

Audio of hearing - transcription

Chairperson – Darrell Barber

A special use permit for a single-family home located at 270 Veronica Lane in the Village of Four Seasons. And if you guys can't hear me, raise your hand or just throw something not too heavy, I think. The property in question is currently owned by the applicant, Shepherds Canyon Retreat Incorporated.

The application will be considered tonight in request of a special use permit being granted to allow for the home to be used for week-long counseling retreats for pastors and other ministry leaders and their spouses. If you haven't done so, which at this point is really a moot point since we've locked the doors, I was going to say sign up to speak, but I wrote this before we knew how we were going to conduct this. There are also copies of the rules for meeting conduct. I'm not going to read that whole list. There are a few items I want to kind of highlight first.

- Please make sure your phones or electronic devices are shut off.
- Second, anyone speaking, make sure that all your comments and stuff are directed to the commissioners and not back to audience members. It's better that way.
- Also, please refrain from talking amongst yourselves as people are speaking, because it makes it really hard for people to hear.
- Anyone wishing to address the commission when you come up to the podium, I've got the sign-up sheet here, so I will be calling your names. Please state your name and address for the record.

With those housekeeping items taken care of, I will now open the public hearing. The Village's planning and zoning ordinance establishes several public notice requirements that must be met within specified timeframes. These include advertisement in a local newspaper, mailing notices to neighboring property owners, and posting a sign on a parcel being considered for special use permit. Danielle, have all of those been completed as required?

Village Clerk – Danielle Glover

Yes.

Chairperson – Darrell Barber

Thank you, Danielle.

Before we get into the presentations regarding this application, I want to take a moment to remind the commissioners and audience members of the purpose of this hearing. The planning and zoning ordinance states that this commission is to consider the following items prior to rendering the decision.

1. Conformance with the comprehensive plan.
2. The effect this request would have on schools, traffic, streets, shopping, public utilities, and adjacent properties.

3. Is the application necessary for the public convenience of that location?
4. Is the application so designed, located, and proposed that the operator of public health, safety, and welfare will be protected?
5. Will the application cause injury to the value of other property in the neighborhood in which it is located?

Also, please keep in mind that this commission is an advisory board for the Board of Trustees, and we can't approve or deny a particular application. Our responsibility is to make a recommendation for approval or denial to the Board of Trustees regarding the request.

As commissioners, whether we personally like or dislike the concept being proposed is irrelevant. Our duty is to evaluate the request and how it conforms to the Village's planning and zoning ordinance, the comprehensive plan, and the items I just read. We will now hear from the representatives from Shepherds Canyon Retreat Incorporated regarding their application and their plans for the home at 270 Veronica Lane.

And again, please state your name.

Shepherds Canyon Attorney - Butch Miller

Is this any better? Yes.

Chairperson – Darrell Barber

You may just need to hold it in your hand. It does come out of that if you need to hold it instead, yeah.

Shepherds Canyon Attorney - Butch Miller

I can talk a little louder so it will pick up better. I'm just not used to using microphones. My name is Butch Miller. I'm an attorney and a homeowner in Lake Ozark, but not in the Village. I am here as an attorney on behalf of Shepherds Canyon, which is the owner of 270 Veronica Lane. I should have started off by greeting the commissioners and everybody in the audience. Sorry about that.

Shepherds Canyon offers faith-based counseling experience for pastors who are dealing with burnout, marital issues, maybe a death in the family, things that interfere with them fulfilling their vocation as pastors. Good pastors are hard to find and they're hard to replace. So if we can help these men get back to their ministry, then that's all the better. So that's really the organization's mission. It was founded in Arizona. It's the first and only facility at the moment that's operational. It is a large kind of resort-style facility. That's worked for them, but they've discovered along the way that smaller groups work better. So, when a five-bedroom house became available, they thought this is the perfect size. They don't want it to be any bigger. So, this is a big house, but it works great for them, pretty much as is.

I think the only change they plan to make, and it's not really a change, is an upgrade to the septic system. What they do is they bring in two licensed therapists and a chaplain, and they

bring in up to four pastors each time they have a counseling experience or a retreat. I don't know whether that constitutes a retreat, but an experience or a retreat.

And the pastors meet in a group of four, and sometimes they meet one-on-one with the chaplain or with the therapist and kind of work through these pastor issues, if you will, and try to get themselves back on track. It's a week-long session for each time they do this, and there will be no more than six per year. So six times a year, if this is approved, there will be four pastors coming.

Potentially, they might bring their wives, but four pastors and their wives, and they will also have two counselors come in but not stay at the house, and a chaplain who will come in and not stay at the house. They would stay at a hotel, and we would take people to restaurants and things. We're not going to add a commercial kitchen or anything like that to the house. It's really going to stay the same. In the past, it was owned by Reverend Dr. Kris Morris, who's back in town to be here with us tonight. Where he lived with his wife and children and a dog, I believe.

Former Homeowner - Reverend Dr. Kris Morris

Yeah, a couple of them. A couple of them, okay. Real big.

Shepherds Canyon Attorney - Butch Miller

Well, fortunately, it's a big house. I think what's really important to remember here is that Shepherds Canyon is going to have a full-time pastor, semi-retired pastor, and his wife live in the house. Almost the vast majority of the time, it's going to be those two people in the house, and that's it.

Up to six times a year, there's going to be these week-long meetings, if you will, visits, by four pastors and potentially their wives, and counselors will come in and talk during certain sessions, but they're going to be pretty much in the house in structured meetings, and we'll pass around a sample schedule so you can get an idea of what happens next time. So you can see what it is. They're not going to be out on the town having a great time. They're not going to be out in the lake all the time swimming and carrying on. They're here to get better. They're here to work new issues and that bring them down. They're not here on vacation. And I don't believe it will be very much fun for their spouse to come, but I suspect that being a pastor involves your spouse. If a pastor is having difficulty following his spouse, and if you're a parent and your spouse is having difficulty, you probably are as well.

So that's kind of the background here. When this house became available, Pastor Kevin and his wife, Tawn, were thrilled. I believe Tawn grew up not too far from here, or at least lived here for a while, and then moved away.

Reverend Kevin Bueltmann's wife - Tawn

In Honey Creek.

Shepherds Canyon Attorney - Butch Miller

In Honey Creek, okay. So wanting to move from just being based in a big building in Arizona to a smaller four-pastor facility, if you will, for these sessions, this was perfect. It's also not

right down the street from Arizona. It's in the middle of the country, so it makes it easier to serve more of the pastoring community nationwide. And as you can see, the plan is, and these are goals, hopefully we'll get there, is to have maybe a facility somewhere around Georgia, maybe another one in Texas, another one in New York. The key is they don't want a big facility. They don't want to add on to this house. They don't want to buy a lot next door to build another one of these. The next one won't be in Missouri unless—I can't say that it won't be. I'm not a part of the institution. I'm just the outside lawyer that they asked to help with this. The plan, you can see, is to spread these around, not concentrate them. So it is true that initially there was some thought, does it make sense to maybe acquire some of the vacant lots around here? But it wasn't to provide a buffer for the neighbors from the house. It was the opposite. It was to—you never know who your new neighbor is going to be. They wanted to make sure that somebody didn't move in next door that was going to be really loud and crazy and wild that took away from the quiet experience they were looking for. As you can see, there are homes, certainly there are homes, one right next door, but there's an awful lot of just quiet area around, and that's what drew them to wanting this particular house.

If you'd like to speak, Reverend Worth, about your experience at the house and how you used it?

