

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, JANUARY 8, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:00 pm.

Those present were Commission members Margaret Smith-Braniff, Dave Spencer, John McNary, Scott Mills; County Planner and Project Manager, Rob Yingling; County Planner GIS/Manager James Waller; Vicki Edelman, County Clerk; and Deputy County Attorney Ryan Wright. Commission member Craig Wetterlund was absent.

Spencer moved to approve the Minutes for the December 11, 2012 regular meeting. Mills seconded, motion carried.

There being no new business and no public comments, Planner Yingling provided updates on the status of projects.

1. Robbers Roost Subdivision lot split - This is an inquiry by Ms. Zoe Lloyd. She won't be able to do a lot split unless covenants are amended.
2. Resubdivision of The Shore at Lake DeSmet Subdivision and partial vacation of the subdivision. This matter has been turned over to the County Attorney's office for further action. Yingling reported the parties cannot come to an agreement and the matter will likely have to be settled in court.

After further discussion, Dave Spencer moved to have a letter drafted, signed by Chairperson Smith-Braniff, and sent to the County Attorney requesting him to pursue this matter and further urging him to proceed as soon as possible to take necessary action on the Shores at Lake DeSmet Subdivision. Mills seconded, motion carried. Deputy County Attorney Wright reported he has spoken with both attorneys and they welcome the law suit to get the parties to the table.

3. Emerald Park Subdivision -Yingling reported he will be in contact with the Developer next week. The developer will need to submit a revised estimate on street paving and an Amended Subdivision Improvements Agreement.
4. Johnson Creek Ranchettes Affidavit of Boundary Line Adjustment. Yingling Reported he is still working on this matter.

The Commission decided to schedule a zoning work session beginning at 4:00 pm on Tuesday, January 29, 2013 and another work session on February 12, 2013 at 1:00pm prior to the regular meeting at 4:00pm.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, JANUARY 8, 2013**

**PAGE 2 of 2**

Yingling updated the Commission on the budget, saying the consulting line has just under \$6,000.

Yingling reported that Scott Mills had been re-appointed to the Planning & Zoning Commission. Dave Spencer reported he probably would not seek re-appointment but would stay on until a replacement could be found.

County Planner and GIS Manager Jim Waller updated the Commission on the progress of the Zoning Maps.

There being no further business to come before the Commission, Mills moved to adjourn the meeting at 4:50 pm. Spencer seconded, motion carried.

Approved,

 Margaret Smith-Braniff, Chairperson	<u>2-12-2013</u> Date
---	--------------------------

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, FEBRUARY 12, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:00 pm.

Those present were Commission members Margaret Smith-Braniff, Scott Mills, and Craig Wetterlund; County Planner and Project Manager, Rob Yingling; County Planner/GIS Manager James Waller; Vicki Edelman, County Clerk; Scott Pehringer, Road and Bridge Supervisor; and County Commissioner John Gibbs. Commission member Dave Spencer was absent. One Commission member position remains vacant on the Commission.

Mills moved to approve the Minutes for the January 8, 2013 regular meeting. Wetterlund seconded, motion carried.

Wetterlund moved to re-elect Margaret Smith-Braniff as Chairman of the Planning and Zoning Commission for the 2013 year. Mills, seconded, motion carried.

Wetterlund moved to re-elect Mills to the position of Vice-Chairman of the Planning and Zoning Commission for the 2013 year. Smith-Braniff seconded, motion carried.

County Commissioner John Gibbs informed the Commission that he is the County Commissioner Liaison to Planning and Zoning Commission and the Commissioners are now having work session meetings on the first and third Tuesdays of each month, at which time Planning and Zoning matters may be placed on the agenda for discussion purposes. Gibbs also said they would have Jennifer Jackson advertise again for Commission openings.

Planner Yingling informed the Commission that Realtor Christy Kinghorn inquired about splitting a piece of property from the 7<sup>th</sup> Day Adventist Church property for the purpose of building a new church. Yingling stated informed her that this would be a minor subdivision process and there would likely be no support for direct access from the U.S. Highway 16.

Planner Yingling said Carl Madsen inquired about splitting off a piece of his property on the corner of McKinney Street and North Bypass Road. This is 1.76 acres and Mr. Madsen does not want to connect to city water and sewer. City Planner Montgomery informed Yingling that he would support the subdivision, but Mr. Madsen would not be able to construct a private well or septic system because of the close proximity to public water and sewer lines. Mr. Madsen could connect to public sewer without annexing, but connection to public water would require annexation. Road and Bridge Supervisor Scott Pehringer reported that Mr. Madsen had been denied access onto the North Bypass because of the distance between accesses. The Commission decided that they would not support the subdivision unless Mr. Madsen was connected to public water and sewer facilities.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING-TUESDAY, FEBRUARY 12, 2013**  
**PAGE 2 OF 2**

There being no new business and no public comments, Planner Yingling provided updates on the status of projects.

1. Resubdivision of The Shores at Lake DeSmet Subdivision and partial vacation of the subdivision - Planner Yingling informed the Commission that he assisted the County Attorney's Office with information for filing a civil suit in this matter.
2. Emerald Park Subdivision - Yingling informed the Commission that he met with the Developer on January 28, 2013. The Developer will be submitting an estimate on paving and an amended Subdivision Improvements Agreement. City/County Engineer Hill will be asked to evaluate the documents.
3. Affidavit of Boundary Line Adjustment - Yingling reported other counties are requiring deeds be filed with boundary adjustments to transfer the parcels involved.

It was decided to have a work session beginning at 4:00 pm on February 26, 2013 and another work session on March 12, 2013 at 1:00 pm prior to the regular meeting at 4:00 pm.

Yingling updated the Commission on the status of the Planning Department's budget, saying the consulting line is still in good shape but Julie Baker may yet submit an Invoice for work already completed.

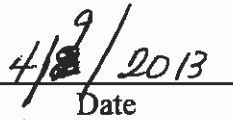
Yingling reported Dave Spencer had been re-appointed to the Planning and Zoning Commission by the Board of County Commissioners.

Planner/GIS Manager Jim Waller updated the Commission on the progress of the Zoning Maps.

There being no further business to come before the Commission, Mills moved to adjourn the meeting at 4:45 pm. Wetterlund seconded, motion carried.

Approved,

  
Margaret Smith-Braniff, Chairperson

  
Date  
WSB

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, MARCH 12, 2013**

**AMENDED OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:00 pm.

Those present were Commission members Margaret Smith-Braniff, Dave Spencer, and Craig Wetterlund; County Planner and Project Manager, Rob Yingling; County Planner/GIS Manager James Waller; Scott Pehringer, Road and Bridge Supervisor; and County Commissioner John Gibbs. Commission member Scott Mills was absent while on vacation. One Commission member position remains vacant on the Commission.

