

MARION COUNTY PLANNING COMMISSION

PUBLIC HEARINGS

SEPTEMBER 22 & 24, 1992

RECORD OF PROCEEDINGS

Chairman Sherwin Ammeter called the meeting to order and introduced the Planning Commission members. Present were Eileen Sieger, Terrill Eberhard, Dorman Becker, Marlin Janzen, Clark Wiebe, Dean Fincham, Lewis Unruh, W. M. Pierce was absent. Also present were County Commissioners Linda Peterson, Leon Suderman, and Charles DeForest. David Yearout, Consultant, and Herb Bartel were also in attendance. Chairman Ammeter gave some background on the Commission, explaining that there are three members from each Commission District that were appointed by the County Commissioners. He pointed out that the Planning Commission members serve without pay and that they have spent the last eight months on this project. Chairman Ammeter then opened the public hearing and explained the procedure to be followed. He added that the meetings are being recorded and then read the public notice for the record. He then introduced David Yearout as Planning Commission Consultant and explained that he will give an article by article summary of the proposed zoning regulations and maps, known as the Zoning Regulations of Marion, Ks.

Mr. Yearout then proceeded with this portion of the meeting explaining that county zoning is authorized by Kansas Statute Chapter 12, Article 7, beginning at 741 and extending through to 768 with other portions also applicable. He explained that these proposed regulations are drafted to be in compliance with those statutes.

The proposed regulations are broken down into a series of districts or articles. He proceeded to explain the 29 articles and the two proposed amendments that he will introduce for Planning Commission consideration.

Article 1: Gives the document the general title of Zoning Regulations of Marion County, Ks. He then read the purpose as stated in the document.

He then drew attention to the definitions in Article 1 with special attention as follows:

Agricultural Use: He explained what constitutes land use for agricultural use and pointed out that state law prohibits limiting agricultural use, therefore, Marion County cannot do so. He also explained uses that are not agricultural.

Home Occupations: Explanation was given.

Manufactured Home: This definition is consistent with changes in state law occurring in 1991. There are two definitions of standard manufactured homes. One is a residential design manufactured homes and must be allowed as

an on-sight built home. Mobile homes, as state law defines, are transportable factory built structures designed to be used as a year-round residence or dwelling which does not meet or was built prior to the enactment of the National Manufactured Home and Modular homes are defined by the manner in which they are constructed.

Motor Vehicle Graveyard: salvage, junkyard, etc. State statutes refer to them as Motor Vehicle Graveyards.

Rural Residential: defined as more than 10 but less than 40 acres in size created for the purpose of providing a building sight, notwithstanding the accessory agricultural use of some or all said lot either prior to or after the construction of the dwelling.

Suburban Residential: A plot of more than 1 but less than 10 acres size for the purpose of providing a residential building sight, notwithstanding the accessory agricultural use of said lot.

The difference in Rural Residential and Suburban Residential are the acres involved.

Mr. Yearout pointed out that the language in the Proposed Regulations parallel State laws in the matter of disposal of waste tires. The language herein is taken directly from State statutes.

On page 21 the Districts are created as follows:

- A: Agricultural District
- RR: Rural Residential District
- SR: Suburban Residential District

R1: Single Family District
CP1: Planned Neighborhood District
CP2: Planned General Commercial District
CP3: Planned Highway Service Commercial District
IP1: Planned Light Industrial District
IP2: Planned Medium Industrial District
VI: Village District
FP: Flood Plain District

The Regulations identify the proposed zoning district boundary maps as the official maps that are adopted by the Regulations.

The balance of Article 1 deals with general provisions in the Regulations and will be discussed as Mr. Yearout moves through the document.

Article 2:: Creates the zoning districts. Has reference to Article 17, as do all the Articles, with reservation for future use of regulations for signs.

Article 3: RR - primarily for single family use, designed to provide low density rural family developments.

