

OFFICIAL MINUTES

**October 14, 2010, 5th DAY OF
THE OCTOBER ADJOURN TERM**

The County Commission met in The Commissioner's Hearing Room at 12:45 PM with Chuck Pennel and Danny Strahan present, and Jim Strafuss absent. The following proceedings were had and made a matter of record:

FORSYTH SENIOR FRIENDSHIP CENTER PROCLAMATION

Presiding Commissioner Pennel read aloud the Proclamation.

Commissioner Pennel moved to accept the Proclamation with the change of James Strafuss to Jim Strafuss. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (absent).

LOCAL LAW ENFORCEMENT MDT GRANT APPROVAL

Linda Gifford discussed the grant details with the Commission.

Commissioner Strahan moved to approve the Local Law Enforcement MDT Grant application. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (absent).

FLOOD HAZARD MAPPING COMMUNITY REVIEW

Planning & Zoning Administrator Eddie Coxie reviewed notification cards, which were generated with the aid of the IS Department, and were to be sent to all citizens who owned parcels which touched the newly mapped flood plain.

Commissioner Strahan moved to send the cards out and direct Eddie Coxie to send them out.

Commissioner Strafuss entered the meeting at 1:07 pm.

Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (aye), Strahan (aye) and Strafuss (aye).

The Commission gave Eddie Coxie permission to freely discuss the FEMA mapping issue with the press.

PLANNING & ZONING PUBLIC MEETING

The following individuals commented during the Planning & Zoning Public Meeting:

Bob Schanz – suggested that Planning & Zoning be kept but the Commissioners should make changes, including requiring that the Board members should have to view each property in person.

Branson Mayor Raeanne Presley – stated that she understands citizens concerns; wants all those involved to listen and learn and work toward an improved system; does not agree with the elimination of Planning & Zoning due to its positive benefits for development and growth.

Planning & Zoning Board Member Susan Martin – stated that she believes in Planning & Zoning because it protects the integrity of the community; she urged the Commission to support the Boards decisions.

Commissioner Jim Strafuss – informed citizens of the petition being passed around and the process it would have to go through to put it on the ballot, or to reform it.

Rick Makuch – expressed concern that Planning & Zoning was a rubberstamp for developers; that citizens concerns were not heard by P & Z staff; that there was a conflict of interest when a realtor sits on the Board; that he was in support of Planning & Zoning, just was not sure that the County had ever had it.

Donna Neeley – gave information on elections and historical turnouts, and stated that the largest turnout would be in November 2012.

Mark Weiss – stated that he was in favor of P & Z because it separates commercial and residential districts; he urged that the citizens save the cost of the election and spend that money on fixing the current problems.

William Dooley – expressed his support for Planning & Zoning; asked questions related to nuisance cases.

David Clemenson – gave a history of Planning & Zoning within the County; expressed that the County had improved from a third class to a first class County and that eliminating it would set the County back.

Assessor James Strahan – expressed that the media needed to hear and voice the concerns of the citizens who were opposed to P & Z; said that November 2010 was too late a date for an election; explained that P & Z has an effect on the Assessor's office; and gave examples of problems, i.e. agricultural farm being forced into minor subdivisions.

Don Ehrhardt – said he saw Planning & Zoning as broken and does not see anyone fixing it; he stated that he is passing the petition to have it removed for that reason; that he saw the administration as a large problem; and discussed voting issues on codes he has with the State.

Commissioner Danny Strahan – stated that he feels leaders have an obligation to listen to the pleas of citizens; that taking away codes can improve problems sometimes; and that there should be equal treatment of neighbors and people.

George ----, a local campground owner – discussed an issue he had with Planning & Zoning where he installed a sewage system per their guidelines and was later told it was not acceptable.

Nancy Holburn with Tri-Lakes Realtors – relayed her belief that both County and Municipal citizens should have codes and Planning & Zoning; that is the department/process is broken then fix it instead of removing it.

Commissioner Strafuss – informed the people that an engineering firm had been hired already to begin working on Planning & Zoning issues; he urged citizens to call the Commission and relate specific concerns and ideas on how to fix the current system.

Bill Cornett – said that statistically having an election on November 2012 would make sense; that you do not throw away a Mercedes when the brakes are broken, you keep it and simply fix the problem.

James Strahan – said that change is taking too long, which is why the petition was necessary; gave more examples of problems with Planning & Zoning.

Bob Schanz – asked if a moratorium could be put on the Planning & Zoning process until changes could be made.

Jennifer Schmolky – relayed issues she had encountered with Planning & Zoning; expressed the need for more thought to be put into process because all the people petitioning for permits are humans.

Commissioner Strahan – said that the blame for the Planning & Zoning problems lays on the leaders for not having the policies straightened out before.

Don Ehrhardt – reinforced that you do not throw something valuable away when it can be fixed.

Bill Cottrell – reiterated that you should not throw it away.

Don Ehrhardt – clarified that he is for Planning & Zoning but not in its current state.

Dave Stewart – stated that these issues with P & Z are not new.

Susan Martin – said that reform takes time; that the next step is to strengthen the current foundation/code.

Bob Schanz – expressed that regulations do not yield benefits.

Doug Lay – stated that Planning & Zoning is important, but believes that petitions made by the citizens should be respected; stated that individuals should have the right to develop their own land as they wish as long as it does not interfere with their neighbors; offered his organization (Tri-Lakes Board of Realtors) as an advisory source for the Commission.

Commissioner Pennel – described the process of reform; reiterated that change is already happening; and stated that in the current code agriculture is exempt.

Mark Bernard of Kirbyville – urged that the system be fixed instead of thrown out.

Linda Church – stated that it would be more fair if when a petitioner was turned down their money was returned to them.

The Commission thanked all those who attended the meeting and closed the session.

Presiding Commissioner Pennel declared a recess.

RECESS
3:56 PM

The minutes were taken and typed by Cristy Smith, Deputy Clerk.