Wetterlund moved to approve the Minutes for the February 12, 2013 regular meeting. Spencer seconded, motion carried.

*Smith-Braniff called for the final plat review of Phase II of the North Shore PUD Subdivision. Jerry Landrey, developer and Brent Bennett, Engineer, Nelson Engineering, were in attendance to present the final plat and answer questions. Yingling stated that he was still waiting on correspondence from the Wyoming Department of Environmental Quality and the Wyoming State Engineers Office that all of their requirements had been met for approval of the subdivision. Yingling added that Developer Ken Reid had also not signed the final plat. After further discussion, Yingling recommended that the Commission recommend approval of the final plat contingent upon the three deficiencies being met. Spencer motioned to recommend approval of the final plat with the contingencies stated by Yingling. Wetterlund seconded and the motion carried.*

There were no general public comments.

Planner Yingling provided updates on the status of projects. Yingling informed the Commission:

- that there had been nothing submitted to subdivide the 7<sup>th</sup> Day Adventist property adjacent to the Richardson park Subdivision;
- that he had spoken to Carl Madsen about the Commission's unwillingness to approve subdivision of his lot without connection to public water and sewer;
- that he had met with the Deputy County Attorney the morning of March 13, 2013 regarding legal action against the developer of The Shores at Lake DeSmet Subdivision; and
- that an updated Subdivision Improvements Agreement had not yet been received from the developer of the Emerald Park Subdivision.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING-TUESDAY, MARCH 13, 2013**  
**PAGE 2 OF 2**

The Commission discussed scheduling additional work sessions to continue work on the draft zoning regulations. Yingling stated it might be better to delay scheduling of additional work sessions to give him time to meet with consultant Julie Baker and make the changes to the draft zoning document that have been discussed so far. Several Commission members may also not be available to attend work sessions in March/April. It was decided to not schedule additional work sessions at this time and Yingling will contact Julie Baker about scheduling a meeting to make changes to the draft document.

The commission and staff discussed possible candidates for filling the vacant position on the Commission.


Yingling informed the Commission that the spring conference of the Wyoming Planning Association was scheduled for May 24-25 in Thermopolis.

Yingling informed the Commission that Harry Washutt had visited the Planning Department staff regarding constructing an RV Park on his property behind Bloedorn Lumber.

Planner/GIS Manager Jim Waller updated the Commission on a meeting the Planning Department staff had with John Snyder of Green Steps, Inc. regarding zoning regulations for wind energy systems.

There being no further business to come before the Commission, Spencer moved to adjourn the meeting at 4:42 pm. Wetterlund seconded, motion carried.

Approved,

 12-10-2013  
Margaret Smith-Braniff, Chairperson Date

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, MARCH 12, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:00 pm.

Those present were Commission members Margaret Smith-Braniff, Dave Spencer, and Craig Wetterlund; County Planner and Project Manager, Rob Yingling; County Planner/GIS Manager James Waller; Scott Pehringer, Road and Bridge Supervisor; and County Commissioner John Gibbs. Commission member Scott Mills was absent while on vacation. One Commission member position remains vacant on the Commission.

Wetterlund moved to approve the Minutes for the February 12, 2013 regular meeting. Spencer seconded, motion carried.

There were no general public comments.

Planner Yingling provided updates on the status of projects. Yingling informed the Commission:

- that there had been nothing submitted to subdivide the 7<sup>th</sup> Day Adventist property adjacent to the Richardson park Subdivision;
- that he had spoken to Carl Madsen about the Commission's unwillingness to approve subdivision of his lot without connection to public water and sewer;
- that he had met with the Deputy County Attorney the morning of March 13, 2013 regarding legal action against the developer of The Shores at Lake DeSmet Subdivision; and
- that an updated Subdivision Improvements Agreement had not yet been received from the developer of the Emerald Park Subdivision.

The Commission discussed scheduling additional work sessions to continue work on the draft zoning regulations. Yingling stated it might be better to delay scheduling of additional work sessions to give him time to meet with consultant Julie Baker and make the changes to the draft zoning document that have been discussed so far. Several Commission members may also not be available to attend work sessions in March/April. It was decided to not schedule additional work sessions at this time and Yingling will contact Julie Baker about scheduling a meeting to make changes to the draft document.

The commission and staff discussed possible candidates for filling the vacant position on the Commission.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING-TUESDAY, MARCH 13, 2013**  
**PAGE 2 OF 2**

Yingling informed the Commission that the spring conference of the Wyoming Planning Association was scheduled for May 24-25 in Thermopolis.

Yingling informed the Commission that Harry Washutt had visited the Planning Department staff regarding constructing an RV Park on his property behind Bloedorn Lumber.

Planner/GIS Manager Jim Waller updated the Commission on a meeting the Planning Department staff had with John Snyder of Green Steps, Inc. regarding zoning regulations for wind energy systems.

There being no further business to come before the Commission, Spencer moved to adjourn the meeting at 4:42 pm. Wetterlund seconded, motion carried.

Approved,

 Margaret Smith-Braniff, Chairperson	<u>5-14-2013</u> Date
--	--------------------------



**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING-TUESDAY, MARCH 13, 2013**  
**PAGE 2 OF 2**

The Commission discussed scheduling additional work sessions to continue work on the draft zoning regulations. Yingling stated it might be better to delay scheduling of additional work sessions to give him time to meet with consultant Julie Baker and make the changes to the draft zoning document that have been discussed so far. Several Commission members may also not be available to attend work sessions in March/April. It was decided to not schedule additional work sessions at this time and Yingling will contact Julie Baker about scheduling a meeting to make changes to the draft document.

The commission and staff discussed possible candidates for filling the vacant position on the Commission.

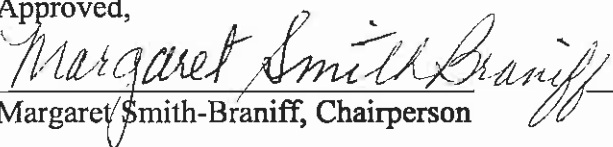
Yingling informed the Commission that the spring conference of the Wyoming Planning Association was scheduled for May 24-25 in Thermopolis.

Yingling informed the Commission that Harry Washutt had visited the Planning Department staff regarding constructing an RV Park on his property behind Bloedorn Lumber.

Planner/GIS Manager Jim Waller updated the Commission on a meeting the Planning Department staff had with John Snyder of Green Steps, Inc. regarding zoning regulations for wind energy systems.

