

DICKINSON COUNTY PLANNING AND ZONING COMMISSION

Monday October 17, 2022

1:00 P.M.

The Dickinson County Planning and Zoning Commission met Monday October 17, 2022 at 1:00 P.M. in the community room of the Dickinson County Courthouse.

Members present were Tony Weber, James Blum, Erica Schultes, Carol Pierce and Jon Gunderson. Absent was Teresa Garvey.

Also present was Steve Goodlow, Dickinson County Assistant Attorney, David Kohlhaase, Dickinson County Zoning Administrator and Megan Kardell Dickinson County Zoning Assistant.

Tony Weber-Chairman called the meeting to order at 1:00 p.m. and read the opening statement.

First item on the agenda was Approval of the minutes from August 15, 2022. Pierce motioned to approve the minutes. Schultes seconded the motion. All were in favor.

Second item on the agenda was New Business. Working session on Comprehensive Land Use Plan & Future Land Use Map.

Weber asked the entities present at the meeting to introduce themselves.

Weber asked Kohlhaase if he had anything before Darren Bumgarner gave his presentation.

Kohlhaase said the Comprehensive Land Use Plan is dated 2006 with amendments, changes and updates made along the way. The County contracted with Northwest Iowa Planning and Development to help and assist with the update to the comprehensive land use plan and the future land use map. The County asked Darren Bumgarner to give a presentation as well as Steve Anderson, Iowa Great Lakes Sanitary Sewer District, to speak to us in reference to the past, present, and the future direction of the sewer district because that always seems to be a highlighted issue when there is more expansion in this area. Ultimately we are trying to update that future land use map to show the direction of growth in the County.

Darren Bumgarner said this is not a total overhaul, but more focused on working on the goals and objectives and the land use maps. The comprehensive land use plan is required by Iowa law for those communities wishing to enforce the zoning ordinance, annexation, and other land use controls. It is also the County's primary guide for future decision making. It is comprehensive in nature, assessing current conditions and making projections about population, housing, economic conditions and land use records. The core of the plan is comprised of two areas, the goals and objectives, making recommendations for the next 15 to 20 years, and the future land use map explaining the ideal pattern of future land use. That is why the utilities, water and sewer, are here as well as the Cities. The County is a sum of all parts and the Cities are a part of this County. At the last P&Z meeting, the P&Z indicated that they would like to get some input from the utilities and the cities to help guide the future. Things to think about from the cities would be if there are areas they are looking at for annexation, so the County can address that as it will help with decision and policy making. Same for the utilities, is there an area out there and is their capacity for a future housing area per se. We're not going to look at that so much today, but if that information could be provided in the future, that would be great.

Kohlhaase said the map is the key, and we want the input from the Cities of where they are thinking they are going to grow and the utilities and their comments in reference to that growth and direction. It's a working session so feel free to express your comments.

Bumgarner said the current land use plan is a snap shot in time, and the future land use map, is looking at 5, 10, 15 years down the road. Again maybe there are some long range plans that utilities and Cities have and let's take that in and look at them. Realistically, most people are only going to be interested in the map. Where are we on the map, and what does it show.

Steve Anderson, Iowa Great Lakes Sanitary Sewer District, said he thinks its important operational wise to understand how the system works. It's important when it comes to planning, one understands how it impacts the ways they operate. He gave a power point presentation about the operations, maintenance, infiltration, inflow, impact to water treatment plant, benefits of inspections, ongoing monitoring, moving forward, capital improvements plan, and land use planning. (slides included with minutes).

Blum said from a planning standpoint, he doesn't think the County should wait 14 years to get up to speed, plus the additional time to get the Cities up to speed. His question was, where are the service areas, so they can plan for future land use.

Kae Hoppe said a big part of this is cooperation within the municipalities, the infiltration is costing us the development, every time someone puts in an illegal sump pump in its costing development and it is costing tax dollars.

Schultes asked is the capital improvements plan accounting for population growth or is that just accounting for upgrading the system.

Anderson said it is what he calls the balance. It's a balance of maintaining the system and looking at growth.

Schultes asked if they know what population growth the capital improvements plan allows for within the next 5 years.

Anderson said he does not have the numbers.

Hoppe said it depends on the year.

Schultes asked if those numbers can be found on the website.

Hoppe said it probably glosses over it.

Anderson said one can look at the capital improvements plan and for the first 5 years there are actual maps and infrastructure stuff that is happening. They are also having to meet DNR requirements for the plant. There is a lot of things happening all continually. They are working on the south center core currently from Arnolds Park to Milford, they are upgrading that to a 42" inch pipe.

Pierce asked if he plan also distinguishes between single family versus multi-family residences.

Anderson said it is based off the future land use plans, so there is residential in a lot of that.

