *proposed treatment of the building on the visible faces will provide positive aesthetic effect. 3. The site will*  
8 *be developed to meet all access, parking, and safety requirements. 4. The building supports a business*  
9 *providing positive economic impact within walking distance of other commercial businesses. Ken Bradshaw*  
10 *seconded the motion. The vote was as follows; Ken Bradshaw-Aye, Rebecca Bronemann-Aye, Ralph Ballard-*  
11 *Aye, Bob Petersen-Aye, Paul Farthing-Aye, and Yovonda Hall-Aye. Motion carried. Mr. Ballard asked if the*  
12 *breaks were on the east side. Mr. Rasmussen stated the breaks are on the north side. Ralph Ballard*  
13 *motioned to approve application 2017-FSP-02 based on the staff findings; 1. Front landscaping exceeds the*  
14 *required 10' strip. 2. Parking is adequate for the use. 3. The buildings are in keeping with the City's*  
15 *architectural standards. 4. The Planning Commission has granted a conditional use permit for the pre-*  
16 *engineered metal building. Yovonda Hall seconded the motion. The vote was as follows; Ken Bradshaw-Aye,*  
17 *Rebecca Bronemann-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Paul Farthing-Aye, and Yovonda Hall-Aye.*  
18 *Motion carried.*

19  
20 **2017-CUP- 03 Consideration and possible approval of a conditional use permit for a barn proposed at 572**  
21 **S. 700 West that is bigger than permitted for an accessory building in this zone – Clayton Barton applicant**

22 Toni Foran stated right now the proposed building would be the primary building but if it is approved as an  
23 accessory building then they won't have problems in the future if they want to build a main dwelling. Bob  
24 Petersen asked if it would be for agriculture use. Clayton Barton stated yes. Rebecca Bronemann asked if  
25 utilities would be extended to the structure. Mr. Barton stated yes, water and power. Ken Bradshaw asked  
26 if the road into the property would be dirt. Mr. Barton stated it would be road base and gravel. *Rebecca*  
27 *Bronemann motioned to approve 2017-CUP-03 based on the staff findings; 1. The proposed building is of*  
28 *compatible architecture. 2. The proposed building is for a use permitted in the zone. 3. The application has*  
29 *more than 35% of pervious surface. Ralph Ballard seconded the motion. The vote was as follows; Ken*  
30 *Bradshaw-Aye, Rebecca Bronemann-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Paul Farthing-Aye, and*  
31 *Yovonda Hall-Aye. Motion carried.*

32  
33 **2017-LUCA-02 Consideration and possible recommendation to the City Council on a Land Use Code**  
34 **amendment to bring the daycare definitions in line with the State licensing categories and update the use**  
35 **charts for each definition – Hurricane City applicant**

36 Toni Foran stated staff will put these definitions in and then the use charts will have to be updated but that  
37 will have to be done separately. *Yovonda Hall motioned to recommend approval of application 2017-LUCA-*  
38 *02 to the City Council. Ken Bradshaw seconded the motion. The vote was as follows; Ken Bradshaw-Aye,*  
39 *Rebecca Bronemann-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Paul Farthing-Aye, and Yovonda Hall-Aye.*  
40 *Motion carried.*

41  
42 **Planning Commission business:**

- 43 1. **Report on Council actions.** Toni stated the City Council approved long term rentals in accessory  
44 dwellings. She clarified detached casitas are long term rental only.
- 45 2. **Commissioners discussed the Utah APA spring conference.** Toni stated there is enough in the  
46 budget for everyone to go. She asked Commissioners to let her know by the next meeting if they  
47 would like to go.
- 48 3. **Discussion on downtown options.** Toni stated she was hoping to have an overlay for the  
49 downtown that would allow residential and still apply the standards for the commercial areas. She