There being no further business to come before the Commission, Spencer moved to adjourn the meeting at 4:42 pm. Wetterlund seconded, motion carried.

Approved,

 12-10-2013  
Margaret Smith-Braniff, Chairperson Date

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING - TUESDAY, APRIL 9, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:00 pm.

Those present were Commission members Margaret Smith-Braniff, Dave Spencer, and Randy Cleveland; County Planner and Project Manager, Rob Yingling; County Planner and GIS Manager James Waller; and Vicki Edelman, County Clerk. Commission members Scott Mills and Craig Wetterlund were absent. New Commission Member, Randy Cleveland from Kaycee, WY was introduced.

Dave Spencer moved to approve the Minutes for the March 12, 2013 regular meeting contingent on direction from the County Attorney on voting members. Margaret Smith-Braniff seconded, motion carried.

There being no public comments, Margaret Smith-Braniff thanked Randy Cleveland for accepting the position on the Commission and discussed the need to have planning meetings in Kaycee two times per year. Planner Yingling was asked to look into locations for the meetings.

Planner Yingling gave updates on the status of pending projects.

1. Resubdivision of The Shore at Lake DeSmet Subdivision and partial vacation of the subdivision – The County Attorney has filed legal action in District Court. Chairperson Smith-Braniff asked Planner Yingling to see if a representative from the County Attorney's Office would attend the next meeting to update the Commission.
2. North Shore PUD Subdivision Phase II, Final Plat - waiting to hear from Developer on letters from the Wyoming Department of Environmental Quality and State Engineer's Office.
3. Emerald Park Subdivision - Planner has not heard from Developer on status of Improvements Agreement. The developer still has 4 lots to sell before he is required to pave the subdivision streets. Dave Spencer asked Yingling to contact the Developer for an update.
4. Board Member Dave Spencer said he would remain through his term on the Commission.
5. Planner Yingling informed the Commission that the Spring Conference of the Wyoming Planning Association will be in Thermopolis on May 23 and 24, 2013. There is no registration fee and the conference agenda includes training for Planning and Zoning Commission members.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING-TUESDAY, APRIL 9, 2013**  
**PAGE 2 OF 2**

6. Draft Zoning Regulations Project-Planner is meeting with Julie Baker to go over changes and set a plan to get this done. Dave Spencer would like to have a new agreement done with Julie and stipulate hours and monthly invoice requirements. Commission decided to not schedule more work sessions until the changes are made in the document probably in late June. It was decided to discuss scheduling work sessions at the May 14th meeting.
7. Planner Yingling said he will be working on a Capital Improvements Program and long range strategic planning with the County Commissioners which is going to be time consuming.

Jim Waller updated the Commission on the progress of the Zoning Maps.

There being no further business to come before the Commission, Randy Cleveland moved to adjourn the meeting at 4:46 pm. Dave Spencer seconded, motion carried.

Approved,

 5-14-2013  
Margaret Smith-Braniff, Chairperson Date

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, MAY 14, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:01 pm.

Those present were Commission members Margaret Smith-Braniff, Dave Spencer, Scott Mills, Randy Cleveland; County Planner and Project Manager, Rob Yingling; and Vicki Edelman, County Clerk. Commission member Craig Wetterlund was absent.

Dave Spencer moved to approve the Minutes for the April 9, 2013 regular meeting. Randy Cleveland seconded, motion carried.

There being no new business to discuss and no general Public Comments, Consultant Julie Baker updated the Commission on the formatting progress of the zoning document.

Planner Yingling gave updates on the status of pending projects.

1. North Shore PUD Subdivision Phase II, Planner Yingling is waiting on letters from the State Engineer's Office and DEQ. No Updates
2. Resubdivision of The Shore at Lake DeSmet Subdivision and partial vacation of the subdivision-County Attorney has filed legal action in District Court. The County Attorney is busy and will update the Commission when they have progress news.
3. Emerald Park Subdivision-Planner has not heard from Developer on status of Improvements Agreement-No update.
4. Buffalo KOA Kampground/Smith Trust Property. Boundary line adjustment pending from Smith Trust to KOA-Shawn Welch.
5. Big Horn Estates Subdivision-Resident's complaint of neighbor storing "junk" on his property which affects her property value and view. Commissioner Hicks asked Planner Yingling to investigate. No action taken.
6. Planner told the Commission the Spring Conference of the Wyoming Planning Association will be in Thermopolis on May 23 and 24, 2013. There is no registration fee and the spring conference includes training for Commission members.
7. Draft Zoning Regulations - Julie Baker is working on formatting changes and after discussion, work session dates were set as follows: May 28, 2013 at 4:00 pm, June 11, 2013 beginning at 1:00pm before the regular meeting at 4:00 on that same date, and June 18, 2013 at 4:00 pm. After the June 11<sup>th</sup> meeting Commission members would like to set target dates for a public hearing on the draft zoning regulations.


JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, MAY 14, 2013  
PAGE 2 OF 2

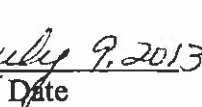
8. Planner Yingling said he will be working on some long range planning with the Commissioners which is going to be time consuming.
9. The Commission requested Planner Yingling to schedule regular meetings in Kaycee for March and October and will set them at Kaycee Town Hall.

Planner Yingling discussed the Annual Report which he will present to the Board of County Commissioners after the June Meetings, and the potential of moving Jim Waller to the Courthouse which is being discussed by the Commissioners.

There being no further business to come before the Commission, Dave Spencer moved to adjourn the meeting at 4:49 pm. Randy Cleveland seconded, motion carried.

Approved,

  
Margaret Smith-Braniff, Chairperson

  
Date

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING - TUESDAY, JUNE 11, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:00 pm.

Those present were Commission members Margaret Smith-Braniff, Dave Spencer, Scott Mills, and Randy Cleveland; County Planner and Project Manager, Rob Yingling; and Vicki Edelman, County Clerk. Commission member Craig Wetterlund was absent.

Spencer moved to approve the Minutes for the May 14, 2013 regular meeting with the correction in #5 of the status report by Planner Yingling. Scott Mills seconded, motion carried.

David & Camille Iddings, who own property on Trabing Road, met with the Commission to request a waiver of the subdivision process to sell the 2 acre parcel which has been split from their property by the Trabing Road. They were denied this request in 2008 because of the lot size but would like their request to be reconsidered. After discussion on the options of splitting off 35 acres to sell, performing the minor subdivision process, performing a boundary line adjustment with a neighboring land owner, or appealing directly to the county commissioners with their request, Mills moved to deny the request to waive the subdivision regulations on the sale of a 2 acre parcel. Randy Cleveland seconded, motion carried. For the Record Dave Spencer voted no and did not feel the motion should have been made without a formal request. At this time there was only an inquiry made.