Former Homeowner - Reverend Dr. Kris Morris

Certainly. Is it okay to approach the mic? Thank you for your kind introduction earlier. It's an honor to be here this evening. I was glad to make the six-hour drive from Seward, Nebraska, where I now live with my wife and four children. We did occupy this home from 2021 until about a year ago, the day after tomorrow we moved out. I'm going to give you a little history on this property. For those of us who are from here or have been from here for a while, this was Schaefer and Shirley Gross' home. They owned the Alahona. They had it for a good long time. They built this home for their family because of its quiet location. They had a ton of grandkids. It was a place to gather on the holidays to celebrate family and to have fun. Y'all know who that is. Y'all know why they did that. Shirley doesn't come to Christ's King. She goes to the Catholic Church right down the street, but she is a dear hearted woman that took both of my classes at State Fair just because she wanted to learn more about philosophy and ethics. Anyway, she was getting too old to take care of that house. She was 78 years old, and it's 5,000 square feet. They didn't have a pastor at her church that had a family that could use that. Her daughter, son-in-law, and grandchildren had been members of Christ's King for a good long time. She said, I want to sell it to your family.

I want you guys to use it to have fun the way my family did. I want you to use it to bless other people. You're the pastor of the big old church. Get that youth group out there. And we did. I'm passing this legacy on to you. Take it and use it well.

Dan and Pam Stefan are names you need to know. These were cornerstone members of this community for years. Dan was Shawn Otto's main man in building all those homes around this place. The last two years of that man's life was spent with me over there, working hard after my work day was over. And mind you, I was working at church and at State Fair and at the district and, and, and. But that was my therapy during my friend Ron Landauer's cancer battle that he was given a 30% chance to survive. And COVID, that was my therapy. Two

years, me and Dan were over there. I don't know, I fixed stuff. Y'all have a doctorate in theology. John, you were there. You spent. I was, that house is what it is because of Dan Stefan. It was the last two years of his life.

Six months after we moved in, him and his wife were murdered in their home off Highway D by a mentally ill man that I married to their niece 10 years prior. And I couldn't protect him and that killed me. It was real hard to enjoy living in my house because I was tortured every day there by the fact that I don't deserve what he did for me. And his wife was my work mom for eight years. And so when I was at work, I was haunted. When I was at home, I was haunted. And I was hanging on by fingernails to survive. Should have gone down to Shepherds Canyon. But Ron was sick and my people needed me. And I had to, you just fight. You just go to work every day and grid it up. And then a man tried to murder, or said he was going to murder me. And was hunting me at that house, hiding in the woods. Said he was going to shoot me if I came outside. My wife said we have to get out of here.

She found a job opening at Concordia and I applied and we ran for our lives. The only reason I was able to sign that house over to y'all with Paul Curran at the table, who's a, anyway, love that guy. The only reason I was able to pass it on to you guys, like Dan Stefan will always matter to me. That home, that property will always matter to me. The fact that it could be, I could sacrifice that and y'all could multiply the blessing. Are you kidding me? That's an answer to prayer until March 12th, nine months ago tonight, when it all came shattering down. I've been praying that God would take the opportunity to take what Shirley and Schaefer did for their family and what Dan Stefan did for my one family and bless thousands of people and that's worth chasing. They're going to be good neighbors. They're going to be a lot quieter than me and my four kids, their loud cousin, and those two big old dogs I brought, Calgary Lutheran High School, is where my kid graduated from, their soccer team, their trivia bowl team, they've all been there and they're not quiet. I promise that you will love the quality of neighbor you have. Helping people like me. I needed their help a long time ago. I'm going on February 3rd to Bear Shepherds Canyon Place in Phoenix. I was told I have cancer today, prostate cancer. God almighty, why? Y'all got to help me with that. Alright. I trust you with my house. I trust you with Dan's legacy. Thank you for picking up what I couldn't carry forward anymore. I was too weak. I had to get out of here. Thank you for continuing to thrive.

I've been the second vice president of the Missouri District for the LCMS for seven years. The reason I trusted him with this, we have sent dozens of pastors, teachers, missionaries, the DCEs from this district all the way to Arizona. And they've rescued marriages. They've saved lives and ministries. I've seen the fruits of what they do. I've got dear friends that are still alive because of them. I'm going to go ahead and wrap this up. Thank you for letting me address you. My church members know I preach a long time, and I'm sorry if I have a lot to say. And I am looking forward, I'm going to close with this. This meeting right here reminds me of a lot of meetings in Christ the King, where people come in with different ideas about how things ought to go, and they're not happy with each other, and they don't like the other person's opinion. But by God, we matter to each other. Your opinion is valued. You are not evil other. You are a beloved community member and friend. And the manner in which I've seen you respond to all of this with the reasonableness that you displayed on Nextdoor and

Facebook, I don't get on social media anymore. Your reasonableness and patience in loving a kind of rather passionate individual, I'm glad to have you as a neighbor any time of year.

Yes. And, sir, I yield the microphone.

Shepherds Canyon Attorney - Butch Miller

Well, you can tell the difference between someone who speaks and preaches for a living and someone who doesn't. Thank you. You know, it reminds me of something I did want to mention. When Pastor Kevin had the opportunity to get this house, he checked with the POA and the POA's attorney, and they were told they were in the clear, but they didn't realize that they also needed to get the Villages people to use the house in this manner.

So right now, it's being used as a single-family home, which is, of course, allowed by the zoning code. The proposal is to use it as a parsonage, which would be the full-time residence of a pastor, or it's similar to a rectory for a priest or a convent for nuns. And that is also allowed as a special use under the district's ordinance for Zone R1. It permits parsonages, rectories, convents, churches, and similar religious organizations. It's our position that using the home six times a year to bring in a handful of pastors to work through issues quietly fits perfectly within that zone. We also think it fits well within a residential community because they don't want to be near a vacation home. They don't want to be near a hotel. They want the quiet, peacefulness that you all want when you bought your houses. You want something that's quiet and peaceful. We're not going to have people coming and going. We're not going to have parking spaces. It won't be anything like that.

Staff will live at the house other than the pastor and his wife. There won't be any office use. There won't be any signage or any comings and goings other than guests arriving and leaving at the end of the week, much like our friends and family did when they come to visit us at the lake. So these are small gatherings, we're going to have four pastors. There will be two licensed therapists and a chaplain, but they won't stay at the house. There's only four bedrooms, so one bedroom per pastor, and if they bring their wife, her wife would stay in their room. But otherwise, that's it. There won't be eight pastors when we get a situation like that. There's no rental activity. People aren't paying to come stay at the house.

In fact, the house is owned free and clear, thanks to the generosity of the donor. The expenses involved in having these pastors come over is 19 meals per person that are provided during the week. The cost of, you know, the therapists are paid professionals, so they charge, I think, \$2,500 apiece, something like that, for their time during the week. And then the ministry covers their travel costs and their hotel room and things like that, the same with the chaplain. If a chaplain comes, you know, we'll cover his costs as well. But they won't be staying in the house.

This is not a treatment facility for men with behavioral problems. These aren't people that are going to be accused of criminal misconduct, anything like that. These are just men that are sad. They're dealing with some personal, you know, circumstance that's interfering with them being an effective pastor. There's, you know, sometimes there's misinformation out in the media, and we're happy to have the opportunity to come present to you and then

answer questions from the commission and the public about that and try to set the record straight.

We don't have anything to hide. And if we don't get approved, we'll respect the law, follow the decision. They'll probably put the house up for sale, but I can't imagine they're going to have a quieter neighbor, a retired pastor and, you know, occasional visits by other pastors who are going to be staying in the house for the most part.

There's been some talk about something about \$10,000 per person. As I mentioned, the ministry doesn't charge anybody to stay at the house. We do hope to get contributions from these pastors' congregations to help defray some of the costs, but it's a pay-it-forward model. When we host a session, whoever is invited comes, and if their congregation wants to help support the ministry, they would be contributing towards the cost of the next event. It's not in any way a rental. People don't get to stay in the house, they're coming to participate in a program. Let's see what else. Do you want to have Rich speak for a little bit? Sure, Richard.

