

June 22, 2017

The regular monthly meeting of the Merrick County Joint Planning Commission was called to order by Chair Starostka at 7:00 p.m. Thursday, June 22, 2017 in the Hearing Room at the courthouse in Central City. Upon roll call, those attending were Starostka, Gamblin, Riblett, Wichmann, Wiegert, Ferris, Robinson, Hannappel, and Friedrichsen. Also present, Jen Myers, Zoning Administrator. Notice of meeting was printed in the Central City and Palmer Papers. Notice of this meeting was delivered to the Chairperson and members prior to the meeting. Open meeting notice procedures were presented by Starostka. Meeting minutes were available for review ten days prior to the meeting. Starostka states this meeting will be recorded.

Wiegert motions to approve the May 25, 2017 minutes. Friedrichsen seconds the motion. With roll call motion carries 9-0.

Ferris motions to open the public hearing for the Conditional Use permit for Javier De La Torre in Section 17 Township 13 Range 8 Merrick County, Nebraska. Wichmann seconds the motion. With roll call motion carries 9-0. Public hearing opens at 7:02 p.m.

Mr. De La Torre is sworn in and testifies to the following: The races will be 1 time a month. Start time will depend on how hot it is. He may start at 1:00 or may start at 3:00 and go until 7:00 p.m. He feels it will be good for the town of Worms. He states he will be charging \$10 fee per person entering. Security will be hired. He stated he would likely hire bouncers from his bar in Grand Island. He also stated other race tracks have hired local law enforcement. When asked about any betting Mr. De La Torre stated "it is not supposed to be allowed." He stated he would like to offer food by means of a food truck. He stated alcohol will not be sold or offered and claims any alcohol will be confiscated. Friedrichsen stated he would like to see a 30 foot entrance into the ground on the west side. He would also like see an entrance established on the north side especially for EMS services. The applicant was asked if EMS services would be offered and he stated no. Friedrichsen stated that being on Fire Department he doesn't believe Palmer would be able to offer services for the whole time in case there would be a need in another part of the district. He stated the same thing happened with the boat races. It was asked if Mr. De La Torre would have insurance for the events. He stated the insurance company he is working with won't insure him until things are complete and built. He stated he will be supplying porta potties for toilets. The board asked what the winner gets for winning races and his response was "that's their thing." He stated sometimes the owners will have money and will bet amongst themselves. He stated he doesn't have and rules for the races. He does not know about any doping of the horses that would occur. The point of the races is just for entertainment.

The following members from the public were sworn in and gave testimony regarding their concerns about the horse track coming to this area of Merrick County:

Albert Simacek Jr. 1662 Worms Road St. Libory-Concerns about parking, blocking driveways, bathroom facilities, crowd control, gambling, firearms, alcohol, trash, how often will it occur, property values.

Tammy Jeffres 240 Ormsby Road St. Libory- Concerns about parking, runoff into creek, noise from bar is loud when they have events how will it be during this event, moved to country to be in the country.

Lisa Rogers 227 Ormsby Road St. Libory-Concerns about crowds don't like to be told to leave so will they?, been a quiet area to live and would be upset if something would come along that would disturb that. Also read letter that was submitted from Paul and Lisa Rogers over email.

Susan Larson 1775 Worms Road St. Libory-Concerns about parking, having already heard gun shots will that be a concern? How will spectators watch? Will cars driving by try to stop and watch causing even more congestion? Trash on roads and other crime.

Craig Niemeir- 1653 Worms Road St. Libory-Concerns about traffic, since don't know when events will take place, could there be too much traffic during if kids are in school and getting on and off buses there, congestion is very high when other events are going on there.

Albert Shipmann-1449 Worms Road St. Libory- concerns about traffic, trash, drugs, his place as been broken into so will an event like this cause this to happen again? Now has cameras because of the issues, there has been trespassing across his fence.

Mike Jeffries- 240 Ormsby St. Libory-He would enjoy an event like this but just pick the wrong spot to do it.

Dennis Spiehs-1725 Worms Road St. Libory- Concerns involve the number of grain and cattle trucks coming through this area at high speeds already, questions the racing commission being involved, questions why no vet would be there.

Myers read two other letters from property owners Mrs. Albert Kurz and Richard and Jeanette Spiehs. She also stated that she had gotten a call from Bill Kurz about him being in favor of this event.

Wichmann motions to close the public hearing. Friedrichsen seconds the motion. With roll call motion carries 9-0.

Robinson motions to deny the Condition Use application by Javier De La Torre and recommend the same to the Merrick County Board of Supervisors for Section 17 Township 13 Range 8 based on the following Findings of Facts:

1. It is not in compliance with the compatible uses of the primary Ag district according to the Merrick County Comprehensive Plan.
2. The use will not in all other respects conform to the applicable regulations of the AG-1 District in which it is located.
3. The use will not have adequate water, sewer, and drainage facilities due to
4. The use will not be in harmony with the character of the area and the most appropriate use of the land.
5. The establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the county.
6. The conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, or substantially diminish and impair property values within the neighborhood.
7. The establishment of the conditional use will impede the normal and orderly development of the surrounding property for uses permitted in the district.
8. The use will involve activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.

Hannappel seconds the motion. With roll call motion carries 7-2.

No public comment.

Starostka adjourns meeting at 8:30 p.m.

Next meeting July 27, 2017 at 7:00 p.m.