Article 4: SR - identical to RR in terms of use with the exception that in a SR development one of the homes can be used as a sales office.

Article 5: R1 - single family units in those areas of the county where public services are available. Lot areas of minimum of 20,000 square feet. Public services will be required.

Article 6: CP1 - businesses, those proposing new commercial

or industrial development must submit a development plan. If approved, that plan is binding to the same extent as the zoning is. This is designed to assure that what is proposed and approved is what is built.

Article 7: CP2 - everything that was permitted in CP1 with additions listed. Minimum lot size of 1 acre.

Article 8: CP3 - also pyramidal, allows all commercial uses listed before plus lists 5 others (car dealerships, boat sales, service and storage; farm machinery sales, service and display lots; hotels, motels, motor hotels; motor vehicle sales and service, including repair; manufactured home sales, service and display lots). Allows the lot size to go up to 2,500 square feet.

NOTE: ALL DISTRICTS ARE SUBJECT TO THE SANITARY CODE

Article 9: IP1 - a sight plan must be submitted and approved and is binding. There is no lot size limitation.

Article 10: IP2 - again pyramidal with additional uses listed.

There is no heavy industrial district proposed as a separate zoning category. Heavy industrial use is identified as a conditional use.

Article 11: VI - accommodates development activity and the ability to continue to use and redevelop in the future those villages or small unincorporated cities in the county. There are no set limitations on lot sizes. Allows for the use of a conditional use permit.

Article 12: FP - the draft in this document was prepared

with the understanding that Marion County had available to them Flood Plain information from FEMA and that the County had more detailed studies and maps to support that program. This is not the case. It has not been done for Marion County. They do have Flood Hazard Boundary Maps which identify in general terms flood prone areas in the unincorporated parts of the county. Mr. Yearout has submitted to the county substitute Article 12 in these regulations. These are proposed and recommended to replace the ones in the blue book. They are drawn in language recommended by the State Division of Water Resources and also recommended from the Kansas City office of FEMA. They are drafted to accommodate those communities that do not have the advanced studies but do have Flood Plain Boundary maps that identify flood zones. The new draft requires and identifies the Flood Hazard Boundary Maps as the official maps for Federal Flood insurance and this regulation. The Regulations will require a separate permit in a flood plain area.

Article 12A: (Actually Article 13) FRD - Flood Water Retarding Dam Breech Impact District - puts on and requires of those watershed districts that have built as part of a Federal program the responsibility to identify below the dams areas that would be known as breech impact zones. These regulations prohibit building any structures below those dams. The reason is that under the 1986 revision to federal laws, in watershed districts that have invested, if there are

buildings below the dams the watershed districts are required to (1) buy and remove property (2) rebuild the dam and raise it to the next level (3) cut the dam and let the water go.

The Reservoir and the County lake are not in this category.

The watershed districts are to notify and keep administration advised of new structures and what the flood impact areas are.

Article 13: Plan Approval Guidelines - guidelines on submitting a development plan. Identifies what is done for zoning activity in those categories.

Article 14: Sets certain performance standards in all of the district. Deal primarily with the attendant activities that go with new development in a rural area. Identified by district and does reference certain types of activities.

Where allowed, states where residential design manufactured homes can go. Identifies what constitutes the requirements and the standards for commercial and industrial activities.

Article 16: Off street loading - much the same as Article 15.

Article 17: Sign regulations - there is no proposal at this stage to regulate signs.

Article 18: District heights, area and bulk regulations - this is blank, a Yearout error. There is a chart that re-lists all limitations and requirements found elsewhere in the district regulations.

Article 19: Supports height, area, and bulk regulations. Intended to address the extraordinary things that occur on properties that might otherwise violate the strict

application of the regulations.

Article 20: Supplementary uses regulations - see index.