There being no new business to discuss and no Public Comments, Planner Yingling gave updates on the status of pending projects.

1. North Shore PUD Subdivision Phase II - Planner Yingling is waiting on letters from the State Engineer's Office and DEQ. No Updates
2. Resubdivision of The Shore at Lake DeSmet Subdivision and partial vacation of the subdivision - The case has been turned over to Deputy County Attorney Barry Crago.
3. Emerald Park Subdivision- Developer is researching the cost of asphalt. He still has a few lots to sell before he is required to pave the subdivision streets in accordance with the Subdivision Improvements Agreement.
4. Buffalo KOA Kampground/Smith Trust Property. Boundary line adjustment pending from Smith Trust to KOA-Shawn Welch. Should be on July Agenda.
5. Draft Zoning Regulations Maps should be discussed at the next meeting.
6. The Fall conference of the Wyoming Planning Association will be in Gillette at Towers West.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING - TUESDAY, JUNE 11, 2013**  
**PAGE 2 OF 2**

7. The Commission requested Planner Yingling to schedule future regular meetings in Kaycee for March and October meetings at Kaycee Town Hall.
8. Planner Yingling is working on the draft Annual Report which will be given to the Commission at the July regular meeting.

There being no further business to come before the Commission, Mills moved to adjourn the meeting at 4:45 pm. Spencer seconded, motion carried.

Approved,

  
Margaret Smith-Braniff, Chairperson

  
Date

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, JULY 9, 2013  
OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:01 pm.

Those present were Commission members Margaret Smith-Braniff, Dave Spencer, Scott Mills, Randy Cleveland and Craig Wetterlund; County Planner and Project Manager, Rob Yingling; County Planner and GIS Manager Jim Waller; and Vicki Edelman, County Clerk.

Mills moved to approve the Minutes for the June 11, 2013 regular meeting. Spencer seconded, motion carried.

After discussion on the Affidavit of Boundary Adjustment with Shawn Welsh owner of Twin Creeks, LLC and Kerry Money, representative of The Smith-Wyoming Trust/Dows-Wyoming Trust and Planner Yingling, Wetterlund moved to approve the Affidavit of Minor Boundary Adjustment between Twin Creeks, LLC and The Smith Wyoming Trust and Dows-Wyoming Trust contingent upon obtaining required signatures from the Smith Trust. Cleveland seconded, motion carried.

Consultant Julie Baker discussed several formatting issues for the draft zoning regulations with the Commission.

Planner Yingling discussed the draft zoning regulations, zoning maps, dates for public hearing in September and setting up a work meeting with the Commissioners to explain the Planning and Zoning Commission's thought processes in drafting the regulations.

There being no public comments, Planner Yingling provided updates on the status of various projects.

1. Iddings - Trabling Road parcel inquiry – Mr. Iddings' request to sell a small land parcel separated by Trabling Road without a subdivision process was denied by the Commissioners
2. North Shore PUD Subdivision Phase II - Planner Yingling is waiting on letters from the State Engineer's Office regarding abandoning of water rights and the Wyoming Department of Environmental Quality.
3. Resubdivision of The Shore at Lake DeSmet Subdivision and partial vacation of the subdivision - The matter has been turned over to Deputy County Attorney Barry Crago who reported the complaint has to be re-filed in District Court.
4. Emerald Park Subdivision – The developer is researching the cost of asphalt and still has a few lots to sell before he is required to pave the subdivision streets. Planner Yingling waiting to receive an updated Subdivision Improvements Agreement.




**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING-TUESDAY, JULY 9, 2013**  
**PAGE 2 OF 2**

5. Planner Yingling updated the Commission on the Planning Department and Planning and Zoning Commission Annual Report which he will present to the County Commissioners at their July Meeting.

There being no further business to come before the Commission, Spencer moved to adjourn the meeting at 5:23 pm. Wetterlund seconded, motion carried.

Approved,

  
Margaret Smith-Braniff, Chairperson

  
Date

Aug 13, 2013

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, AUGUST 13, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:00 pm.

Those present were Commission members Margaret Smith-Braniff, Scott Mills and Randy Cleveland; County Planner and Project Manager, Rob Yingling; County Planner and GIS Manager Jim Waller; Barry Crago, Deputy County Attorney; John Gibbs, County Commissioner; and Vicki Edelman, County Clerk. Commission Members Dave Spencer and Craig Wetterlund were absent.

Mills moved to approve the Minutes for the July 9, 2013 regular meeting. Cleveland seconded, motion carried.

After discussion on the inquiry about a property boundary adjustment with property owner Kevin Silbernagel, Planner Yingling and the Commission, Mr. Silbernagel was advised to move forward with a plat and affidavit to present for approval. Planner Yingling said he would notify all adjoining property owners of the request and meeting date.

There being no public comments, Planner Yingling provided updates on the status of projects:

1. Affidavit of Boundary Adjustment between Twin Creeks, LLC & the Smith-Wyoming Trust/Dows-Wyoming Trust was approved by the Johnson County Commissioners at their Aug 6<sup>th</sup> meeting.
2. North Shore PUD Subdivision Phase II, Planner Yingling is waiting on paperwork from the Wyoming Department of Environmental Quality and Wyoming State Engineer's Office..
3. Resubdivision of The Shore at Lake DeSmet Subdivision and partial vacation of the subdivision- Deputy County Attorney Barry Crago reported the complaint has to be re-filed in District Court.
4. Emerald Park Subdivision - Planner Yingling is waiting to hear from the Developer regarding submittal of a revised Subdivision Improvements Agreement.
5. Sand Creek Ranch Preservation Project - Developer is changing the operation and possibly leasing the open space to a ranch operation.
6. Little Piney Estates -Yingling and Waller investigated an inquiry from a resident of the subdivision who reported that a street had been relocated and made a private easement through a subdivision lot. Some streets were not built where they were platted, there is no signage on some streets, one subdivision access is via a one-lane old bridge, streets are


**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING-TUESDAY, AUGUST 13, 2013**  
**PAGE 2 OF 2**

dirt and most have no shoulders. After discussion, Deputy County Attorney Crago said the streets are dedicated to the public use but not county roads and he would see this as a civil matter within the subdivision.