Pastor from Jefferson City – Richard Stevens

Thank you. My name is Richard Stevens. I am a pastor in Jefferson City currently.

My experience with Shepherd's Canyon goes back 10 years. I was an attendee. I was strongly encouraged by my district president to attend Shepherd's Canyon because I was in ministry and ready to be finished with ministry. My wife and my children were ready for me to be finished with family. We went to Arizona for a week, and at the time I was looking to go for finding out every reason why we should end ministry and everyone would be happier with a divorce and everyone could move on. It was an amazing week for my wife and I as we were there. We're still married 30 years. Our three daughters are all adults. I'm so thankful for the ministry.

I served as a chaplain at about eight different retreats all in Phoenix. Living now here in Missouri, I also served on the Board of Directors for a few years until we had some health issues in my family and I had to give that up. I personally am one of the pastors that Chris referred to. I also know a number of my friends whose ministries were definitely saved by this ministry. One of the things that kind of overwhelms me about this ministry, it's not just the 140 retreats that we've had in the history of the ministry, potentially 400 pastors and other church workers, but it's the thousands and thousands of people that were impacted in their own congregations. Anyone that's been a member of any organization, especially a religious one, leadership, I know we try to make it look easy, but it's not.

Sometimes our spouses get the brunt of it. Shepherd's Canyon was a ministry that not only saved me and my ministry, but I truly believe had an amazing impact on my first years in Blue Springs as well as in Minnesota and now at Faith in Jeff City. I can also attest to the fact of the quietness of it. The first time that I went out as a chaplain, I thought, you know, Phoenix in February, there's nothing better. And then my second chaplaincy was Phoenix in July. Much different experience.

The beauty of the area here, certainly not dealing with the drastic weather, but just the quiet peacefulness. I've been able to be at the property and only can imagine sitting on that back porch and looking out at the lake and doing nothing but thanking God for what he has done with his creation. So that's my story. And as I've said before, I'm tremendously thankful for this ministry and extremely excited about the potential of it reaching more and more and more pastors as well as their families and congregations. Thank you.

Shepherds Canyon Attorney - Butch Miller

I do want to make sure we have time to answer questions.

Do any of the commissioners have any questions that either I can answer or any of the pastors?

Chairperson – Darrell Barber

I guess I have one question, and then I already had it kind of drawn out. You mentioned upgrading the septic. What is the issue with the septic?

Shepherd Canyon Representative – Reverend Kevin Bueltmann

So we were, and Pastor Chris can probably say a few things to you.

There was an assertion that we got a huge discount from the purchase, but maybe part of that misconception is that there was a failure in one of the inspections for the septic, and so they gave us money back to help pay for the septic. And at the same time, we're like, well, if we want to have this, because it's actually officially a four-bedroom home, and we want it to be a five-bedroom because we have to have one place for the host-couple and then the four pastors and possibly wives. So to upgrade it to a five-bedroom, we had to get the survey that you guys see in your packets there, and that shows the expansion for a five-bedroom septic.

Chairperson – Darrell Barber

You're not adding square footage to the house?

Shepherd Canyon Representative – Reverend Kevin Bueltmann

We're just adding a few walls here and there.

Chairperson – Darrell Barber and another commissioner (unclear which)

I guess I was under the impression it was already a five-bedroom. I was too.

Shepherds Canyon Attorney - Butch Miller

I apologize for the miscommunication. I was just wondering if it was already designed to be five-bedroom. I was kind of like, why are we upgrading this? It should already be up to whatever's needed for a five-bedroom.

Chairperson – Darrell Barber

I wasn't aware that it was being upgraded to a five.

Shepherds Canyon Attorney - Butch Miller

The intention is to not create a burden on any of the systems, to not interfere with any of the other residents' experiences in their homes. It's really to do good things. Any questions? Does anybody have an audience?

Chairperson – Darrell Barber
I've kind of got an order here.

Shepherds Canyon Attorney - Butch Miller
Oh, I'm sorry.

Chairperson – Darrell Barber
Because we'll go on to our staff report from the building inspector, and then we've got a litany of emails that we need to read. And then we will open it up to public comment. When we get to the point where we read the emails, I will give you an opportunity after that if you need or feel you want to respond to those emails. And then, again, once the public has had a chance to speak, if there's things that you wish to address from their comments or questions, I'll let you have that opportunity then as well.

Shepherds Canyon Attorney - Butch Miller
Thank you.

Chairperson – Darrell Barber
In the packet of materials provided to commissioners, there's a staff report by the Village's Building Inspector, Ike Newman. Ike, is there anything that you need to add?

Building Official – Dwight “Ike” Newman
Oh, I was going to read this and some points so that the people in the audience know. It may answer some of the questions that might come up later. This is a staff report, just so everybody knows, there's only two people here working in the Village, so this is not a personal report. This is based on what it is and everything through the Village. I just wanted that to be clarified. You hear a lot of petition of what the presentation said because I went off their application, plus our ordinance was being on the site. The address is 270 Veronica Lane. The current zoning is R1, single-family residential. It's on 1.17 acres.

The existing use is a single-family dwelling used as a pastor's residence. The surrounding land was predominantly single-family residential with a limited number of undeveloped lots. The proposed use is to continue to be used as a full-time residence as a pastoral couple. Occasional ministry-related counseling experiences approximately six times per year for pastors and ministry leaders, including their spouses. There will be a maximum of only eight guests per counseling, so it will be ten people total, which that house is capable of holding the two residents plus their visitors. Licensed counselors and chaplains will be staying off-site in hotels and other accommodations.

In compliance with the zoning code intent, the Village zoning regulations allow special use permits when:

- The permits are used as what we use for R1 is single-family dwellings, parks and recreation areas, private garages and accessory buildings, customary home occupations or office, and rented guests not less than 31 consecutive days. So there's no short-term rental allowed in the Village.
- Special use permits, when it is brought to our attention, and what they need one for, is you need one for public utilities, governmental buildings, golf courses, cemeteries, farming, nurseries, greenhouses, and home daycare.
- It also means you have to have a multi-family youth meeting with requirements of the R2 district.
- Churches, covenants, rectories, or similar religious institutions, public schools, or high schools.

So with this falling in as a similar religious institution, they have to ask for the special use permits.

For traffic, parking, and access. The home includes existing paved driveway, parking capable of affording residents and limited guest vehicles without on-street overflow. The counselors will stay off-site and will minimize overnight vehicle presence.

The house has fire access standards, the driveway meets visibly requirements, and no traditional on-street obstruction during the gatherings. The house will be reviewed by myself once it's going in to make sure the smoke detectors work and all the inspections are done. All that will be done depending on tonight's outcome.

For staff recommendations. The staff recommends approval of the Special Use Permit, especially subject to the following conditions.

- It's a primary residential use that's maintained.
- The dwelling shall remain a full-time residence of the host pastoral couple. It's limited to approximately 60 beds per year. The guest bed seat shall not exceed 8 guests at any time.
- The lodging of the counselor is off-site.
- No short-term rental use.
- The parking will be vehicles parked on-site of the public roadways and shall not obstruct traffic and emergency access.

In conclusion, all proposed special use is compatible with surrounding residential development, preserves neighborhood character, and provides reasonable assurance of minimal impact. Staff therefore recommends approval as outlined above.

Chairperson – Darrell Barber

Does anyone have questions? I guess I have a question.

Bear with me while I kind of set this up. There's some things I want to ask if this applies or not. When this special use permit application was received, I started reading through the Village's Planning and Zoning Ordinance trying to determine what applied to this specific scenario since it was a unique scenario.