Conditional Use - land use activity that because of it's nature is not going to clearly fit into any zoning district in the County. There are a whole series of uses that are permitted - utilities, churches, bed and breakfast facilities, commercial stockyards and feedlots, cemeteries, carpenter shops, two-family dwellings, fire stations, grain elevators, retail flower shops and nurseries, group homes (new law) hospitals, veterinary clinics, motor vehicle graveyards, and medical centers.

Accessory Uses.- all of the zoning districts have examples of accessory uses.

Prohibited Uses - after the effective date of this regulation, no mobile home as defined in these regulations shall be moved, brought in, or otherwise relocated in Marion County. This addresses mobile homes as pre-1976 homes that have not been built according to any standard or code.

Article 21: Manufactured Home Parks - addresses development standards that must be met for a manufactured home park. Includes the requirement that they have public water and sewer.

Article 22: permits the ability to create a rural subdivision that would allow the placement of individual manufactured homes of any kind.

Article 23: Non Conforming Uses - allows "Grandfathering". State law provides that any use legally established at the

time of the adoption of any zoning regulations is exempt from those regulations in terms of that use. If a grandfathered use is destroyed greater than 50% of fair market value, it cannot be re-established. There are provisions for what constitutes the discontinuance of a non-conforming use. Intermittent use is not permitted to establish a non-conforming use. If there is a question about use a Board of Zoning Appeals will decide.

Article 24: As required by state law this article establishes a Board of Zoning Appeals. This is required of all zoning activities within the state. It permits a separate board or as a result of a 1991 amendment, the Planning Commission can sit as the Board of Zoning Appeals. That is what these regulations address. The Board of Zoning Appeals has three powers: (1) to hear and decide appeals (2) to hear and decide special exceptions (3) to authorize variances. In order for a variance to be granted all of the following conditions have to be met.

1. A variance requested rises from such a condition which is unique to the property in question which is not ordinarily found in the same zoning district and is not created by action or actions of the property owner.

2. The granting of the permit for the variance will not adversely affect the adjacent property owners or residents.

3. The strict applications of the provisions of the zoning regulations of which the variance is requested will constitute unnecessary hardship upon the property owner

represented in the application.

Mr. Yearout read the other stipulations for variance. There are seven special exceptions that can be permitted and are available for review.

These are the only "land use" decisions the Board of Zoning Appeals can make. Any others require recommendation by the Planning Commission and final decision by the County Commissioners. Also special yard and height exceptions are permitted. The balance of this article deals with the requirements of the Board in conducting hearings.

Article 25: Administration - This article identifies the Zoning Administrator and places on him the duty to enforce all of the regulations. Also established a zoning certificate. A zoning certificate must be obtained prior to building any new structures within the county. Fees will be required for a zoning certificate. The fee structure would be set by the County Commissioners. The balance of Article 25 deals with administrative requirements of the Zoning Administrator in the issuance on zoning certificates. Fees would be waived for agricultural activity. There would be a permit, but no fee.

Article 26: Special Events - Identifies and grants certain administrative powers to the Zoning Administrator, or in certain cases, the Planning Commission or governing body to deal with certain events that are unique and certain one-time events. Special events are listed by type in the regulations.

Article 27: Amendments - Those activities commonly known as re-zonings. Also could be an amendment to the regulations. The Planning Commission or County Commission are the only ones that can:

1. approve a text amendment to the regulations
2. approve an amendment to the map, as in re-zoning a category. This can be initiated by the Planning Commission, the County Commission, or the landowner or the landowners agent with written authorization.
3. approve a request for conditional use. This does not change the map but changes the permitted use.

State law requires notice for all subsequent changes being legal notice in the paper 20 days prior to a public hearing plus written notice to all landowners within 100 feet unless it is a city, then 200 feet.

The Planning Commission would hold a public hearing and then it must make a recommendation and submit it to the County Commissioners.

Re-zonings or conditional use requests will require 100% approval by surrounding landowners to allow re-zoning.

Protests can be filed and require 20% or more of the surrounding landowners.

