

THE COUNTY COMMISSION
OF
STONE COUNTY, MISSOURI

July 18, 2017

STATE OF MISSOURI |
COUNTY OF STONE |

Be it remembered that a session of the County Commission of Stone County was held in the courthouse at Galena, on July 18, 2017. Those in attendance today were Presiding Commissioner Dennis Wood, Southern Commissioner Hank Smythe and Northern Commissioner Mark Maples.

Morning Session:

9:00 AM – 10:00 AM

Commission Work Session – General Discussion with no decisions.

10:00 AM

Presiding Commissioner Dennis Wood opened the meeting with the pledge of allegiance to the flag. Following the pledge of allegiance, Brad Hudson, Assessor delivered the prayer.

Those present for this meeting today are as follows: Thomas Leonard, KY-3; Isaac Jones, Crane Chronicle; Karen Trimble, Realtor for the Hamels/Spokesperson for KDG, LLC; Richard Walters with Spencer Fame LLP Law Firm, Attorney for the Hamels; Marlin Constance, Bobbie Marriott, Teddy Yunger, Robert McMorris, Chuck Rader, Linda Craft, Reginald Kelley, Gail Hall, Jay Pilgrim, Bryan Wolff, Ute Wolff, Gwen Goodin, J.C. Goodwin, Richard Walters, Ann Marie Temple, Barbara Walker, Bill Chester, Barbara & Jeff Dwyer, Rick & Susan Chapman, Allen Morrow, Residents; Brad Hudson, Assessor; Chief Tim Gideon; Captain Matthew Cornelison; Joy Wilson, Planning & Zoning; Sammie Thompson, Planning & Zoning; Cindy Elmore, County Clerk; County Counsel William McCullah; Denise Dickens, Commission Administrative Assistant and Tena Foster, Stone County Clerk's office.

Approval of Commission Minutes

The matter to approve the minutes for Stone County Commission meetings dated July 13, 2017 was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood – yes. Minutes ordered approved.

Schedule of Bills - 1

Presiding Commissioner Dennis Wood presented a schedule of bills that have been submitted to him from the County Clerk's office in the amount of \$36,936.05. This matter to accept the bills for

payment was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes.
Order to pay carried.

Schedule of Bills - 2

Presiding Commissioner Dennis Wood presented a schedule of bills that have been submitted to him from the County Clerk's office in the amount of \$17,278.43. This matter to accept the bills for payment was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes.
Order to pay carried.

Planning & Zoning Board to Present Recommendations

Joy Wilson & Sammie Thompson, Planning & Zoning presented the Commission with 9 recommendations from the P&Z Board meeting that was held on Tuesday July 11, 2017.

The Commission allowed time for those in favor of the zoning change to speak.

Richard Walters Attorney with Spencer Fame, LLP, Law Firm, came before the Commission stating he was here representing Colbert & Heidi Hamels.

Karen Trimble, Realtor, speaking on behalf of KDG, LLC Development Company also came forward with discussion in favor of the rezoning and to discuss the application with planning & zoning. She is not sure they have it filed correctly, stating that it is not a condominium unit project it is for single owner project, and "It is a Health and wellness facility". However the application clearly states Conversion of nine (9) parcel Hamels property into condominium community. Existing 32,000 square foot structure will be converted into a club house and main recreation/meeting facility. Remaining land will be used to construct condominiums approximately twenty (20) buildings consisting of four (4) condominiums per building. No one else came forward in favor.

The Commission allowed time for those against the zoning change to speak. Numerous home owners gave reasons why this rezoning should be denied.

Marlin Constance stated he was authorized to speak for 159 property owners on DD Highway. All are adamantly opposed to the rezoning, saying the application was technically and legally the only thing they should be discussing. "It is simply not permissible to change the terms of a rezoning application after it has been advertised." "There is a huge flaw in the due diligence that these applicants have made to this project."

The Commission allowed time for those wishing to speak for informational purposes only, no one presented before the Commission.

Joy Wilson, Planning and Zoning was asked by Presiding Commissioner Dennis Wood to speak on behalf of planning & zoning.

RR-17-026 – COLBERT & HEIDI HAMELS IS REQUESTING TO RE-ZONE FROM A-1 TO R-3 FOR A CONDOMINIUM COMMUNITY.

2866 STATE HWY DD, REEDS SPRING, MO 65737

PARCEL #11-7.0-35-000-000-018.000

THE BOARD VOTED UNANIMOUSLY (10 TO 0) TO RECOMMEND DENIAL.

The matter to approve rezoning property RR-17-026 owned by Colbert & Heidi Hamels, with a yes vote allowing the rezoning and a no vote denying the zoning was determined by a roll call vote. Smythe-No; Maples-No; Wood-No; Matter carried, Rezoning from A-1 to R-3 denied.

RR-17-027 – COLBERT & HEIDI HAMELS IS REQUESTING TO RE-ZONE FROM A-1 TO R-3 FOR A CONDOMINIUM COMMUNITY.

2866 STATE HWY DD, REEDS SPRING, MO 65737

PARCEL #14-1.0-01-000-000-004.000

THE BOARD VOTED UNANIMOUSLY (10 TO 0) TO RECOMMEND DENIAL.

The matter to approve rezoning property RR-17-027 owned by Colbert & Heidi Hamels, with a yes vote allowing the rezoning and a no vote denying the zoning was determined by a roll call vote. Smythe-No; Maples-No; Wood-No; Matter carried, Rezoning from A-1 to R-3 denied.

RR-17-028 – COLBERT & HEIDI HAMELS IS REQUESTING TO RE-ZONE FROM A-1 TO R-3 FOR A CONDOMINIUM COMMUNITY.