Pierce asked if is the 2006 plan they are looking at.

Anderson said yes.

Pierce said if there is proposed annexation from County to City, does that change your prospective?

Anderson said that he is hoping the land use plans work and guide together whether it be in the City or County. If the land use plans work together and identify areas as residential there will not be any impact, but if it goes from residential to industrial, that's a big change and could have an impact on it.

Pierce asked if industrial changes the management of the waste water.

Hoppe said it depends on the industry.

Anderson said many manufacturing plants in the area have a pre-treatment agreement. They actually have waste water treatment inside their facilities to remove metals and then they test their water to make sure the industry is not discharging excess metals into the system. There are some federal/state guidelines that need to be followed. Wet industries are different than dry industries.

Blum asked if in 5, 6, 7 years if we have the infiltration problem taken care of on the district side, and let's assume they Cities get half of theirs done, we should have some reserve capacity.

Hoppe said yes, there would be more capacity for another neighborhood.

Wermersen asked if there are any conversations about maybe having a second waste water treatment plant to divide up the use so that way the capacity is not so hard on one facility.

Anderson said the facility is not even tasked, if it is not raining it is not tasked. It's expensive to process rain water. It spikes so quickly there has to be some surface water pipe connected.

Wermersen said that he appreciates hearing from the district about this because the challenge is we're here to build a comprehensive plan to handle the amount of growth that we are blessed to have here, and what's difficult is when we have someone who comes in and wants to provide that growth, and we don't have the capacity to do that for them. That is something we do not want to hear, and it's a tough solution. He believes that is what this comprehensive plan is all about is where can you see growth, we need your cooperation and ability to do that as well.

Anderson said he does not believe the Trustee's are against growth, but the other side to this is when the development comes in, they have to put in a construction permit. That construction permit asks what is the dry weather and what is the wet weather, the only thing they look at is the wet weather conditions. If they show a pipe at 75% full, the waste water engineers say that pipe is full, because they need the gap for air, also if a lift station has a second pump click on, they say it is at capacity. So if we can get this under control, it's a lot easier for us to work that development to have that growth.

Chris La Rue, IDNR said something he would suggest too as the plan is being updated is to have an overall watershed management plan. What that does is, it identifies those super sensitive locations when the rain events happen. So planning for that will help development or designations of those areas.

Anderson said they are trying to get the infiltration out of the system. So that it helps plan this stuff out, he would be more than happy to sit down and show the capital improvements plan and where they are going with it. They will have to reevaluate it once this comprehensive plan is redone and look to see what the changes are, and what they need to change 5 or 6 years out to make sure they are staying in line with what everyone is proposing to do.

Blum asked if they could receive a map of the taxable area.

Anderson said he could get a map of that, the GIS office can produce that too.

Blum said if there is an area beyond your limits now, they can petition for annexation.

Anderson said they can petition the Trustees. There are areas in the middle of the lakes district that are not in the sanitary district.

Hoppe said some of these areas will never be used.

Anderson pointed out some DNR land that will not be developed, their system is pretty unique.

Pierce said Anderson mentioned Little Spirit needed a lift station, does that mean we shouldn't be trying something out there now.

Anderson said they are on the north end of Little Spirit, but not on the south end. There are two houses that are on the sewer system, but anything further west we do not have sewer. That doesn't mean we cannot get it there, its not in the district. They would need to look at what is being proposed. Bolton & Menk is looking at future development around Big Spirit Lake and adjusting the lift station, he was hoping it was going to be a pretty easy remodel, but it is looking like a much larger project 10 to 15 years out.

Blum asked if they could have that information about that project.

Hoppe said he can have the entire presentation.

Kohlhaase said 15-20 years ago Little Spirit didn't have sewer, so that was a big accomplishment in reference to environmental health. The area west of Francis Sites, he knows the message has always been there is not sewer there, and there is not going to be any in the immediate future but there is an area that has the potential for growth in the County. That's is what we need help for, so we can show that as future development, and if sewer can get there.

Anderson said that is one of the difficult areas and when they put the sewer system in along the lake, many of the off lake Francis Sites houses have private sewer lines connecting them to the system. If the system were in the road, it would have been easier to capture Tusculum Beach.

Hoppe said the cost to move the sewer to the road and the depth needed is challenging.

Blum said it would be better to intercept the flow that is coming from the north at 28th street/Francis Site Dr. and put a lift station in and pump it to the center core line.

Anderson said those are really expensive projects and options.

Kohlhaase said that is why it is good to have these conversations, because someday the sewer line might be moved.

Anderson said also they don't want to tear up a road up twice so they have discussions with different entities about their projects, they want to work with people and possibly cost share as well.

Kohlhaase said he understands how the development process works in the County, but do the Cities have to go through the same process or can they just approve a development.