7. Planner Yingling has been contacted about a rumor of the possible discontinuance of the Bald Mountain Mobile Home Park and removal of all mobile homes within 30 days for construction of a gas station and convenience store. Yingling has not yet verified the rumor.
8. Planner Yingling informed the Commission that there is a pending boundary adjustment between two lots within the Boggs Subdivision on Upper Clear Creek Road, and that the Affidavit of Boundary Adjustment may be on the September agenda.
9. Planner Yingling informed the Commission that he presented the Annual Report to the County Commissioners.
10. Planner Yingling informed the Commission that the Fall Conference of the Wyoming Planning Association will be in Gillette September 11-13.
11. Once the final formatting of the draft zoning regulations has been completed, Planner Yingling will make copies for distribution and will also have a copy on the county website for public review. Zoning maps will be ready and a display copy will be placed in the back of the Zoning Regulations. He will advertise hearing dates once the Commission decides on dates. After discussion the Planning Commission decided that the County Commissioners need to pursue a public opinion survey on their own to assess public support for zoning regulations. Commissioner Gibbs said the intention of the Commissioners was to conduct the public opinion survey before they vote on the zoning regulations. Public hearing dates will be set at the next regular meeting and no work session dates will be scheduled at this time.

There being no further business to come before the Commission, Cleveland moved to adjourn the meeting at 5:05 pm. Mills seconded, motion carried.

Approved,

 Oct 8, 2013  
Margaret Smith-Braniff, Chairperson                      Date

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, OCTOBER 8, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:00 pm.

Those present were Commission members Margaret Smith-Braniff, Scott Mills, Dave Spencer and Randy Cleveland; County Planner and Project Manager, Rob Yingling; County Planner/GIS Manager Jim Waller; Barry Crago, Deputy County Attorney; Scott Pehringer, Road and Bridge Department Supervisor; and Vicki Edelman, County Clerk. Commission Member Craig Wetterlund was absent.

Since there was not a quorum at the September 10, 2013 meeting, Mills moved to approve the Minutes for the August, 2013 regular meeting. Cleveland seconded, motion carried.

After discussion on the property boundary adjustment with Kevin Silbernagel, Mills moved to recommend approval of the Affidavit of Boundary Adjustment on the Silbernagel Property on French Creek Road. Cleveland seconded, motion carried.

After discussion on the property boundary adjustment of the Boggs Subdivision for the purpose of estate planning for the heirs, Mills moved to recommend approval of the Affidavit of Boundary Adjustment between Tracts 8 and 9 of the Boggs Subdivision on Upper Clear Creek Road. Cleveland seconded, motion carried.

After discussion on the property boundary adjustment between Ron Skrurok and an adjacent property owner in the Dull Knife Subdivision near Hazelton Road which adjusts the lot line to the other side of a well house, Cleveland moved to recommend approval of the Affidavit of Boundary Adjustment. Mills seconded, motion carried.

There being no Public Comments, The Commission discussed with Melissa Butcher, of PB Communications and Strategic Solutions, via telephone conference, strategy for the upcoming public hearings on the draft zoning regulations. The public hearings will take place December 4<sup>th</sup> and December 5<sup>th</sup>, one in Buffalo and one in Kaycee. Yingling is reserving meeting locations at Harold Jarrard Park Community Building and the Community Building at the Johnson County Fairgrounds for the public hearings. Ms. Butcher will attend the November 12<sup>th</sup> regular meeting to discuss framing of questions, setting parameters on the questions and compiling that information for the Commission to forward to the County Commissioners.

1. North Shore PUD Subdivision Phase II, Planner Yingling said they are at the point of bringing the final plat to the Commission for approval contingent upon paperwork from the Wyoming Department of Environmental Quality regarding safety and adequacy of on septic and wells and septic systems, and from the State Engineer's Office on the disposition of water rights within the subdivision.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING-TUESDAY, OCTOBER 8, 2013**  
**PAGE 2 OF 2**

2. Resubdivision of The Shores at Lake DeSmet Subdivision and partial vacation of the subdivision - Deputy County Attorney Barry Crago reported that the complaint has to be re-filed in District Court.
3. Emerald Park Subdivision - Planner Yingling is waiting to hear from the developer on a revised Subdivision Improvements Agreement and collateral to guarantee the improvements. The developer still has a few lots to sell before he is required to pave the subdivision streets.
4. Bald Mountain Mobile Home Park west of Buffalo - Planner Yingling has discussed the "rumor" with one of the owners who assured him that the property is to remain a mobile home park and they are adding several new mobile home sites.
5. A lot split in the Robinson Acres Subdivision will be on the November agenda with a sketch plan.
6. Richardson Park Subdivision, Planner Yingling has been contacted about well issues. Discussion about the future of forming an improvement district and tying onto city water and sewer was had by the Commission.
7. Planner Yingling informed the Commission that he will be making copies of the draft zoning regulations and distributing them in locations in both Buffalo and Kaycee.
8. Planner Yingling gave a report on the Fall Conference of the Wyoming Planning Association (WYOPASS) held in Gillette September 11-13<sup>th</sup>. Planner Yingling was recognized as Planner of the Year at the conference.
9. Planner Yingling discussed the resignation of Buffalo City Planner Zach Montgomery.

There being no further business to come before the Commission, Spencer moved to adjourn the meeting at 5:15 pm. Mills seconded, motion carried.

Approved,

 \_\_\_\_\_ 1-14-2014  
Margaret Smith-Braniff, Chairperson                      Date

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, NOVEMBER 12, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:00 pm.

Those present were Commission members Margaret Smith-Braniff, Scott Mills, Dave Spencer and Randy Cleveland; County Planner and Project Manager, Rob Yingling; County Planner and GIS Manager Jim Waller; Barry Crago Deputy County Attorney; County Commissioner John Gibbs; and Vicki Edelman, County Clerk. Commission Member Craig Wetterlund was absent.

Mills moved to approve the Minutes for the October 8, 2013 regular meeting with the correction to clarify that the discussion with Melissa Butcher was by telephone conference. Randy Cleveland seconded, motion carried.

Shane Mannering, property owner, and Brent Bennett, Engineer; met with the Commission to discuss Mannering Minor Subdivision/Resubdivision of Tract 4/5 of the Robinson Acres Subdivision Sketch Plan. Yingling stated this minor subdivision will be for an additional residential lot with separate septic, shared well and shared right of way access. He also stated that the subdivision will need joint approval by both the City of Buffalo and the county, will need a soils report from the conservation district, evidence that no additional access permits are required by the Road & Bridge Department, and he would recommend that after public comment the sketch plan be approved and the developer proceed to the final plat. Concerns discussed by the Commission were easement access to the well site, permitted use of the existing well, potential problems with a shared well and agreements to mitigate that issue. Chairman Smith-Braniff called for public comments since this was a public hearing. Ray Umber, a neighboring landowner, commented on having an "additional residence" in the country and the limited amount of water available to the existing residences. After hearing public comments, Cleveland moved to approve the sketch plan with changes to the easements discussed being made on the final plat. Scott Mills seconded, motion carried.