53 MILLS LANE, REEDS SPRING, MO 65737

PARCEL #14-1.0-01-000-000-004.001

THE BOARD VOTED UNANIMOUSLY (10 TO 0) TO RECOMMEND DENIAL.

The matter to approve rezoning property RR-17-028 owned by Colbert & Heidi Hamels, with a yes vote allowing the rezoning and a no vote denying the zoning was determined by a roll call vote. Smythe-No; Maples-No; Wood-No; Matter carried, Rezoning from A-1 to R-3 denied.

RR-17-029 – COLBERT & HEIDI HAMELS IS REQUESTING TO RE-ZONE FROM A-1 TO R-3 FOR A CONDOMINIUM COMMUNITY.

2866 STATE HWY DD, REEDS SPRING, MO 65737

PARCEL #11-7.0-36-003-002-005.000

THE BOARD VOTED UNANIMOUSLY (10 TO 0) TO RECOMMEND DENIAL.

The matter to approve rezoning property RR-17-029 owned by Colbert & Heidi Hamels, with a yes vote allowing the rezoning and a no vote denying the zoning was determined by a roll call vote. Smythe-No; Maples-No; Wood-No; Matter carried, Rezoning from A-1 to R-3 denied.

RR-17-030 – COLBERT & HEIDI HAMELS IS REQUESTING TO RE-ZONE FROM RR-1 TO R-3 FOR A CONDOMINIUM COMMUNITY.

CHATEAU LANE, REEDS SPRING, MO 65737

PARCEL #14-1.0-01-000-000-004.007

THE BOARD VOTED UNANIMOUSLY (10 TO 0) TO RECOMMEND DENIAL.

The matter to approve rezoning property RR-17-030 owned by Colbert & Heidi Hamels, with a yes vote allowing the rezoning and a no vote denying the zoning was determined by a roll call vote. Smythe-No; Maples-No; Wood-No; Matter carried, Rezoning from RR-1 to R-3 denied.

RR-17-031 – COLBERT & HEIDI HAMELS IS REQUESTING TO RE-ZONE FROM RR-1 TO R-3 FOR A CONDOMINIUM COMMUNITY.

CHATEAU LANE, REEDS SPRING, MO 65737

PARCEL #14-1.0-01-000-000-004.005

THE BOARD VOTED UNANIMOUSLY (10 TO 0) TO RECOMMEND DENIAL.

The matter to approve rezoning property RR-17-031 owned by Colbert & Heidi Hamels, with a yes vote allowing the rezoning and a no vote denying the zoning was determined by a roll call vote. Smythe-No; Maples-No; Wood-No; Matter carried, Rezoning from RR-1 to R-3 denied.

RR-17-032 – COLBERT & HEIDI HAMELS IS REQUESTING TO RE-ZONE FROM RR-1 TO R-3 FOR A CONDOMINIUM COMMUNITY.

CHATEAU LANE, REEDS SPRING, MO 65737

PARCEL #14-1.0-01-000-000-004.011

THE BOARD VOTED UNANIMOUSLY (10 TO 0) TO RECOMMEND DENIAL.

The matter to approve rezoning property RR-17-032 owned by Colbert & Heidi Hamels, with a yes vote allowing the rezoning and a no vote denying the zoning was determined by a roll call vote. Smythe-No; Maples-No; Wood-No; Matter carried, Rezoning from RR-1 to R-3 denied.

RR-17-033 – COLBERT & HEIDI HAMELS IS REQUESTING TO RE-ZONE FROM RR-1 TO R-3 FOR A CONDOMINIUM COMMUNITY.

2866 STATE HWY DD, REEDS SPRING, MO 65737

PARCEL #14-1.0-02-000-000-001.000

THE BOARD VOTED UNANIMOUSLY (10 TO 0) TO RECOMMEND DENIAL.

The matter to approve rezoning property RR-17-033 owned by Colbert & Heidi Hamels, with a yes vote allowing the rezoning and a no vote denying the zoning was determined by a roll call vote. Smythe-No; Maples-No; Wood-No; Matter carried, Rezoning from RR-1 to R-3 denied.

RR-17-034 – COLBERT & HEIDI HAMELS IS REQUESTING TO RE-ZONE FROM RR-1 TO R-3 FOR A CONDOMINIUM COMMUNITY.

53 MILLS LANE, REEDS SPRING, MO 65737

PARCEL #14-1.0-01-000-000-004.009

THE BOARD VOTED UNANIMOUSLY (10 TO 0) TO RECOMMEND DENIAL.

The matter to approve rezoning property RR-17-034 owned by Colbert & Heidi Hamels, with a yes vote allowing the rezoning and a no vote denying the zoning was determined by a roll call vote. Smythe-No; Maples-No; Wood-No; Matter carried, Rezoning from RR-1 to R-3 denied.

Lynn Hilburn-Flood Plain Administrator Procedure Update

Lynn Hilburn, Flood Plain Administrator came before the Commission with a partial list of updates, Lynn Hilburn is to meet with Tom Martin, Director of Emergency Flood Management next week and bring back a written report.

Recess: 11:28 AM

Back in Session: 11:45 AM

Announcements

Board of Equalization Meeting (BOE) was cancelled due to no appeals.

Denise Dickens, Commission Administrative Assistant is to contact Bill Bell with the EEZ Board (Enhanced Enterprise Zone) for more information on current board members. Discussion only, no decision made.

Public Time:

Time was extended to anyone who wanted to speak to the commission at this time.

Adjournment:

The adjournment of the Stone County Commission meeting was brought to decision by roll call vote: Smythe – yes; Maples – yes; Wood – yes. Meeting adjourned at 12:09 PM.