It is required that where there is an application for re-zoning or conditional use within three miles of a city that has zoning, that the application be submitted to that city for review and comment prior to action by the Planning Commission. The Regulations also require that a sign be

posted where there is a new use proposed at a location. On pages 125-127 there is a list of factors that must be considered any time a re-zoning or conditional use permit application is heard. These are factors that the Planning Commission must take into account as they make their recommendation.

The Regulations permit that if there is a proposed use of special intensity that the Planning Commission or County Commission feels would have significant impact on the traffic in an area they can require the applicant to prepare and submit a traffic study.

The final provision on Article 27 is that if a denial is made on a piece of property, there is a 1 year limitation before a similar request can be made on that property by anyone.

Article 28: Deals with interpretation and conflict of the Regulations and identifies the remedies that are available - primarily court actions. These penalty provisions are taken directly from State statute. Penalties are listed.

Article 29: Identifies the validity of these regulations. The severability, which is the legal language, and the effective date. This date is upon publication in the official county paper after adoption by the County Commissioners. The proposal calls for and statute allows for publication by reference.

In conclusion, Mr. Yearout pointed out the maps on the wall, showing proposed zoning districts, cities, and explained the legends. He pointed out that there were computer printouts

that identify all conditional uses that would be included in this regulation. He invited those in attendance to inspect the maps and printouts.

Mr. Yearout turned the floor back to Chairman Ammeter who asked Mr. Yearout if one-half the counties of the state were zoned. Mr. Yearout responded yes.

The meeting took a short break.

When the meeting resumed Mr. Yearout added that the zoning regulation proposed to be in effect for the entire unincorporated part of the county, this includes the area up to the city limits. Some cities have zoning that currently extends beyond the borders of the cities. If adopted, the city zoning would become null and void. The landowner votes for who governs his land. This is according to State law. Secretary Herb Bartel commented that of the seven counties with common boundaries surrounding Marion County, only two are not zoned, those being Morris and Chase counties.

Chairman Ammeter opened the meeting for questions and comments.

Elmer Wiens addressed the hearing as follows: "What have we as older farmers done to you as County Commissioners that we have driven you to make rules that seem so out of control? Where are you taking this money from to do this to us? This money is out of our taxes and we seem to have no say so. Which fund is it coming out of? We have no faith in these persons that come around to do these rules and regulations.

One example I have went to all the neighboring counties and one county had on their rules that a farmer could not build a fence that would hurt man or beast. So barb wire and electric fences are out. How do you keep cattle in all these counties that have similar rules? Are you going to hand out to the taxpayers your rules for free? How else are you to know how to comply with your stupid rules. I have a question. How can the rural people protect themselves from the town people dumping trash on our roads and ditches? That's where our zoning people should help. It looks to me like some townships have no representation."

Chairman Ammeter thanked Mr. Wiens for his comments and added that he hoped he was speaking for the entire Planning Commission that the thrust of these regulations is to protect agriculture, not to work a hardship on it. We are over 50% rural people on the Board and no one on the Board, even those that live in the cities, is out to get agriculture.

Mr. Wiens: "Where does money come from to do this zoning?"

Chairman Ammeter explained that not that much money was involved and that the Planning Commission members served without pay.

Carroll Coleman, Marion County Lake, addressed the hearing as follows: "I think most of us read in Marion County last spring and on other occasions saw and heard on the news about our people in the east sending their garbage to McPherson.