Carlisle Arno a property owner on upper French creek road submitted a request to be allowed to sell a small parcel of land which was split off from his larger parcel at the time of reconstruction of French creek road. This 2 ½ -3 acre parcel would only be useful as a residential lot and the remaining large parcel would be 35+ acres. Yingling informed the Commission that the county had allowed the neighboring property owner to sell a parcel under the same situation several years ago. Yingling recommended that the Commission recommend a waiver of the minor subdivision process and approve the split to the Board of County Commissioners. After discussion Cleveland moved to recommend waiving the subdivision process and approve the split of the 2 ½ to 3 acre parcel. Mills seconded, motion carried.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING-TUESDAY, NOVEMBER 12, 2013**  
**PAGE 2 OF 3**

Planner Yingling discussed amending the minutes to the March 13, 2013 regular meeting because a motion to recommend approval of the final plat for the North Shore PUD Subdivision had been omitted from those minutes. After discussion and concern over the motion not being reflected in the minutes, Mills moved to amend the minutes of the March 12, 2013 meeting to reflect the discussion and motion to recommend approval of the North Shore PUD Subdivision Final Plat. Cleveland seconded, motion carried.

The P&Z Commission discussed whether to do an additional motion to concur with action taken at the Board of County Commission Meeting on November 13, 2013 approving the Final Plat of the North Shore PUD Subdivision and drafting a letter to the State Engineer's Office regarding SEO procedures and subdivision approval. The Commission decided to have Planner Yingling write the letter but decided against a motion.

Melissa Butcher, PB Communications & Strategic Solutions met with the P&Z Commission to discuss the upcoming public hearings on the final zoning document. Items discussed were the framework for the public hearing discussion and taking comments. Errors in the document found now, unless they are major ones, would be addressed through the amendment process. Also discussed was the need for both hearings to be conducted as a "special meeting" of the P&Z Commission with a facilitator to direct the comment process, identifying each speaker by name and address with 2 minutes to speak. Comments will be taken until 9:00 pm, with additional comments to be taken in writing. Advertising of the public hearings included Community Speaks Radio, an article in the Buffalo Bulletin and the Kaycee Community Voice. The Board of County Commissioners is considering conducting a county wide public opinion survey.

Chairperson Smith-Braniff called for public comments and, there being none, Planner Yingling provided a status report on projects as follows:

1. The County Commissioners have asked that an amendment be written to the subdivision regulations to deal with boundary adjustments and the need to follow up with recordation of a deed.
2. Planner Yingling will draft a letter to the State Engineer's Office regarding SEO procedures and subdivision approval per the request of the County Commissioners and the P&Z Commission.
3. Deputy County Attorney Crago said there is nothing new to report on the progress of the Resubdivision of the Shores at Lake DeSmet legal action - only telephone calls back and forth.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING-TUESDAY, NOVEMBER 12, 2013**  
**PAGE 3 OF 3**


4. Emerald Park Subdivision - Planner Yingling is waiting to hear from the Developer regarding a revised Subdivision Improvements Agreement. The developer still has a few lots to sell before he is required to pave the subdivision streets.
5. Richardson Park Subdivision - Planner Yingling has been contacted about well issues. The Commission discussed pursuing formation of an improvements district for the subdivision to connect to city water and sewer.
6. Planner Yingling said copies of the draft zoning regulations are in strategic places in the county, advertising and community speaks dates have been set and the hearing dates have been set for December 4, 2013 at 7:00 pm at the Johnson County Fairgrounds and December 5, 2013 at 7:00 pm, at the Harold Jarrard Park Community Building in Kaycee. Clerk Edelman will take minutes at both public hearings.

Planner Yingling said Alicia Bankston is updating the Master Plan for the Recreational District and is having a public meeting on December 10, 2013 5-8 pm and he will be attending that meeting.

GIS Manager Jim Waller reported to the Commission on the zoning maps he is preparing for the upcoming zoning public hearings. Planner Yingling discussed several minor changes he made to the draft zoning document.

There being no further business to come before the Commission, Spencer moved to adjourn the meeting at 6:11 pm. Mills seconded, motion carried.

Approved,

 12-10-2013  
Margaret Smith-Braniff, Chairperson                      Date



**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
PUBLIC HEARING ON ZONING DOCUMENT**

**SPECIAL MEETING-THURSDAY, DECEMBER 5, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the Special Meeting/Public Hearing on the Zoning Document, of the Johnson County Planning and Zoning Commission to order at 7:00 PM at the Harold Jarrard Park Building in Kaycee, WY.

Those present were Commission members Margaret Smith-Braniff, Scott Mills, Randy Cleveland, Craig Wetterlund, County Planner and Project Manager, Rob Yingling, GIS Manager Jim Waller, Deputy County Attorney Barry Crago, County Clerk Vicki Edelman and Facilitator Melissa Butcher. Commission Member Dave Spencer was absent.

Melissa Butcher, facilitator stated this is more of a "layperson" written document fitting to who the people are as a county. The 2 options for discussion are 1. Should there be zoning and what should it look like? 2. The comments on the final draft should reflect why or why not the P&Z Commission should or should not send the document to the Board of Commissioners. The Rules are as follows: All can speak, time limit of 2 minutes per speaker, and after everyone has spoken, those who wish to speak again may. The meeting will wrap up by 9:00pm. Those who wish to submit written comments may do so until December 20, 2013. An official Transcript will be available on line as soon as it is completed.

OJ Hanson: He felt the purpose of planning was to protect the inhabitants from the government instead of imposing more regulations on the residents. People who don't have land impose on those who do. Property rights are in danger. Corruption can come with zoning because elected officials can be swayed by people wanting things a certain way without being taxpayers. We already have nuisance laws at the state level. Country people have to be free to do other things; maybe a piece of property has to be sold to help pay for the older generation. Town people don't understand this. He said uses of the land need to be able to be change in a timely fashion.

Wally Ramsbottom: This will create a whole new department with administrative and enforcement positions, which will be a financial burden to the county. In the end it will make you the owner of my property. He does not like the clause saying the administrative level will be held harmless from its actions. WCCA is a powerful group and could go to legislature to get laws changed without county wide zoning. He believes there are parts of this that are illegal and agrees with the letter written by Steve Forsman.

Barry Crago: Based on initial review of the document Mr. Forsman is correct and that part of the document will have to be changed to conform to the statute.