The ordinance does not define a counseling retreat, so it's not listed as one of our property uses or types of uses. After a thorough reading of the ordinance, I came up with the following overall theme from the ordinance. The subdivisions in the Village were meant to be single-family homes occupied by the homeowner, where the long-term tenant would be used for typical residential uses. The restricted covenants of the Four Seasons Lakeside POA also follow this same theme. Single-family homes used for residential purposes. To provide some relief to owners or long-term tenants that want to work from home or run a small business, the Village's Planning and Zoning Ordinance and the POA covenants allow for business activities to be conducted from a single-family home, but on a very limited scale.

In your staff report, you reference Section 32.37 of the ordinance regarding only single-family residential district, but no other sections of the ordinance are referenced in your staff report. There is another section of the ordinance that I feel is applicable.

First, I'm going to read the definition of home occupation. It says, "home occupation means any occupation which is clearly incidental and secondary to use of the premises for dwelling purposes and which is carried on wholly within a main building or accessory building by a member of a family residing on the premises, in connection with which there is no advertising other than an identification sign". I'm going to skip through some stuff that I don't feel is applicable here. "...and in connection with which no person outside the family is employed". It goes on to talk about no parking in the public right-of-way. I'm not sure if there's an issue there.

Basically, if you flip back to Section 32-113, Home Occupations, The establishment and continuance of a home occupation shall be subject to the following requirements:

1. Such use shall be conducted entirely within a dwelling and carried on by not more than two individuals, one of whom is the principal occupant.
2. Such use shall be clearly incidental and secondary to the use of the dwelling purposes and shall not change the residential character thereof.
3. The total area used for such purposes shall not exceed the equivalent of one-fourth of the floor area, but in any instance, a maximum of 300 square feet shall be allowed.
8. For the purpose of this section, provided all requirements contained herein are met, the following shall be considered home occupations. It goes through a list of items, and Item E is the keeping of not more than two roomers or boarders.

So with that, does that still conform to our ordinance?

Building Official – Dwight "Ike" Newman

If you read the same application I read, the issue of board retreat is never brought into that. The name retreat is only in their name. So this is not a retreat, as everybody keeps saying it's a retreat.

Chairperson – Darrell Barber

But the website, that's how they talk, that's how they handle themselves, and everything they imply on the website is retreat.

Building Official – Dwight “Ike” Newman

That's their business name. I can have a business.

Chairperson – Darrell Barber

But in the discussion, they talk about retreat, retreat, retreat, retreat, retreat, retreat, so.

Building Official – Dwight “Ike” Newman

Attorney, do you have anything to add?

Shepherds Canyon Attorney - Butch Miller

I think it's important to remember that the current operation in Arizona operates differently than this one will operate. That was the first facility, and that is a retreat type of building, and that's what they do in Arizona. This is different. This is going to be a pastor's home, and it's not a... It's not... It's hard to even call it a home occupation, or a home office, because the pastor will plan his sermons when he guest preaches throughout the lake area, and then that's it. They don't have customers coming when people aren't coming to pick up tax returns or things like that. There's no signage or anything like that. So the home office piece would literally be the time the pastor spends preparing sermons. So we're not asking for approval as a home occupation or office. We're asking for... Our application is based on the permitted use as in Section 1A, a single-family dwelling, with a special use permit to operate as a church, convent, rectory, or similar religious institution. We don't see it as a home office or a home occupation. It's a partisan issue.

Chairperson – Darrell Barber

As I stated, our zoning ordinance doesn't define retreat or counseling retreat. So we have to kind of look at the ordinance as a whole, the totality of the ordinance, and start kind of picking pieces and saying, okay, how would this be handled? We kind of have to look at what parts are relevant to what you're proposing and kind of look at it. Yes, I wish we had a definition of counseling retreat that we don't. I guess where I'm concerned about our ordinance where it's talking about where it says, which is carried on hold in the main building or accessory building by a member of the family residing on the premises. Based on what you're telling us, the couple residing there really aren't going to be involved in the retreat. You're bringing in three staff to counsel.

Shepherds Canyon Attorney - Butch Miller

That's not the case. The couple that lives there will be hosting the retreat. That pastor may serve as the chaplain for that event.

Chairperson – Darrell Barber

But it says by a member of the family. So it's limited to one. Going back into the other section.

Shepherds Canyon Attorney - Butch Miller

Are you still in the home occupation concept, though?

Chairperson – Darrell Barber

Yeah. The first item is the establishment and the continuance of the home occupation shall be subject to the following requirements.

- Such use, and item one, is such use shall be conducted entirely within the dwelling and carried on by not more than two individuals. One of them is the principal occupant. So if you've got a host couple, okay, they can be the host.

But if you're bringing in two counselors and a chaplain, you're over that one principal occupant, in my opinion.

Building Official – Dwight “Ike” Newman

I see where you're coming from. How I look at it is it's not – I mean, I could have my house. I could bring people in, too, to talk. But that's not an occupation. I mean, their occupation is traveling. During COVID, everybody started working from home. So am I supposed to go out to every single one of these houses, knock on doors, and see who's working from home? I mean, because there would be probably 100 people in the Village for a season who has an occupation where two people are working from home now.

Chairperson – Darrell Barber

I worked from home for years, but they took up one room in my home. It's not taking up the whole home.

Building Official – Dwight “Ike” Newman

It's only not taking up the entire home. But these people that are coming to be counseled, okay, they're not part of it. The only part you're using is a conference room.

Chairperson – Darrell Barber

That's their business, is the counseling retreat.

Building Official – Dwight “Ike” Newman

Counseling, yes, for in that room. So their room maybe is 20 by 20. They're not counseling you inside a bedroom.

Chairperson – Darrell Barber

But they're using those four bedrooms, and that's part of the home. That's where I'm at. I'm not going to sit here and argue with you.

Building Official – Dwight “Ike” Newman

Well, I'm not going to argue with you either. We could have done the same thing here. As in, this is a building. We could have done the whole square footage of this building and gotten more people in here. But we're not allowed. We're only allowed to use the room we are used by fire code. So we make all these people go home when we could have used the square footage of the entire building, but we can't.

Planning and Zoning Commissioner – Charles Phegley

If we wanted to look at it as a business or occupation, there would have to be money involved. And there are no charges, there are no payments, correct?

Building Official – Dwight “Ike” Newman
Correct.

Planning and Zoning Commissioner – Charles Phegley
So I don't know that that could actually work.

Chairperson – Darrell Barber
Since you bring that up, I'm prepared.

Shepherd Canyon Representative – Reverend Kevin Buelmann
Can I say two quick things?

Chairperson – Darrell Barber
Sure, go ahead.

Shepherd Canyon Representative – Reverend Kevin Buelmann
One is that if you look at the definition of a parsonage or a rectory, which is in the Section G part here, that a parsonage is more than just a home for a pastor and his wife or whatever gender we're dealing with here. But that it would be also a place where they have counseling that takes place or they have Bible studies. I know Pastor Chris Morris has had numerous activities at his parsonage.

Former Homeowner - Reverend Dr. Kris Morris
And at no point was that to be misconstrued as, like, I'm doing that for Christ the King. Like, that wasn't part of my job. But our interests align very closely. And thank you for hearing my perspective as someone who lived there as a pastor. Of course we had people over. Of course there was counseling and Bible study and play therapy and all of that stuff happening. But I wasn't on the clock. That's the best way to use the property, right? Is through the quiet enjoyment of those who were there. And I wouldn't hate to do it.

Shepherd Canyon Representative – Reverend Kevin Buelmann
And the other thing, the second thing that I want to bring up here is that the word retreat has different meanings. For some people it means, like, a place. It's a physical place, like a retreat center. But what we're talking about here, we're saying it's more like a place to get away from the stress of the world. It's a retreat from the stress of the world. So if you think about it in those terms more as a description as opposed to a noun. All right.

Building Official – Dwight “Ike” Newman
Any other questions for me?

Chairperson – Darrell Barber

Since Chuck brought up the cost, I'm going to go ahead and cover an issue I had kind of laid out here. So unless you guys have questions, all right. Thanks, Ike.