Anderson said if they are serviced by the treatment plant, they need to go through the Trustees.

Kohlhaase said sewer is always an important factor when a development comes into the office, so with this process we're hoping you'll be involved with it, we need you and your input.

Anderson said communication is key and he is more than happy to bring what you want and attend the meeting.

Blum asked if the Cities are ready to jump in and help with the infiltration.

Anderson explained what many of the Cities in the area are doing to help with the issue.

Tom Kuhlman said it is to everyone's benefit to fix this process.

Kohlhaase thanked Anderson, he said when people are developing in the County water is usually not a big issue because there are clear jurisdictions, but didn't know if they wanted to speak to development in Dickinson County.

Doug Westerman, Osceola Rural Water, said the system was built 40 years ago, there was an 8' trunk main going to the water tower by Vick's Corner in Dickinson County from May City. That tower not only services the lakes area, and when it is full and draining back towards May City it benefits Osceola County. Fast forward 40 years, they are building a new 12" transmission pipeline and are making an investment in their infrastructure. Overtime there is growth and we have upgraded towards the west, and now it is time to update east. Instead of waiting until you are out of water, it is good to keep a head, there is quite a bit of additional capacity in that line. He does not foresee any issues. Also, they have a good working relationship with Iowa Lakes Regional Water should they need to purchase water from them.

Brad Veit Iowa Lakes Regional Water, said they have been working on getting more of their water to Dickinson County, they are also upsizing their lines from the south to get a bit more redundancy in the system.

Pierce asked if they see any issues with industrial expansion in Lake Park.

Westerman said it would depend on the industry, they may need to change somethings around.

Blum said the main thing is going to be fire protection and one of the key things is storage in Dickinson County. He asked if they are going to add any towers closer to the lakes area.

Veit said Iowa Lakes Regional Water is looking at an additional tower on East Lake.

Blum asked if it is in the same location as the other.

Veit said they are looking for a similar elevation and fire protection is why they need to do that.

Westerman said they do not have any provisions for that and it is not in their plans, but that is something they could look at and they too would need more storage.

Westerman asked if the goals and objective been established.

Kohlhaase said the goals and objectives are found in the comp plan, but is about balance and how do we maintain what we have, plus growth being reasonable and timely and with the right utilities.

Kardell said the goals and objectives can be found on page 13 of the comprehensive land use plan.

Weber said the comprehensive land use plan can be found on the website.

Westerman said what he is hearing is from the sanitary district that they would love to service the new development, but we have to get these other issues fixed first. The question was asked about how much time that will take and can that be fast tracked, is there something different that can be done. Does it take more staff?

Hoppe said what are you willing to pay, if they change and raise the levy they can do all kinds of things, is that what you want.

Westerman said he is not wanting anything, he is asking.

Hoppe said it's money.

Westerman asked if she knows the average quarterly bill for a household.

Anderson said it's about \$60.00 but they are in the middle of a rate study.

Hoppe said that is not really where they get the money for construction, it comes from property taxes. They are really fortunate in this area with the population verses the property values. There are castles out there with little use.

Westerman said he was just curious about what it would take to get the money for you to do your job.

Hoppe said so are you saying they're not doing their job?

Westerman said no, you all said earlier that this infiltration is costing the development, is there anything that can be done to fast track it.

Hoppe said cooperation from communities.

Weber said one needs to realize that this plan has been good for a number of years, there have been amendments along the way, it is a working document. We are trying to make it a document so

anybody who comes to the County and looks at it knows where they can develop. This is an educated guess as to what is going to happen in the future.

Kohlhaase said this is our first working session diving into this, it seems like the biggest issue we run into, and it's interesting with the education part, how do we keep the storm water out of the sanitary sewer. Then how do we keep improving and expanding out in the areas that make since to expand to.

Blum said he feels a major goal is to get the infiltration situation under control.

Kohlhaase said on the bigger picture could there be a law or an addition to the Groundwater Hazard statement to prevent the deed from transferring if there is a violation.

Anderson said they recommend that property owners camera the sewer line before they purchase the home, and they are more than happy to do that.

Third item on the agenda was Old, Unknown, or Other Business.

Kardell said there will be a rezoning on the agenda for November. Kardell asked what direction they would like to take moving forward in November with the comp plan.

Weber said they have the maps and maybe they should take a look at those for the next meeting.

Kohlhaase said we only have so many meetings with Bumgarner and something they could look at doing is forming committees to report back to the commission because there are only so many things that the commission can accomplish at one time.

Kohlhaase handed out the Dickinson County conflict of interest policy. Please acknowledge and provide receipt to the County.

Fourth item on the agenda was Adjournment. Schultes motioned to adjourn. Blum seconded the motion. All were in favor.

(For more information see P&Z 10 17 22 recording)