

Minutes of Woodbury County Zoning Commission October 16, 2006

The meeting convened on the 16th of October, 2006 at 6:02 PM in the Board of Supervisor's meeting room on the first floor of the Courthouse, Downtown, Sioux City, Iowa. Present were the following Commission members – Chairman Don Groves, Dwight Rorholm, Arvin Nelson (arriving at 6:11PM), Christine Zellmer Zant and Grady Marx. Zoning Staff Present: Zoning Administrator John Pylelo. Present from the public was Riley Simpson, the County's consultant with Flat Earth Planning.

The first agenda item was approval of available agenda minutes.

John Pylelo advised the Commission there were eight (8) sets of minutes transcribed and awaiting approval; five (5) sets of which had been previously mailed to members and three (3) are to be presented for consideration this evening. It was determined by Commission members to approve the minutes in chronological order.

The Commission considered the minutes from their February 27, 2006 meeting.

Mr. Rorholm made a motion to approve the February 27, 2006 meeting minutes subject to the following changes or additions:

- **On page 1, last paragraph, last line change the word “Product’s?” to “Demand”.**
- **On page 4, paragraph 11, 2nd line change the words “system (illegible)” to “treatment plant system”.**
- **On page 7, first paragraph, 2nd line change the word “county” to “state”.**
- **On page 7, second paragraph, 2nd line delete the verbage “? be 12”.**
- **On page 7, ninth paragraph, 2nd line change the verbage “to (?)” to “only to”.**
- **On page 11, tenth paragraph, 2nd line change the word “is” to “are”.**

Mr. Nelson seconded the motion. Motion carried 3-2 with Mr. Marx and Ms. Zellmer Zant voting against.

The Commission next considered the minutes from their March 13, 2006 meeting.

Mr. Rorholm made a motion to approve the March 13, 2006 meeting minutes subject to the following changes or additions:

- **On page 3, sixth paragraph, third line change the verbiage “what’s his name” to “Woodbury County Rural Economic Development”.**
- **On page 6, paragraph 11, 2nd line change the words “system (illegible)” to “treatment plant system”.**
- **On page 7, paragraph 4, 2nd line change the “(?)” to “unintelligible”.**
- **On page 7, second to last paragraph, 2nd line changes the word “illegible” to “unintelligible”.**
- **On page 11, tenth paragraph, last line change the word “illegible” to “purpose of planned development”.**
- **On page 11, twelfth paragraph, first line change the word “Saes” to “Sapp (referring to developers)”.**
- **On page 12, last paragraph, second line change the word “illegible” to “unintelligible”.**
- **On page 21, fourth paragraph, first line change the verbiage “(illegible) = (it had been scratched)” to “unintelligible”.**
- **On page 21, ninth paragraph, last line add quotation mark to end of sentence.**
- **On page 23, 2nd to last line change verbiage “Ms. Zellmer Zant” to “Dwight Rorholm”.**

Mr. Nelson seconded the motion. Motion carried 4-0 with Mr. Marx and Ms. Zellmer Zant abstaining.

The Commission next considered the minutes from their March 27, 2006 meeting.

Mr. Rorholm made a motion to approve the March 27, 2006 meeting minutes subject to the following changes or additions:

- **On page 4, 16th paragraph, change the word “man” to “farm operation”.**

Mrs. Zellmer Zant seconded the motion. Motion carried 4-1 with Mr. Marx voting against.

The Commission next considered the minutes from their April 10, 2006 meeting.

Mrs. Zellmer Zant made a motion to approve the April 10, 2006 meeting minutes subject to the following changes or additions:

- **On page 5, review the audio tape to check the transcription shown related to the topic heading “SIGNS” and report to the Commission**

Mr. Rorholm seconded the motion. Motion carried 5-0.

Mrs. Zellmer Zant made a motion to recess to allow Commission members opportunity to review the minutes distributed tonight of the April 24th, June 12th and June 26, 2006 meetings. Mr. Rorholm seconded the motion. Motion carried 5-0.

The Commission recessed at 7:13 PM

Mrs. Zellmer Zant made a motion to reconvene. Mr. Rorholm seconded the motion. Motion carried 5-0.

The Commission reconvened at 7:48 PM

The Commission next considered the minutes from their April 24, 2006 meeting.

Mr. Rorholm made a motion to approve the April 24, 2006 meeting minutes subject to the following changes or additions:

- **On page 1, fifth paragraph, third line change the spelling of the word “Kollboum’s” to “Kollbaum’s”.**
- **On page 2, second paragraph, second line change the word “don’t” to “doesn’t”.**
- **On page 2, third paragraph, second line change the words “favorable possibly” to “favorable response possibly”.**
- **On page 2, third paragraph, at the end of the paragraph add the verbiage “The zoning administrator made note of the fact the above referral to 40% should in fact be 50% of landmass.”**
- **On page 2 delete paragraph five in its entirety from (10/10/06..... into Dec.) as it does not pertain to the minutes.**
- **On page 6, fifth paragraph, third line delete verbiage “a mile” and insert “a 2 mile”.**

- On page 7, fourth to last paragraph, second line delete verbiage “for was” and replace with “was for a”.
- On page 8, second and third lines delete verbiage “*He did not read through Grading, erosion and sedimentation control or Approval Process.”
- On page 8, paragraph 8, third line change “Danville” to “Danbury”.
- On page 8, paragraph 8, fourth line change “2007” to “2006”.
- On page 9, paragraph 8, first line change “hammer out ” to “discuss”.
- On page 9, paragraph 8, second line change “five” to “four”.
- On page 9 , paragraph 8, remove “>” after word exempt.
- On page 9 , last line, delete “Did not know if these items were intended to be removed.”