Building Official – Dwight “Ike” Newman

Thank you.

Chairperson – Darrell Barber

Throughout your application and your responses to counseling, you repeatedly stated the cost would be covered by donor donations. However, there's inconsistencies in the wording of the various responses. In some cases, you state there's no fee for services, or guests are not charged, or no one's required to pay.

Shepherd Canyon Representative – Reverend Kevin Buelmann

Sure.

Chairperson – Darrell Barber

In your application, you write the following. While some visitors who are able and so inclined may help defray the cost of licensed counselors, chaplains, meals at nearby restaurants, et cetera, Shephard's Canyon's ministry is fully donor-supported. As we state on our website, “because of generous donors, no one is turned away due to lack of funds. Those who are interested in attending should not let cost be a factor”. By using the word no one is turned away or no one is required to pay, I interpret that to mean that there is a fee for those retreats, that the donations can cover the cost for those with financial difficulties. Also, the quote listed in your cover letter from your website leaves out the very next sentence on your website, which states, please reach out to us to discuss options. If participants aren't being charged to attend, as you're claiming, why are they needing to reach out for options?

Shepherd Canyon Representative – Reverend Kevin Buelmann

Sure.

Chairperson – Darrell Barber

So your position now is no one is paying to attend these retreats.

Shepherd Canyon Representative – Reverend Kevin Buelmann

So here's how it's set up. When I first started, we were about a million dollars in debt. And several years ago, we had a charge. Several years ago, we would charge \$3,000 and \$4,000 per week. About a year and a half ago or two years ago, our board raised the rates to \$5,000 and \$6,000, whether it's a single or a couple. What we're moving to, and this has been an evolution this past year, especially in light of what's going on here. It's like, oh, you know what? We don't have to because we're doing better. 90% of what is, 90% of what, 90% of costs is covered by general donations and grants. So almost all of it is covered completely by grants and all that here. When we say it costs \$10,000, that's what it costs us to provide per person. That's actually in the, using numbers based on our Arizona budget.

That's part of the reason why we're moving to this new model that you see over here in these different places in homes. Because we want to say this is 100% free. Now, some of

those phrases are kind of like an evolution of getting to that free point. Because we used to charge. We were a million dollars in debt. Now we're maybe about half of that. And so we are not making money. When you charge, well, when you spend \$20,000 to bring one couple in and you only, quote, charge them a couple thousand dollars. You know, I don't know if that's considered charging or not.

But we don't, but we no longer, I mean, we just don't require any of that. If a person has a denomination at a church that says, hey, we're really glad that you guys are helping our church worker from this denomination, we want to give you guys support because we know you can't just cover this all just from, you know, just the sheer will of your donors. So we do have what, you know, so we do use that \$5,000 or \$6,000 figure if they want to know what it actually, what would help us out to help them. But almost no one pays out of their pocket. So, you know, I'm sorry you're catching us in this sort of like evolution from going from a million dollars in debt to going, you know, completely 100% free. But that's where we're at.

Chairperson – Darrell Barber

I'm having a hard time reconciling. You're telling us one thing. When I go out and read a newsletter, and this is the most recent newsletter for the Lutheran Women's quarterly event, Winter 2025. And you're quoted in here, "it says the retreat costs over \$10,000 per person. Pastor Kevin says, quote, we offer it for \$5,000 for one person. And if they bring their spouse, it's \$6,000 total. The extra cost is covered by donations and grants." So I'm having a hard time reconciling.

Shepherd Canyon Representative – Reverend Kevin Bueltmann

That's a great, great question. Great observation there. There's a difference in how you communicate to donors and how you communicate to church workers. In other words, that Lutheran group, they gave us \$100,000. And so if we said, hey, this is a free retreat, they're going, why can't we just give you \$100,000 if it's free? So we have to communicate to them what the shortfall is when we have retreats. So they understand, ah, this is going to help cover those expenses. So, yeah, I know the language is a little bit kind of, you know, weird.

Chairperson – Darrell Barber

It doesn't mesh well for me.

Shepherd Canyon Representative – Reverend Kevin Bueltmann

I understand, yeah. And I apologize for the ambiguity. I just spoke to someone today from, well, I can't say where we're from, you know. But, you know, I just said, hey, you know, it's covered.

Former Homeowner - Reverend Dr. Kris Morris

And this is a nonprofit. It's a 501c3. It's not like someone's private business that makes money. Right, right.

Planning and Zoning Commissioner – Charles Phegley

I apologize. Can you tell me your name again, please?

Shepherd Canyon Representative – Reverend Kevin Bueltmann

I'm Kevin Bueltmann. I'm a pastor. I'm the director of the retreat. My wife and I were, I was ready to quit ministry five years ago because I got burned out. And I came to the retreat, and they didn't charge me a dime. And I said, okay, let's go. And so we went, and it turned things around. And at that time, five years ago, I was angry at everybody. I was angry at God. I was just ready to quit. And, I mean, I had a lot of experience, you know, greeting people at the door of church, I thought, well, I'll just be a Wal-Mart reader, you know. But anyway, I'm a person that benefited from the free charge, the low charge of this ministry. And so I ended up here somehow.

Reverend Kevin Bueltmann's wife - Tawn

And we're not the same. So, anyway. And we paid it forward. We have given since then. I think that's a way many participants like to help, is pay it forward to help other people.

Chairperson – Darrell Barber

Any other questions at this time? At least I'm entering into our reading marathon. The Village has received approximately 19 e-mails or letters from residents regarding this matter. (These have been filed with the rest of the application.)

All right. Would you like to respond?

Shepherds Canyon Attorney - Butch Miller

If I could, real briefly.

I think there's a little bit of confusion between the way you talk about the cost, what it costs to put on these events. If you look at an organization as a whole, they have expenses that are different than individual property expenses. In this case, this house is open free and clear, so there's no mortgage.

Really, the only cost, if the pastor lives there and doesn't ever invite a single friend over, maybe he's just a really mean pastor who doesn't have any friends, but never have a friend come over to watch a baseball game or something, it wouldn't cost the organization anything other than taxes and utilities and insurance. In this case, if they invite other pastors over, which is what we're asking for in the special use permit, the ability to do that, the additional cost is the cost of having those counselors come visit, the meals for those pastors. Any time we have friends over, we typically provide them food.

Maybe they bring something or contribute something to help cover the cost of the pieces, but there's that cost, the meals, and in this case, the cost of having these counselors come in and maybe a chaplain come in to help deal with the issues. It's not hard to see. If the counselors cost \$5,000 together for their fee, and we don't know where they're coming from, we don't know what their airfare might be, we don't know which hotel they're going to be at, but it's not going to be these huge numbers. We're not charging admission. We don't need to. Now, as an organization, Pastor Kevin's going to go out and tell the world, we need donations.

We need lots of donations. These events are expensive because we look at what the organization costs are nationally, and those are expensive. The mission is providing these

services, so that's what the cost is. I think there's just two different ways to look at it. One is on the revenue side, and the other is on the cost of what the individual pastors are going to see if we ask them, you know, what's it cost for us to have this event today? Well, just this one event is the pastor, is the cost of the counselors, the meals, and the hotels. So I just wanted to clarify that.

The other thing is I think it's really important to remember that this is not a commercial use. I mean, I guess you could argue about what constitutes commercial, but in the zoning code, the first section is permitted uses. These are considered of right uses, which is single family residences. Of course it's permitted. You don't need a special use permit for that. Also, customary home occupations, as long as they're within less than 20 percent, and you don't have a lot of customers coming and going, that's also a lot.

You don't need a special use permit. What we're applying for is a special use permit. That's in Section 2. Section 1 is non-commercial uses or incidental commercial uses to primarily residential uses. The special use permit section would allow, in addition to churches, convents, rectories, parsonage, similar institutions, religious institutions, it would also allow daycare centers, child centers, nursery schools. These are for-profit businesses with a lot of traffic and noise and people coming and going. They are inherently commercial.

