

The Terry Town Council held a public hearing for the purpose of obtaining public comments on the proposed Zoning Regulations. The following persons were in attendance: Council members Rolane Christofferson, Fred Rambur, Clinton Rakes, and Teneil Phipps, Clerk Lynn Schilling, Town Attorney David Freedman, and Zoning Commission members Elden Netzer, Ruth Lekse and Heather Carter. A total of eighteen (18) members of the public signed in for the meeting. Mayor Ronald G. Kiosse presided over the meeting.

Mayor Kiosse welcomed those in attendance to the public hearing and stated the purpose and rules of the public hearing. Town Attorney David Freedman stated that the council is present to hear the comments submitted, but that they were not there to have a dialogue or discussion about zoning. He also stated that this latest public hearing is not required by state law, but that the council had elected to hold the public hearing to hear comments on the zoning regulations with and without the latest changes.

Zane Shumway posed a question in regards to the use of generators in town as he and his wife are active with Red Cross and believe the proposed zoning does not allow the use of generators. Zoning Commission members Elden Netzer and Heather Carter stated generator use is not mentioned in the current draft, therefore generator use is allowed.

Joe Johnson stated that he still holds his previous stated opposition to the proposed zoning regulations. He stated that council had ignored his previous submitted petition and that council's actions are dividing the community. He concluded his comments with stating that the community does not need zoning and wants to see a vote on the issue.

Thomas Yeager stated that he minds his own business and wishes the Town of Terry would mind their own business. He further stated that a person should be able to do anything with their property as long as it doesn't bother the neighbors, and zoning would just add more rules and regulations that the town doesn't need. He stated that all you need to do is drive around and see all the property for sale of the people that are trying to get out of this town.

Brock Tibbetts asked to know the pro's and con's of a popular vote. Council member Rolane Christofferson stated that council does not wish to set a precedent of every major issue going to a vote. She also stated they were elected by the people to act in the best interest of the town, and that there is a process for those who are not in agreement with their decisions to act, such as with a registered petition or to run for office.

Donald Haver stated that he is "OK" either way. He expressed concern as to what ordinances the town will enact after adopting zoning. He also stated that he does not believe Terry will become a big city.

Tessa Shumway asked what the word "footprint" is referring to within the non-conforming lots portion of the zoning. She stated her own confusion as well as her attorneys on whether the "footprint" is requiring a house to be rebuilt to its original blueprint. Zoning commission member Elden Netzer stated that their intent had been for the house to be built back to the way it had been prior to whatever the cause of the house's demise.

Zoning Commission member Ruth Lekse asked the question: "if zoning is so bad, why are other communities zoned?" An informal discussion between members of the council, commission and members of the public ensued.

Larry Christofferson discussed the state's regulation of water and sewer and possible scenarios that could arise. He also shared a problem near his residence where a situation arose because landowners were unsure of the property lines. He further stated that he does not know what the big deal is, and that he does not want anyone building too close to his house.

Kay Lindstrom stated that she has lived in seventeen (17) different communities wherein Terry was the only community without zoning. She further stated that she works to keep

her property nice and doesn't want a junk pile moving in next door that would devalue her property. She stated that when she and her husband moved to town, they were impressed with how nice and clean it is and the pride that was evident, but that she has noticed a change in that lately.

Larry Christofferson asked if the council had adopted the state building code. Mayor Kiosse and Council member Rolane Christofferson stated that they had. Larry Christofferson then stated that the building pertinent regulations within the zoning were already addressed by the state code. Clerk Schilling stated that while the town had adopted the state building code, they had no way of enforcing it without going through a process of starting a certified building program, and the state will only inspect commercial building.

Those present discussed informally the implications of building without surveying your property, the town's need for more money to address the streets and other infrastructure, and the swimming pool.

Mayor Kiosse addressed those present, in closing, by stating that the next step for zoning would occur at the next regular Town Council meeting on November 20<sup>th</sup> wherein the council will decide to move forward with or without the latest changes to the zoning regulations or to not move forward at all.

There being no further business, the meeting adjourned at 7:49 pm.  
(Rakes/Christofferson)

ATTEST:

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Lynn Schilling, Clerk

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Ronald G Kiosse, Mayor