Mr. Nelson seconded the motion. Motion carried 4-0 with Ms. Zellmer Zant abstaining.

The Commission next considered the minutes from their June 12, 2006 meeting.

Mr. Nelson made a motion to approve the June 12, 2006 meeting minutes subject to the following changes or additions:

On page 1, first paragraph, fourth and fifth lines delete the verbiage “Riley Simpson, consultant for Flat Earth Planning,” as Mr. Simpson states he was not present.

On page 2, sixth paragraph, fourth and fifth lines change “I housekeeping” to “housekeeping”.

On page 2 last paragraph delete “Did not know these items were intended to be removed.”

Mr. Rorholm seconded the motion. Motion carried 4-0 with Ms. Zellmer Zant abstaining.

The Commission next considered the minutes from their June 26, 2006 meeting.

Mr. Rorholm made a motion to approve the June 26, 2006 meeting minutes subject to the following changes or additions:

- **On page 1, fifth paragraph, second line change “280th Eastland.” to “280th and Eastland.”**
- **On page 2, first paragraph, third line change “boarder.” to “border.”**
- **On page 2, second paragraph, fifth and sixth line change sentence to read “The nearby property owners, approximately several hundred, were being notified that this meeting was happening.”**
- **On page 2, delete eighth paragraph and replace with “Mr. Simpson moved onto Variances and Conditional Uses. For Variances, notice will go to adjacent property owners, and for Conditional Uses notices will be sent to all property owners within 500 feet”**
- **On page 3, third paragraph, first line change “(most was illegible)” with “unintelligible”.**
- **On page 6, first paragraph, first line change “follow-u” with “follow-up with”.**
- **On page 6, first paragraph, second line change “Board of Adjustment” with “Zoning Commission”.**
- **On page 6, second paragraph, first line change “illegible” to “unintelligible”.**
- **On page 6, eighth paragraph, third line change “AG” to “AP”.**

Mr. Nelson seconded the motion. Motion carried 4-0 with Ms. Zellmer Zant abstaining.

The Commission next considered the minutes from their August 28, 2006 meeting.

Mr. Rorholm made a motion to approve the August 28, 2006 meeting minutes subject to the following changes or additions:

- **On page 4, sixth paragraph, third sentence is to read “Rorholm was sure Mr. Storm would take a look at the SUDAS *Statewide Urban Design Standards*.”**
- **On page 5, fourth paragraph, first line to read “Mr. Simpson said Diane Swoboda Peterson confirmed something Pylelo was already proceeding to do, and that is contact the local Bar Association to see if they had any issues with the**

subdivision regulations since a legal opinion is the last thing that happens on the final plat.”

- On page 5, seventh paragraph, last line change “illegible” to “the legal opinion.”
- On page 8, first paragraph, second line change “illegible” to “unintelligible”.
- On page 9, first paragraph, last sentence to read “We also probably need to figure out what the process exactly is going to be so rezoning the subdivision dovetails. There should probably be some attention given to what the use of structures are so they kind of meld together with the uses you will be having.
- On page 9, first paragraph, third to last paragraph change “probably” to “properly”.

Mr. Nelson seconded the motion. Motion carried 4-0 with Ms. Zellmer Zant abstaining.

This concluded approval of past meeting minutes with Commission meeting minute approvals now being current.

Ms. Zellmer Zant addressed the Board stating her reason for abstaining from certain meeting approval voting was due the fact she had not been in attendance at the meetings in question.

Mr. Simpson then distributed an example of initial zoning mapping. The Commission reviewed the mapping of Concord Township asking questions relevant to certain properties. Attention focused upon those area reflecting higher residential densities. Mr. Simpson informed the Commission he had based the mapping upon the uses the Woodbury County Assessor had assigned to respective properties.

John Pylelo distributed a copy of Chapter 5 of the SUDAS manual dated October 21, 2003 he received from County Engineer Richard Storm advising the Commission members they will be referred to the document later in ordinance drafting.

Throughout the evening Commission members raised certain policy, administrative and legal questions related to Commission record keeping and voting. The Mr. Pylelo agreed to contact the County’s legal department regarding the following issues or inquiries:

Do County Boards and Commissions have certain Board adopted policies or bylaws there are to follow other than those outlined in the zoning and subdivision ordinances?

Within any governing document are there rules dealing with the topics of time lines for transcription and approval of meeting minutes; record keeping requirements of the audiotape record made of meetings;

Should there be a discrepancy between the audio tape and the approved minutes which would have legal standing?

Can Board or Commission members vote on the motion to approve meeting minutes resulting from a meeting they were not present?

Chairman Groves addressed the Commission inquiring why a previous Commission meeting was cancelled. He stated the Commissioners agreed a specific period of time would be given to the Zoning Office to transcribe past meeting minutes. He asked Commission members give proper and timely notice of inability to attend a scheduled meeting. Mr. Pylelo advised the Board of the numerous issues related to the untimely cancellation of any Board or Commission meeting.

Mr. Marx addressed the Board regarding his role as the Commission's representative on the SIMPCO board. He stated he has retained and indexed materials provided from SIMPCO should any Commission member wish to review.

Mr. Pylelo advised the Commission their next scheduled meeting will be on Monday, October 30th beginning at 6:00PM with Commissioners advised of the anticipated agenda items. No Commissioner indicated a conflict with the meeting date and time.

Ms. Zellmer Zant made a motion to adjourn; Mr. Rorholm seconded; motion carried 5-0.

The Monday October 16, 2006 meeting of the Woodbury County Zoning Commission adjourned at 9:25 PM