Marion County could be next if we don't have some way of regulating such things as this. My biggest objection to a Planning Commission or zoning is sometimes they get carried away. But I'd rather have them carried away a little bit than having all the garbage and stink and crud that they've been dumping in the ocean, dumped here in Kansas. We've got to protect ourselves if we're going to have a decent place to live. Granted, there are people who dump stuff in the ditches. I have no use for them, but you're never going to stop that regardless of what you do. But we can stop the trainload after trainload from coming to Marion County. If you notice in the paper here not long ago there was a trainload of garbage that stunk so bad they didn't know where to put it. I don't know whatever did happen to it. But it was in St. Louis for a while. I think it got as far as Kansas City and finally it headed back to New York and what they did with it from there I don't know. But we darn sure don't want it in Kansas or in Marion County. And if we don't do something like this, I don't think they are trying to put hardships on the farm people, on the rural people. I think they're trying to protect that farm so they'll have something to hand on down to the next generation. We do have people that are out to do nothing but satisfy themselves and the more people you get in an area, there's got to be more regulations. Where does my rights end and yours begin or visa versa? I think it's a good thing. I think we're long overdue in Marion County."

Carson Crawford, Florence, addressed the hearing as follows:

"It seems to me that this concern that was expressed is so far out. I spray a few chemicals on my land, I gotta have a permit. I don't understand how in the world there can be any garbage dumped in the State of Kansas unless the Legislature wants it to be. So that's no reason for it. What my concern is if the County Commissioners adopt this or similar zoning regulations they place a whole new regulatory bureaucracy upon us. Yesterday the action we took as a free people would tomorrow be a mass or criminal actions. Just today I received a letter from the Fraternal Order of Police, a large organization, couple 100,000 officers. They're concerned about the breakdown of law and order in our country. And it's the government getting involved and making criminals out of ordinary citizens in the use of their property, that is our efforts are all mis-directed. We're not after the criminals. Realize that according to the Senate Bill 479 that set up new guidelines for crimes in the State of Kansas, that they backed off. In nearly all cases in the penalties assessed for various crimes. Why? Because they haven't got any place to put the criminals and here it is you want to have a whole bunch of people, citizens of this country. Is there anything in our Federal Constitution and our County Commissioners and our Legislators are supposed to take an oath of office to support that Constitution. There is nothing in there which could be deemed to give authority to

the permission that we're granted or may not be granted to do what we want to on our own property. This is a gross attack upon our freedom and upon our property rights. It's an infringement and I realize you've got the guns. I realize you can kill people that oppose as they did up there in Idaho. They actually killed an innocent woman. Why? Because they did not conform. People control. Orwell knew well how our people would be too ready to give up their freedom and their rights to property. And I would certainly urge this County Commission and you as individuals to try to understand and appreciate your heritage and your freedom. Our founding fathers never set up a government. There's nothing in the Federalist papers that they had any idea that such a thing as this would be proposed. If you look into the background of this thing you will find that the purpose is to strengthen the Federal system. When we get our County officials and our State officials and the Federal government officials working together we're losing our freedom. Therefore, I would certainly urge that you as individuals and the County Commission not to go ahead with this proposal to zone Marion County."

Chairman Ammeter asked if there was anyone else who wanted to address the hearing. No response. He then announced that the hearings would not be adjourned tonight. That it would be continued until 7:30 PM Thursday, September 24. He told those present that written statements would be accepted if

anyone didn't care to present them orally. He asked the Commission if they had anything to state. No response. He then stated that if there were no further statements or questions that closing the meeting until Thursday would be in order. The hearing was continued until 7:30 PM Thursday, September 24.

September 24, 1992: Chairman Ammeter opened the meeting and introduced the members of the Planning Commission and reviewed their service. He then introduced Herb Bartel, stated that the public notice had been read on September 22 and that that was sufficient. He repeated the rules for addressing the hearing. He explained that no action will be taken on the proposed zoning regulations at this meeting, that it would be reviewed and addressed at the regular Planning Commission meeting on October 22, 1992.