- 1 handed out a map of the downtown area so the Commissioners could see which blocks would be  
2 included.
- 3 4. **Ratification of chairman for 2017** and nomination and election of vice-chair for 2017. Toni  
4 mentioned John Johnson had resigned from the board. Bob Petersen motioned that whoever is  
5 vice chair this year would go into chair the next year. So only a vice chair would be voted on each  
6 year. Yovonda Hall seconded the motion. *The vote was as follows; Ken Bradshaw-Aye, Rebecca*  
7 *Bronemann-Aye, Ralph Ballard-Nay, Bob Petersen-Aye, Paul Farthing-Aye, and Yovonda Hall-Aye.*  
8 *Motion carried.* Fay Reber stated they would need to add that to the bylaws. Yovonda Hall  
9 motioned for Bob Petersen to be chairman for 2017. *The vote was as follows; Ken Bradshaw-Aye,*  
10 *Rebecca Bronemann-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Paul Farthing-Aye, and Yovonda*  
11 *Hall-Aye. Motion carried.* Paul Farthing motioned for Ralph Ballard to be vice chair. Ken Bradshaw  
12 seconded the motion. *The vote was as follows; Ken Bradshaw-Aye, Rebecca Bronemann-Aye, Ralph*  
13 *Ballard-Aye, Bob Petersen-Aye, Paul Farthing-Aye, and Yovonda Hall-Aye. Motion carried.*  
14
- 15 5. **Commissioners discussed starting a debriefing** at the end the meeting. Commissioners agreed it  
16 would help the new members to understand the process and help everyone improve on future  
17 applications. Ralph stated it would benefit the Commission to critique what went right or wrong in  
18 the meeting. Paul pointed out it would help to discuss if something was said that shouldn't have  
19 been said.  
20
- 21 6. Commissioners discussed applicants trying to talk to them individually or offering them gifts and  
22 what the procedure is if that happens. This kind of meeting should be reported in the public  
23 meeting. Gifts and meetings are discouraged and there is a legal limit on gifts.  
24
- 25 7. Yovonda stated she voted nay for the zone change because the fit for the area was off and when  
26 you add all the problems it only makes it worse. Ralph stated the Commissioners shouldn't say an  
27 application has the potential to fail. They need to put regulations on the approval to make it work.  
28 Toni stated one of the things to look at on a zone change is how it effects the surrounding areas.  
29 Ask yourself will the impact of this use be different from the impact of another use. She told them  
30 to consider if the project is built and operates perfectly will it still affect the surrounding owners.  
31 Ralph stated he would rather live next to the lake than a bunch of one acre lots. Toni stated she  
32 doesn't know how they run the lakes but they would have to limit how many boats are in there at a  
33 time. She stated her thought is that all property owners in the subdivision would have access to the  
34 lake. Commissioners discussed the possibility of transferring mussels and swimmer itch to other  
35 lakes. Yovonda stated she didn't hear a maintenance plan and that is a very valid concern. Toni  
36 stated Ralph made a good point that if someone irrigates and leaves water in the orchard you have  
37 mosquito problems. Toni stated she suggested the zone change now because if the idea isn't going  
38 to work then it would save them money and time. She mentioned if the other subdivision that was  
39 approved is built it would affect the owners more. Paul questioned how it will ever be feasible to  
40 build in this area with the problems. Yovonda stated an engineer will have a solution for every  
41 problem but they will not stand behind it. Rebecca stated anytime there is a lawsuit it is a long  
42 drawn out process. Yovonda stated the Commissioners job is to determine if it is a good fit or not.  
43 She explained she voted nay now because if they don't think it is a good fit then the Commission  
44 shouldn't lead them on and have them spend more money. Ralph stated if they can fix the items  
45 that were discussed then he would approve it. Toni stated she doesn't know if the applicants realize  
46 the sewer problem because it can't run under the lake. Commissioners discussed how long a  
47 contractor is responsible for a house after it is built. Yovonda asked how much public clamor they  
48 should listen to on a public hearing to make a judgement. Toni compared this application to Axton  
49 Hoyt zone change. She stated there were a lot of people opposed but they did not bring anything  
50 that would affect their quality of life. She stated there were valid points that it would be a problem

1 with the application tonight. She stated they need to listen to the ones that have substance. Ralph  
2 stated if someone has vested in a property then they have rights for the property. He stated people  
3 are afraid of change so they need to weigh out the options. Toni stated they have to think of the  
4 long term effect.

5  
6 **Approval of minutes:** Paul Farthing motioned to approve the January 25, 2017 minutes as posted. Yovonda  
7 Hall seconded the motion. . *The vote was as follows; Ken Bradshaw-Aye, Rebecca Bronemann-Aye, Ralph*  
8 *Ballard-Aye, Bob Petersen-Aye, Paul Farthing-Aye, and Yovonda Hall-Aye. Motion carried.*

9  
10 **Meeting adjourned at 8:18 p.m.**