Fred Carr: He is opposed and agrees with the other comments.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
PUBLIC HEARING ON ZONING DOCUMENT  
SPECIAL MEETING-THURSDAY, DECEMBER 5, 2013  
PAGE 2 OF 2**

Leif Hanson: He is opposed. He is concerned about property rights and what length the county will go to make the property owner conform to this.

Brock Hanson: He is opposed but supposes it is so confusing it will have to pass to see exactly what is in it. The EPA has very strict regulations on the books and there is no need for zoning.

John Curuchet: He is against this and is concerned over property rights.

Wade Curuchet: He is against. This document cannot co-exist with property rights; this is a bad document that goes against state law.

Ginger Curuchet: She is concerned that this can change with each set of elected officials.

Craig Wetterlund: The P&Z Commission are appointed by the Commissioners and given the task of writing the regulations. Once completed, they are to be handed back to the Commissioners for approval. There should be no arbitrary changes in the document.

Margaret Smith-Braniff: There have been issues with gravel pits and dust and animals such as the yaks. We can either write our own regulations for Johnson County or have someone from the outside come in and do it for us.

Nathan Williams: He is opposed; this will create a huge bureaucracy and much expense to the county. This goes against our fundamental rights. We will lose our land; we will still have the title but lose the right to the use of our own property.

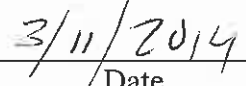
Delbert Eitel: Thanks to P&Z Commission for all their hard work; have put in lots of time and effort in this project. He doesn't think Johnson County is ready for zoning at this time. The document has contradictions and needs some fine tuning. He will vote the way the Majority of Johnson County want him to vote. He was elected by all the people and has to represent everyone.

Margaret Smith-Braniff thanked everyone who attended. They will take comments until December 20, 2013. They will wait on a decision until all those comments in and are discussed. They want to be respectful of all the people of Johnson County.

Randy Cleveland moved to adjourn the special meeting/public hearing at 7:55pm. Scott Mills seconded, motion carried.

Approved,

  
\_\_\_\_\_  
Scott Mills, Chairman

  
\_\_\_\_\_  
Date

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
PUBLIC HEARING ON ZONING DOCUMENT**

**SPECIAL MEETING-WEDNESDAY, DECEMBER 4, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the Special Meeting/Public Hearing on the Zoning Document, of the Johnson County Planning and Zoning Commission to order at 7:00 PM at the Community Building at the Johnson County Fairgrounds.

Those present were Commission members Margaret Smith-Braniff, Scott Mills, Randy Cleveland, Craig Wetterlund, County Planner and Project Manager, Rob Yingling, GIS Manager Jim Waller, Deputy County Attorney Barry Crago, County Clerk Vicki Edelman and Facilitator Melissa Butcher. Commission Member Dave Spencer was absent.

Melissa Butcher, facilitator stated this is more of a "layperson" written document fitting to who the people are as a county. The 2 options for discussion are 1. Should there be zoning and what should it look like? 2. The comments on the final draft should reflect why or why not the P&Z Commission should or should not go to the Board of Commissioners. The Rules are as follows: All can speak, time limit of 2 minutes per speaker, and after everyone has spoken, those who wish to speak again may. The meeting will wrap up by 9:00pm. Those who wish to submit written comments may do so until December 20, 2013. Official transcripts will be available on line as soon as they are completed.

John Lueders: He feels basic property rights will be lost with zoning and this should be voted on; covenants were placed on property to help with issues and now they are no help.

Bob Johnson: Those who think zoning is fine have not lived with it; zoning is not a remedy to economic development it is economic destruction. The private property rights will be taken away and the Wyoming way of life and individual freedoms will be gone.

Tom Spence: Thanks to the Planning Commission for their hard work. In a perfect world everyone would consider their neighbor and not put a pig farm or gravel pit next to him. We need rules for all and need to put plan into effect.

Kathleen Bray: Feels this is a violation of her rights as a property owner and wants to have a small farm which she won't be able to do with the acreage that she has.

Jim Straight: The P&Z Commission will be taking away private property rights and should not have right to do that. They will put 200 pages of regulations in place and is wrong.

John Urruty: Thanks to the Commission for their hard work; but he has concerns on the acreage size to sell which will diminish the value of property. He is against it in its present form.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
PUBLIC HEARING ON ZONING DOCUMENT  
SPECIAL MEETING-THURSDAY, DECEMBER 4, 2013  
PAGE 2 OF 4**

Richard Frankovic: Thanks for their hard work on a daunting task. Changing laws should not be done by 3 Commissioners and a Board of 5 people. The voters need to vote on this matter. There are state statutes that cover problems and to base a change to the value and wealth of the entire county on a telephone survey is crazy.

John Zorbas: He is in the military and soon to retire. He bought property in Johnson County because there are no zoning restrictions and he wants to open a small home based business. Private property rights are a key to a free society. Please don't protect me from myself. This allows unelected officials to make changes to this document; that is a concern.

Robert Garrison: He does not agree with the document; it is illegal in places. It will not protect from natural hazards. The individual has to assume the risk from fire, etc. This won't prevent junk yard issues, those are grand fathered in. Please don't pass this on. The enforcement is going to be expensive and infractions of \$750.00 per day are expensive also.

Harry Washut Jr.: This will take away private property rights, if you have enough money you will be able to do what you want with or without zoning. I pay taxes and should not have to ask permission to do things on my own personal property.

David Stewart: Thank you for all your hard work but disagree with the document. You need to let the people vote on this kind of issue. He doesn't feel things are "broke so don't need fixing."

John Jenkins: Thanks to the P&Z Commission for their hard work. He was a fan at one time but not anymore. I do not recommend passing this. There is a private plan already in place through the market command & control approach. If a "hog farm" goes in next to me, there is help through the court system and tort laws to handle the issue. Please do not pass. Re-channel your efforts to empower the citizens to protect their own. It is fundamentally wrong.

Doug Brothers: He has lived here 28 years, has small business and respects his neighbors. He doesn't want to trade his freedom for what this document will give him. Please don't pass. He asked the P&Z Commission members if they were comfortable with giving up their property rights-they are precious once gone, they are gone. Please vote no.

Don Conklin: He has gained great respect for the P&Z Commission. He knows they have worked hard. He is concerned over cost to the taxpayers to implement. There will be new positions and a large dept to enforce. Please do not pass to the Commissioners. Grandfathering is only mentioned 2 times. We have enough laws and rules. The people need to vote on this. This is a waste of time and money and many parts of it are illegal. He doesn't like Section 23-complaint section-the accuser does not have to appear. The state law supersedes the county

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
PUBLIC HEARING ON ZONING DOCUMENT  
SPECIAL MEETING-THURSDAY, DECEMBER 4, 2013  
PAGE 3 OF 4**

regulations. It probably has to pass to know for sure what is in the regs. This gives lots of power to 3 people over the land owners. Please don't do this.