Also, it would allow high schools, public and parochial schools. What we're talking about is in that category, except it's a parsonage that would have six events a year where people come in to talk about God in the house and work through personal issues. I just wanted to clarify, this is not in any way a home occupation. It's a completely different category in the zoning code that we're respectfully requesting consideration for. That was all I had on that.

Former Homeowner - Reverend Dr. Kris Morris

Councilor, can you clarify that a lot of your responses on the email asked about precedent setting. Aren't special use permits on a case-by-case basis? So any argument or decision based on precedents is simply fallacious.

Chairperson – Darrell Barber

You're correct. They are issued on a case-by-case basis. I guess one concern I have, and I think one of the commenters in the email mentioned the precedent setting. We're setting a precedent.

Former Homeowner - Reverend Dr. Kris Morris

But they're case-by-case.

Chairperson – Darrell Barber

Well, at the court of law, you're going to refer back to the case law on how to settle. Correct.

Former Homeowner - Reverend Dr. Kris Morris

In Missouri law, it's clear that if a body like this grants a special use, they are not beholden to do so to another body. There is no such thing as precedents on case-by-case.

Chairperson – Darrell Barber

But if you grant to one, you're on ten items. That is not according to Missouri state law.

My concern is, residents of the Village have expressed that they want single-family residences and no nightly rentals. And my concern I have, and this is just my personal opinion, is that, no, I don't think this group would be a problem. That it's the precedent that's given in the special use permit that it cracks that door open, and now someone takes that next little incremental step, and then the next one takes the incremental step,

Former Homeowner - Reverend Dr. Kris Morris

So like a slippery slope that you can stop on a case-by-case basis.

Chairperson – Darrell Barber

You can't put the genie back in the bottle.

Former Homeowner - Reverend Dr. Kris Morris

I don't want to neuter your successors. That's what I'm saying. I trust you guys. I trust whoever's going to serve in your seats in the future.

Chairperson – Darrell Barber

That's my concern as far as setting a precedent. In our comprehensive plan that was done in 2017, the residents were surveyed and made clear that the number one thing they wanted in the Village is more single-family residences. And so, in essence, by taking this one out of the market for this use, you're actually reducing the number. Granted, it's one, but you're reducing the number of single-family homes. Part of what we have to do is we have to honor what the residents have spoken when we prepared that comprehensive plan.

Former Homeowner - Reverend Dr. Kris Morris

Undoubtedly, but your governing documents currently state that it is a case-by-case basis.

Chairperson – Darrell Barber

It is, but we have to be concerned that if we approve this, which this board doesn't necessarily approve, we don't approve. It'll be up to the trustees Wednesday night whether it's approved.

Former Homeowner - Reverend Dr. Kris Morris

Thank you for the clarification.

Shepherds Canyon Attorney - Butch Miller

And along those lines, if this helps the commission in its deliberations and then how to decide this, a lot of times special use permits come with specific conditions. So, for example, if this were to get a recommendation of approval, the recommendation might come with a condition that there's no more than six events per year and that there's no more than four pastors in each event per year. There would be things like that that the commission could consider putting into its recommendation that would address the slippery slope idea to really keep that from widening.

Chairperson – Darrell Barber

And Ike's staff report included a list of restrictions and recommendations. And that's one thing that I have in my script here is, not only do we just take a vote on whether we recommend approval or not, but one of the things I'm going to be asking the commission tonight is do we want to recommend those restrictions be added if the board of trustees approves this and if they want to make changes to what I just presented. So that's one thing I will be asking the commission later.

Shepherds Canyon Attorney - Butch Miller

And I don't believe that the applicant had any concern with any of the conditions that the building inspector presented. We don't want this to in any way open the door to short-term rentals because we don't want to be in a short-term rental area.

Chairperson – Darrell Barber

At this time, I will open for public comments. Please keep your comments relevant to the application and manage your remarks to five minutes or less to allow everyone an opportunity to be heard. At this time, please refrain from reading or re-hashing the same comments or issues brought up by others.

John or Della? Della left, yeah. Okay.

I lost you on my list. You didn't indicate whether you wanted to speak or not.

Four Seasons POA representative – John Forti

I believe I will.

Chairperson – Darrell Barber

Well, if there's not any objections from the commission, I was going to ask you to speak first because I think your comments may address some of the concerns as far as peeling cabinets and stuff. Okay. Thank you.

Four Seasons POA representative – John Forti

Sure. My name is John Forti. I'm the president of Four Seasons POA.

I came in with some information from the restricted covenants that we have. I just wanted to read those to you so you can comment. Are you guys hearing me okay? How about that? So, as I said, I came in to read the restricted covenants that we have on our governing documents. If I could help shed some light on this in our position. What we have is the POA.

With regard to home businesses, I'm just going to read this legally as directed to you. If you are conducting any business, trade, or similar activity, except that an owner or occupant residing in the lot may conduct business activities within the lot, so long as the existence and operation of the activity is not apparent or detectable by sight, sound, or smell from outside of the lot. The activity conforms to all zoning requirements for the development.

The activity does not involve regular visitation of the lot by clients, customers, suppliers, or other business invitees, or door-to-door solicitation of residents of the development. And the activity is consistent with the residential character of the development and does not constitute a nuisance or hazardous or offensive use or threaten the security or safety of other residents in the development, as may be determined in the sole discretion of the Board. Provided, however, that garage sales, moving sales, and estate sales may be conducted in accordance with the rules established by the Board. So that's the first section.

The next part I'm going to read is from the Land Use Covenants. The Land Use Covenants state, for single-family residential, R1, only single-family dwellings and such outbuildings are usually accessory thereto shall be permitted on any lot designated as single-family residential on any plot or in any supplemental declaration annexing the real property to the development. Unless specifically stated herein or in the supplemental declaration, all lots shall be designated as single-family residential.

I will add that I've had about no less than 30 people contact me, whether it's email, text, phone calls. Regarding this, there's a lot of concern. It goes to the precedents. Not wanting this to open the door would be a slippery slope for our community.

Chairperson – Darrell Barber

You mentioned in there, I want to clarify, did you state that it applies to the owner or resident of the house that can carry on the business activity? So that's where it's getting back to very similar to our ordinances, where it talks about one person living in a home that's not engaged in that business.

Four Seasons POA representative – John Forti

I believe it's residence.

Chairperson – Darrell Barber

So did you guys refer to residence as a home? Residence.

Planning and Zoning Commissioner – Charles Phegley

And that was in reference to R1, correct?

Four Seasons POA representative – John Forti

That is in reference to the home business section within our restricted development.

With regard to the R1, it doesn't state. It just says single-family residential. Thank you.

Chairperson – Darrell Barber

Next we will hear more public comments. We're going to call on people to speak based on the order that you signed up. And we can follow that some. But I want to give preference to our Village residents first, just because I know the meeting can kind of drag on. Some people might get tired and need what people are getting already. So I'm going to kind of go through the rest here and call on people.

I'm assuming it's the R is resident. So the first name I have here is Mary De Michelle, my former neighbor. Hi.

Village Resident – Mary De Michelle

Hello, everyone. I'm just looking here at their application. And it was Shepherds Canyon that applied. Shepherds Canyon is a nonprofit, 501c3, out of Arizona. Okay. They say they are like a church, but they are not a church. They do file a 990 tax return. Churches do not.

They did first become interested in property in November of 2024, fearing that they were going to exceed capacity in Arizona. If we had a retreat center located like the Ozarks, Missouri, for example, we would be in driving distance of 12 states and 100,000 churches. If we act quickly, we can purchase a large lakeside home for less than \$1 million. They ask for donations. They get donations. Late last year, they sell \$800,000, sold by Reverend Kris Morris.