Chairman Ammeter then re-introduced David Yearout who then read the proposed regulations with special attention to the definitions of agricultural use and the definitions that are taken from the state statutes. In 1991 the state revised the laws regarding how local governmental units can regulate manufactured housing. Special attention was also given to residential design, residential homes, rural residential, suburban residential, and the definition and criteria for regulating. He pointed out that included in the definitions, directly from state statutes, were referenced dealing with

waste tires. The law does provide that local units can provide additional regulatory control over waste tire operations through the use of its' zoning authority. He has included some definitions and regulatory requirements for Marion County as a part of this proposal. He then reviewed the definitions for the districts and on through the articles with attention to Article 12, the Flood Plain District. He explained the proposed amendment which replaces, and is now, Article 12. He explained the Flood Water Retarding Dam Breach Impact District and the 2nd amendment to the regulations.

Mr. Yearout concluded and Chairman Ammeter asked to Board and audience if they had any questions.

Ammeter: question with regard to agricultural Article 19-103-6, corner visibility as it would pertain to agricultural use.

Yearout: this regulation would not apply to agricultural activity. If a residence would be separated out it is zoned residential and the regulation would apply.

Ammeter: it would not apply to crops?

Yearout: No

Chairman Ammeter opened the meeting to the public.

James Brosemer, Florence, Ks.: He stated that he was here to support the zoning regulations as they are presented here this evening. "I think that they are restrictive. I look at them as being protective. I lived in Osage County, Ks. from

1975 until 1987. For the first seven years I lived there they didn't have zoning regulation in Osage County and believe me when they got zoning regulations it become a nice place to live. Osage County is not unlike Marion County, population about the same. They have two Federal reservoirs and Marion County has one. They were permitting development around those lakes and suburban tracts. It was chaotic and as a land surveyor I was doing quite a bit of work in those areas. They permitted just all kinds of small tracts and the sanitation was not good because they didn't have enough area for percolation. I could really see the benefits of county-wide zoning. I would encourage that these regulations be adopted."

Carson Crawford, Florence, Ks.: "I don't know whether your remembering or taking into consideration you're laying on us another layer of government and more taxes. Taxes has been identified as a notional problem. I don't know whether you realize that regulations and taxes are taking jobs from America and putting them across the border. Continually we are applying to many regulations and restrictions. Now nationally the emphasis is on raising the taxes on the rich. And you can't tax the rich because they always add the tax in the cost of any service or product the provide. A number of years ago Sen. Ted Kennedy found out that Nelson Rockefeller didn't pay income taxes and he brought it up. Nelson Rockefeller told it was no problem, we shifted investments

and that's what they do. You're not going to tax the rich people. You tax them too hard, regulate them too hard, you're going to drive them out of the country. It's being done today. One more thing I'd like to bring to your attention. If planning is the solution, tell me why in the world the outstanding case of 70 years of planned government, they did it right, it collapsed. I think it's a terrible thing that the masses do not realize what government did to those people. On Nightline some months ago concerning the environment the hottest place in the world is 1000 miles east of Moscow. The most radioactive material. They've had several accidents there, beginning in 1954. I believe it was, when they suspected that might be a problem so they moved some of the little villages back. Some of them have left there but they were never told what the problem might be. They did put up a fence between the villages and the roads. Now that's your planning commission between the village and the river between this lake and the river that they had contaminated so heavily. I think it was an American who was there that said there was a spot on the lake that if you stood there for an hour or two or three that you would get a lethal dose. That means you would be dead. That's what he said. That might have been an exaggeration, but the point was they interviewed one lady, she said she was 8 years old in 1954. She said we crawled through that fence, we swam and we drank that water. Tremendously contaminated. Suppose I thought now I'm going to see some mutations. These children

have got to be damaged genetically. They have to be. They showed no examples. They did say that cancer was a little bit higher there. Now that's a planned society. We're not realizing what these planner can do. You're giving power to an administrator that I'm quite sure you do not realize what the final affect can be. What is finally in this book that is behind this whole thing, the advisory commission on intergovernmental relations. That thing looks to strengthen the Federal system. It says so in there repeatedly. In 1959 they started this thing and they are becoming more powerful, more regulatory, more bureaucratic, costing more money tax wise, destroying business, forcing it out of the country across the border. If that's what you want, then you know - I've told you."