Margaret Smith-Braniff: Responded to Nikki Lohse's question on time frame-Hearing in Buffalo tonight and in Kaycee on December 5, 2013. They will continue to take public comments through December 20, 2013. Those will all be put together and reviewed and probably make a decision about passing it on to the Commissioners at the January meeting.

Chuck Kieffer: He is opposed to the control zoning imposes, you will lose your property rights. He appreciates all the work that has been but land owners don't want this. He would encourage you to say no.

Margaret Smith-Braniff: Responded to Andrew Bray's question on if the P&Z Commission had made up their mind- They have not made up their minds, it would be pointless to have the public hearings; they want to listen to all the comments on both sides. It is still up for discussion and they are listening to specific reasons why or why not.

Cathy Urruty: She requests the survey sent out by the County Commissioners be a mail survey that comes with the taxes not a telephone survey.

Mike Madden: He wonders if these rules could be written in ordinance form; then there would be an appeal process.

Margaret Smith-Braniff: These Regulations were written in response to issues in the county such as gravel mining. Property rights are the main focus; this has been created by Johnson County residents for Johnson County. There is a process of review and the final change would be done by the County Commissioners who are elected to their positions.

AJ Davis: The people wanting this are having trouble with their neighbors who are grandfathered in. This is no solution to this problem.

Harvey Crowe: The land use plan will regulate without zoning. He recommends not to pass this on.

Scott Mills: He has lost property value and maybe willing to give up some rights to maintain the value of his property.

Margaret Smith-Braniff: She says giving up property rights is a big deal, but if people come along to impose agenda 21 and their rules; I would rather it be Johnson County rules rather than someone else making the rules.

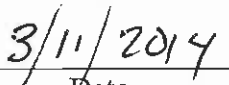
**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
PUBLIC HEARING ON ZONING DOCUMENT  
SPECIAL MEETING-THURSDAY, DECEMBER 4, 2013  
PAGE 4 OF 4**

Margaret Smith-Braniff thanked everyone who attended. They will take comments until December 20, 2013. They will wait on a decision until all those comments in and are discussed. They want to be respectful of all the people of Johnson County.

Scott Mills moved to adjourn the special meeting/public hearing at 9:12pm. Craig Wetterlund seconded, motion carried.

Approved,

  
\_\_\_\_\_  
Scott Mills, Chairman

  
\_\_\_\_\_  
Date

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY, DECEMBER 10, 2013**

**OFFICIAL MINUTES**

Commission Chairperson Margaret Smith-Braniff called the regular meeting of the Johnson County Planning and Zoning Commission to order at 4:00 PM.

Those present were Commission members Margaret Smith-Braniff, Scott Mills, Randy Cleveland, and Craig Wetterlund; County Planner and Project Manager, Rob Yingling; County Planner and GIS Manager Jim Waller; Barry Crago, Deputy County Attorney, County Commissioner John Gibbs; and Vicki Edelman, County Clerk. Commission Member Dave Spencer was absent.

Cleveland moved to approve the Minutes for the November 12, 2013 regular meeting. Wetterlund seconded, motion carried.

Planner Yingling presented his final plat review of the Resubdivision of the W1/2 of Tract 4 and all of Lot 5 of the Robinson Acres Subdivision, which is being subdivided by Shane and Sylvia Mannering. He informed the Commission that joint city/county approval was required as the proposed subdivision lies within one mile of the Buffalo city limits, that the City of Buffalo had approved and signed the final plat, and that required easements for a shared driveway and shared well have been included on the plat. Plat warnings from the Conservation District soils report were not included on the final plat, as the City of Buffalo signed the final plat before the soils report information was received. There is also no section tie on the plat. Smith-Braniff expressed concerns about the soils analysis and corner markers being left off the plat. Yingling stated these were minor issues that do not justify having all the plat signatures redone. Mills moved to recommend the final plat be approved contingent up receipt and County Planner review of the Mylar copy of the plat. Wetterlund seconded, motion carried. Surveyor Travis Pearson arrived with the final mylar copy of the plat, which was then signed by Smith-Braniff.

Chairperson Smith-Braniff called for public comment and there being none Planner Yingling gave a status report on projects as follows:

- The County Commissioners had approved the lot split on the Carlisle Arno Property, Upper French Creek Road.
- Planner Yingling will be writing amendments to the subdivision regulations regarding boundary adjustments per the County Commissioners request.
- Planner Yingling had talked with Dave Pelloux of the Sheridan office of the Board of Control, and he will postpone writing a letter to the State Engineer's Office regarding subdivision water rights disposition procedures. Smith-Braniff wants a letter written for the record on the procedures.

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING-TUESDAY, DECEMBER 10, 2013**  
**PAGE 2 OF 2**

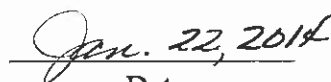
- Deputy County Attorney Crago said there is nothing new to report on the progress of the Resubdivision of the Shores at Lake DeSmet legal action, and that there had only been telephone call back and forth.
- Emerald Park Subdivision- Planner Yingling is waiting to hear from the Developer regarding a revised Subdivision Improvements Agreement. The developer still has a few lots to sell before he is required to pave the subdivision streets. Planner Yingling will contact the Developer again about the updated Improvements Agreement after the 1<sup>st</sup> of the new year.
- Richardson Park Subdivision-The Commissioners requested Planner Yingling write a letter to the residents living in this subdivision to determine whether there is enough interest in a water and sewer improvement district. He will be sending those letters out in January.
- Planner Yingling said we will still be taking public comments on the draft zoning regulations through December 20, 2013. Those comments will be put together and copies sent out to each of the Commission Members. There will be discussion on the comments received at the January 14, 2014 meeting and a possible vote on whether or not to forward the zoning regulations to the Board of County Commissioners.
- Planner Yingling will be gone on vacation from December 20, 2013 through January 3, 2014. Planner and GIS Manager Jim Waller will be in the office during this time.

Discussion on the proposed zoning document, personal opinions and concerns were expressed and discussed. Deputy County Attorney Barry Crago assured the Commission he would put aside any personal opinions on zoning, be un-biased, and review the document from a legal standpoint.

There being no further business to come before the Commission, Mills moved to adjourn the meeting at 5:02 pm. Cleveland seconded, motion carried.

Approved,

  
Margaret Smith-Braniff, Chairperson

  
Date