Former Homeowner - Reverend Dr. Kris Morris
Minus \$15,000.

Village Resident – Mary De Michelle

Okay. So it's a residential. Okay. So in the application, they talk about that this is continuation of use. I'm not sure if it's just that Pastor Morris had lived there, and now Pastor Kevin's living there, or if they're saying it's more of a continuation of use of Kristopher Morris did this, and now we're doing the same thing. Kristopher Morris lived there. His church did not own the property. He owned the property. He paid the taxes on that property. He can look that up as a private citizen.

He may have counseled. He may have entertained people from his church, but he was not running any kind of 501c3 out of there, or else he would have been exempt from his taxes. As is once these, if they're able to run their retreats, they will be exempt as well under the 501.

So like I said, Kris did all that, but he was not doing nationally recruited clients to come to spend week-long intensive counseling retreats on that property. I'm sure his wife would have killed him, okay, having those people stay there for a week at a time with four kids and two dogs. So it pretty much brings it to that basically Shepherd's Canyon, it's clearly a business.

It had big expansion plans when they bought the property, and now they're trying to fit that into our special use code. So checking it out, right now they're saying that they're not doing a home occupation because they really don't qualify for the home occupation. They have more than two people, as Darrell just covered it, they said more than two boarders.

There are at least four to eight boarders. All activities would have to be conducted entirely within the dwelling. They're not going outside. They're not enjoying the placid lake. They're inside the building, and it's carried on by not more than two individuals, one being the principal occupant. And that doesn't matter if they live there. I mean, that doesn't matter if they sleep there, if they don't sleep there, if they're paid or if they're volunteered. It's that the principal occupant is one, and then they can have one other person, and that doesn't fit

their model. They're over 300 square feet when you count all the bedrooms they're sleeping in, more than two boarders. And in the spirit of it, no, it's not a tourist home. They're not renting rooms. It's not a VRBO. But in the spirit of why all that is in there, it's so we do not have guests coming into the community for paid services, donations are revenue, okay? This is commerce going on. At some point, money is changing hands. This is a paid service.

We're getting people coming into the community. But now we say, hey, we're not doing that. We're a parsonage. We're not even a home occupation. We're a parsonage. Well, I don't know the legal definition, the IRS definition, it gets really complex because the church doesn't own the building. It's a 501c3 out of Arizona, owns the building, pays taxes on the building. Reverend Kevin, who's the executive director of the company, is living in the building. Is he a retired pastor? Is he a current pastor? Does the personage only concern the part he's living in? I mean, we have a spirit of our codes. I know they're trying so hard to fit this in right now. And I am here really quick. Reality, it is case by case, but it does set a precedent, and it becomes really impossible to deny similar request labor without appearing inconsistent, arbitrary, and discriminatory. You'll be mired in more lawsuits if you try to discriminate against the next group, and that could be a cult or whatever. I mean, you're going to have no control of who the next retreat business is.

Okay? Special permits, if it's granted without meeting your criteria, it is a backdoor way of rezoning this community. All right? And we may leave with different ideas of what is true, but these are facts. There is legal implications for zoning. I urge you to uphold the intent of the codes. And lastly, the frustration experienced by Shepherd's Canyon development, I'm sorry if I just mispronounced your name, and their supporters, it should not be directed at the neighbors here, because we are just asking for the codes that everyone here agreed to uphold. And their frustration should be directed at whoever did not do their due diligence, resulting in the purchase of a home in an R1 zone neighborhood with a POA.

Thank you.

Chairperson – Darrell Barber

Thank you. All right.

The next person to speak to is Angie Fousie.

Village Resident – Angie Fousie

I love the paths here. My house is in this area right here. I was solicited last March by Mrs. Albers, who is their realtor. I believe Carol, who her and her husband had to leave. She was also leaving. We did have the solicitations to Albers Group, Senate solicitations. I own a lot next to my house. An interested member looking to purchase the property, to expand. I know they were looking for residents for workers and to have more guests and to continue to expand it. If you look at the Arizona group size, if you go on their website and look at Arizona's mask, it's a huge facility.

It would be really easy, if they get this permit, for us to not realize that they go ahead and buy a couple lots or a couple other properties and slowly start to turn this into what they have in Arizona, is what I'm concerned with. The things that happened in the beginning

were not really explained to the neighbors. You know, you talked about how you are available for anyone, but you didn't tell any of us, the neighbors that live in the neighborhood. I bet you can't pick out the person in this room who has little children, the closest to probably 200 yards is the crow flies. Can you?

Who in this room right here lives within 200 yards of you with small children? Okay. She's right there. That's Evie. And she has little kids, and you guys haven't? Because you're saying that we don't know what we're talking about, but you haven't even tried to attempt to come to us or have any kind of connection to figure out why. We were here. We met this neighbor here.

We were here last year, or last March, and we expressed, several of us strongly expressed, that we were not interested in this. And we are the direct neighbors. I walk through your neighborhood every day. I mean, I have several people that can attest to that. I take the Veronica Loop. I was walking the Veronica Loop when it was dirt road.

I've been there for ten years. I don't want to intermingle, and I don't feel like I should have to intermingle with guests from all over the country. I don't know who these people are that you're bringing in. Your website, in some of the letters, say more than just pastor. It says pastors, ministers, missionaries, church workers. I don't trust that you're just talking about pastors.

I think that this could evolve into just like the Arizona, where it could be anybody. And everybody keeps attesting to how these people will behave, how these people will sound, but none of you know how this is going to roll out. We don't know until it happens, and I'm walking down the street with my dog and run into somebody who's very angry, who is seeking, having a bad time with their marital counseling, and comes out the door at me, or wanders over where her children are. We don't trust this. We have our own residency, so we can live in a community and in an area where we don't have to deal with businesses. I walk those streets. I walk Nassau. I walk Evergreen. I walk all over that side.

And I don't worry, because I know people in most of those neighborhoods. I have friends, and I know a lot of the neighbors. And I feel comfortable by myself, walking my dog all over the place out there.

I don't really feel it's fair for all of a sudden someone to introduce a business into this neighborhood where I all of a sudden have to be concerned. Who are these people coming and going? They could be from anywhere. They could be from all over the country.

And we don't know where they're coming from, and we don't know who they are. And you want us to just open our home, our neighborhood? We're going to intermingle with them. This is not a very large space. I mean, I don't live that far, but I could hear everything that went on with them. I dealt with your dogs all the time. They came out at us all the time. I should have kept them tied up.

Former Homeowner - Reverend Dr. Kris Morris

Yeah, remember when guy killed himself on the circle? And Mike had to find him? And remember when Austin got shot, and me and Mike couldn't serve him?

Village Resident – Angie Fousie

This is my time!

Former Homeowner - Reverend Dr. Kris Morris

You're right, you're right, I'm sorry. But we shouldn't oversell them.

Village Resident – Angie Fousie

Okay. Am I done?

Chairperson – Darrell Barber

No, just try to keep your comments brief. Okay, sorry.

I want to try to avoid getting these audience questions.

Village Resident – Angie Fousie

What I had written down here mainly was focused on the 3213, which we've already been discussing. Okay, so my issue here is mainly about privacy and safety in our neighborhoods.

And, yes. So if in a year from now my neighbors are on the other side, Nick and Barb decide to sell their house and lot to Shepherds Canyon, and you deny them a second, are you going to deny them a second SUP? If they decide to buy another house on the property in the neighborhood, would they be able to buy another house?

Chairperson – Darrell Barber

As it's been said, they're considered on a case-by-case basis.

Village Resident – Angie Fousie

So they could eventually continue to grow. I believe if you look at the story, you are starting to allow SUPs. We are going to eventually end up with an R1, R2 zoning in our neighborhoods. We're going to end up backing it down, backing it down.

