

# LINCOLN COUNTY COMMISSIONERS

## Planning & Zoning Public Hearing

April 22, 2019

**Rebecca Wood, Chairman; Roy Hubert, Commissioner; Rick Ellis, Commissioner; Cindi Sievers, Clerk for Minutes, Mary Davidson, Indigent/P&Z, Guy Hopkins, P&Z Administrator, E. Scott Paul, Prosecutor.**

9:10a.m. Chairman Wood open the meeting.

3 String Cattle Co. LLC Siting Permit Application Decision

In Attendance: Carol Boudreau, Marge Simpson, Dixie Dill

E. Scott informed the Commissioners that the first letter was sent out with errors, another letter was sent but may not have reached the people before this meeting. He advised them they should do this again next Monday.

Commissioner Hubert asked who should have been sent a letter, and if only those who live within the mile should be in attendance. E. Scott suggested a new letter should go out today for a new meeting next week.

Mary Davidson stated the people who live within the mile and attended the hearing are in attendance today. Since they are within the mile, the commissioners could move forward with the decision.

Chairman Wood explained the details of the events leading to today with the first letter being incorrect and the second letter not getting to all those who could be present. Chairman Wood asked the Commissioners if they want to move forward. There was continued discussion about who was in attendance at the public hearing April 1<sup>st</sup>. Commissioner Hubert wants to move ahead with the decision. Commissioner Ellis asked counsel if this would be a legal meeting if the moved forward. His reply; yes.

Chairman Wood announced the meeting would move forward. Any discussion outside of the public hearing has to be disclosed. Chairman Wood stated that Mike Smith, Dietrich, John Howard, Dietrich, Clair Hollibaugh, Dietrich, contacted her outside of the public hearing. Commissioners Hubert and Ellis disclosed that they had received phone calls since the hearing and they told them they could not discuss any further information after the hearing.

E. Scott Paul reviewed the procedures to move forward with the process to review all the items of the application.

Chairman Wood brought up the Reasoned Decision of the 3 String Cattle, LLC

Commissioner votes were as follows,

- A. All 3 voted Yes; that it will constitute a Conditional Use as established within the applicable district or zone.
- B. All 3 voted Yes; that it will be harmonious and in accordance with the general objectives or specific objective of the LC Comprehensive Plan or this Ordinance

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- C. All 3 voted Yes; that it will be designed, constructed, operated and maintained to be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- D. Rebecca voted Yes; that it will not be hazardous or unduly disturbing to existing or neighboring uses; Roy and Rick voted No; that it will be hazardous or unduly disturbing to existing or neighboring uses. Roy went on a bit to explain his vote
- E. All 3 voted Yes; that is will be or can be served adequately by essential public facilities and services such as highways, streets, sheriff and fire protection, drainage structures refuse, disposal, water, sewer and schools at a reasonable cost, which will not be detrimental to the economic welfare of the community.
- F. All 3 voted Yes; that it will not be unduly detrimental to any persons, property or the general welfare by reason of excessive traffic, noise, fumes, glare, odors or water pollution.
- G. All 3 voted Yes; that it will have vehicular approaches to the property which are designed so as not to create an interference with traffic or surrounding public thoroughfares.
- H. All 3 voted Yes; that it will not result in destruction, loss or damage of natural scenic or historic feature of major importance.

E. Scott Paul asked Commissioners to review items 3.2.and 3.3 of the CAFO Ordinance 1212-08-2. Chairman Wood read the requirements into the record. Mary Davidson, Planning & Zoning commented that they have met these criteria.

Chairman Wood read item 3.4 of the CAFO Ordinance requirements into the record. E. Scott commented that questions A through H have been met and these met the requirements

Item 3.4 Commissioner Ellis, yes. Commissioner Hubert, yes. Chairman Wood, yes.

**Commissioner Ellis made a motion to approve the 3 String Cattle Co. LLC CAFO Siting Permit. Chairman Wood seconded. Discussion, Chairman Wood would like conditions added to the motion.**

**Commissioner Ellis moved to amend his motion with conditions as stated by the Chairman. The application for this permit was approved with the following conditions;**

**Plant a double row of trees offset on the east boundary of the pens that would extend 20' past the end of the pens on the north and south. Type of tree, distance apart etc. to be determined after they consult with an expert. This must be completed within 120 days of written approval of the application. The P & Z Administrator would monitor progress and when completed take pictures for the file and send a copy to the State Department of Ag for their records. The P & Z Administrator is to visit the site two times a year to monitor the permit.**

**Chairman Wood seconded. Review of conditions of the permit. Vote unanimous in favor, motion carries.**

9:53am Chairman Wood adjourned the meeting.

Respectfully,

Cindi Sievers, Clerk for Minutes

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Rebecca Wood

Rebecca Wood, Chairman

Attest:

Cindi Sievers

Cindi Sievers, Deputy Clerk