Wayne Thies, Rural Marion, KS.: Stated he was not clear on grandfathering. He lives on a rural Marion 5 acre plot. In the event he wants to sell his property could he sell it as a 5 acre plot?

Response: grandfather rights go with the property

Thies: asked the Commission to explain the difference between a 10 acre plot and a 40 acre plot.

Yearout: the break is for Suburban Residential from 1 to 10 acres. Hoped that through the zoning ability over time that as more rural development is proposed, decisions can be made through a zoning category as to the intensity of development in relationship to the communities, how close they are to other support services like roads, water district lines, etc.

1 to 10 acre tracts are intended to be closer into the urban areas. Rural Residential category - 10 to 40 acres - is intended to be more removed, less likely to need and depend upon the more intense services that are provided by the more urbanized areas. An attempt to try and draw a line somewhere. As the county in time considers updating it's comprehensive plan and does more intensive studies in to the land use patterns, those numbers could change. These regulations, this plan, is subject to revision.

Thies: questions as to permits being needed for building a residence or farm buildings. No fee for agricultural. What is the rational behind that?

Yearout: the intent of the fee structure is to try to offset and alleviate the cost of administering the program by using the fees to help pay for that rather than relying on general taxes, etc. to pay for expenses. It's a service type of activity. It's very common in local governments these days to try and find ways to support these services rather than totally relying on property taxes, etc. to do that. The fees have not been set by the Commissioners. That would be done by a separate resolution. If they adopt the regulations, they have the latitude to set the fees wherever they want. The amount varies all over the state.

Thies: he heard it said or read that if you own a 5 acre plot that you would not be allowed to build any outbuildings.

Yearout: That is not true.

Thies: 40 acre plots could build outbuildings?

Yearout: Yes

Chairman Ammeter asked if there was anyone else to address the hearing or if there was anything on the tale that needed bringing out.

Herb Bartel: stated for the record that he had two letters from the watershed districts, Whitewater River and Doyle Creek District, requesting that the Commission consider not allowing residential development in the breech areas below the watershed dams. This item is incorporated in the regulations and also regulations needed to prevent out-of-state haulers from dumping trash in Marion County. This petition is made part of the record.

Clark Wiebe: asked the Commission to respond to questions asked Tuesday evening by Mr. Wiens regarding the expenses involved so far in this zoning process. He felt the public did not get an adequate answer.

Herb Bartel: presented the following figures to date -

Professional fees	\$5,500.00
Supplies	165.00
Supplies	36.20
Public notice	39.00
Public notice	28.50
Public notice	38.00
Public Hearing (Microphones)	70.00
Total	\$5,876.70

Mr. Wiens: How much is it going to cost to run this zoning

and where would it come from?

Clark Wiebe: Those decisions will have to be made by the County Commission if this should be passed. What the cost would be is hard for the Planning Commission to foresee. I would assume there are some costs involved and Mr. Yearout explained the fee system to be used to offset cost. He asked Mr. Yearout for an estimate.

Mr. Yearout: he has not discussed with the County Commission specifically how they would choose to establish the administration of this. Quite often in counties similar to Marion this becomes part of the duties of some existing employee. Usually there is some additional compensation to that employee to offset the additional duties, but this will in no way be the cost of a person who would be employed full time in this capacity. There will be recurring costs, public notices, hearing notices, etc.,. That's the intent behind the fee structure. The fees for zoning certificates, re-zoning, etc., these would offset these costs. The Planning Commission serves without pay. The law does allow that they can be paid mileage to attend meetings, etc. I'm not sure what Marion County's policy is or will be on this. Planning Commission members time is given freely.

Chairman Ammeter asked if there were any further questions from the floor or any further discussion from the Commission. He then repeated that as stated on the agenda, there will be no action taken by the Planning Commission on the Proposed

Zoning Regulations during this meeting. If there is no further discussion, Chairman Ammeter declared the Public Hearing closed.