One commenter on the forum said that all of this is really petty. We just need a casino in the Four Seasons. I mean, those are owned by Native Americans. So they would have a shot at it. Thank you for your time. Appreciate it. Some people have more than five minutes.

Chairperson – Darrell Barber

Rick Beckler.

Village Resident – Rick Beckler

So thank you, guys. The first thing I want to comment is, you know, my neighbor is Jerry. And I'm going to have a talk to him when he comes back from southern Texas. You know, he talks about Calo. And I agree with him. You know, Kalo is a totally different situation. Calo is people that are distressed, people that have had troubles in their lives, people that have been in trouble with the law. They break out of Calo, and then they go over to the area

where Jerry works, and they break into that building and cause damage. He just doesn't understand what happens in a Christian ministry like this. I've been a Lutheran all my life, and I've seen what happens with pastors.

And, you know, what you were talking about before is it's not just pastors, but it's DCEs. It's assistant pastors. It's all these people that are involved in this. And I'll give you an example. Before we moved here nine years ago, we lived in Wichita, Kansas. We were there for 21 years. And the same pastor did renewed to my wife and I. She married our son, and he married our daughter. About four or five years later, he went into what we're talking about here, just massive depression. This is one of the most vibrant, brilliant pastors I've ever met, by the way, Kris. And his situation was where he went to his basement, and he shut the blinds, he turned the lights off, and he hid in darkness for hours, hours, all day long, for weeks and weeks and weeks. He didn't have Shepherd's Canyon to come talk to. He had to figure this out. Pastors and lay teachers like that have the burdens of the world put at their hearts. They sit and listen to people talk about how bad their lives are, and they help them. That doesn't just go away.

And so by Shepherd's Canyon coming in and providing relief to these individuals that are struggling like they are is just a blessing. These people, you know, in my job here at the Lakes, well, my part-time job, I'm retired. People come to the Lake, and they tell me that they're on a retreat from home. They're on a retreat from their job, and they have fun at the Lake. That's different than what these guys are doing. These people are coming to get healed.

These people are coming to get help, and they're not going out and partying. And I know Kris' kids. They're going to be 10 times louder than any person in their house. I promise you that. So my wife and I, she's sick. She couldn't be here. We are 100% in favor of this, so we'd be pleased to ask for your help. Thank you. Thanks, Rick.

Chairperson – Darrell Barber

Looks like the next one, this is George Woodrum. He's at 383 Fairlawn Drive.

Village Resident – George Woodrum

Yes, thank you very much. I appreciate the opportunity to speak. I want to start off with I've been sitting here listening to everybody talk. I do that really well. I listen to people. And everyone's making this about feelings. This is not about feelings. I think they are doing a great job. I spent almost 15 years in ministry. Okay? I understand this.

I've dealt with the sadness and all that. And they're doing a great thing. That's not the issue here, though. But we can't make that the issue. It's not about feelings. It's about the community we chose. I chose to take my retirement and buy a home here. And my home, my retirement's invested in my home. And I'm not the only one that does that.

People talk about where they live. And I live right here. I'm directly across that house. Okay? No one's ever come and visited me. Hey, here's what we're going to do. You know, my

house faces the back of their house. You know? That's not being a good neighbor. That's not being what you said you would do. And that's not right.

Okay? It's not about feelings. Everyone else is going to have a heart. You care about people. It's obviously everyone in this room has a heart. But this isn't a feeling situation. This is a situation where a lot of people moved four seasons to rest, relax, and knowing that it's not going to be commercialized anyway. There's been a big play with words. Big play. A lot of people in this room have been playing with words in the English language.

And it always falls back to the same old thing. It is what it is. Yes, people mean well when they start something. How many people start something well and it's turned into a fiasco? Like I said, I've been in ministry. I've seen people in ministry that would come to this thing that were child molesters. And they're in prison now for being there for ten years.

We don't hope for that, but it can happen. And I want to put this real quick. I promise you that if you make this exception, the next group that comes in, they're going to want the exception. And, yes, it's been very clear that you guys have a right to say no, we don't want that. What's going to happen next? You're going to get a lawsuit. You're going to lose a lawsuit.

The POA in the Four Seasons is going to have to pay for a lawsuit. And what's that going to do for all the residents here with your amenities and things like that? I'm all for what they're going to do. I'm thankful they're going to do it. But it's not our responsibility if they didn't do their due diligence or their real commitment. That's not our fault, okay? Like I said, I'll make it very clear. I think they're wonderful people. I think it's wonderful what they're doing. But it's not our fault they didn't do their due diligence. And it's not right for the rest of the organization. It's not about feelings, folks. It's about what's going to happen. Thank you.

Chairperson – Darrell Barber

Thanks, George. The next is Mary Bailey. 75 Jeanne Drive? Yep.

Village Resident – Mary Bailey

Just a couple streets down. What's that? Just a couple streets down. So I'm not a resident of this enclave, whatever you call this section of the lake right in here. But I am a 25-plus year resident of the Village of Four Seasons. So I feel like I would like to firmly and very strongly recommend that you accept this special use. That's what it is, special use.

And we're not setting a precedent. Each one is done on a case-by-case basis. And I just feel like this would not harm, really harm our community in any way. That's my opinion. Thank you.

Chairperson – Darrell Barber

Thanks, Mary. John Rembold

Village Resident – John Rembold

As you mentioned, I'll just be reiterating what others have said. I'm for the special use permit.

Chairperson – Darrell Barber

Okay. Thanks, John. I wrote no.

Village Resident – Jeremy Anderson

This is the first time I've come to a meeting with no one to expect. I wrote no to speak. And I would like to change that to yes.

Chairperson – Darrell Barber

What was your name? Jeremy Anderson. You're up next.

Village Resident – Jeremy Anderson

I just want to say I don't know as though anyone here is questioning the good work that Shepherds Canyon does and necessary work. I think what it boils down to is the covenants and restrictions that apply to where we chose to buy our homes. So I put my faith in you guys to make that determination to stand by the covenants that we all agreed to.

Chairperson – Darrell Barber

Thank you, Jeremy. Nathan Strickland.

Village Resident – Nathan Strickland

Hi, I'm Nathan Strickland. I live 73 Clover Lane. I'm on one of the other lakes over there. It's real peaceful. I absolutely love it. I'm thankful for what you guys do. It's great. Great.

I used to be in the ministry a little bit and everything. I've seen what pastors and stuff go through and whatever. But the main thing is why me and my wife moved Four Seasons also is we loved how it was a nice, peaceful, relaxing place. It was just plain and simple. And everybody can take everything differently. It's just the way I've kind of seen everything tonight. But bringing something like a commercial business but just the way I take it, I see it as a business, partially. And there's just been so much said tonight, you can't stay up here and say everything you want to say. But seeing, say, after the war is gone, there's new laws and stuff brought in. Say someone wants to bring in a Hope House for drug users and help them out. Say that's free for them. No cost.

What are people, what is the other neighbors going to think of that? I'm not saying that there's anything wrong with you guys. But I'm just thinking outside the box. Ten years down the road, say someone buys a house, over by me or builds a house, what am I going to think of that? So that's just my concern. You guys are doing a great thing. Just wanted to voice my opinion. Thank you.

Chairperson – Darrell Barber

Mike Graff, 687 Cornett Branch.

Village Resident – Nathan Strickland

Hi. I live on Cornett Branch, and we live on second tier, with the house below us, our own. I met my neighbor. He and his partner, business partner, bought the house on the lakefront, and they all have on the weekends in the summertime 10 to 15 cars at their house. And they

party and shoot fireworks at 2 o'clock in the morning. They're not residents. I think this is going to be a lot quieter deal than most on Cornett Branch and every place off of Cornett Branch. They don't even live there. They're not residents. They're party houses. It's their retreat. So that's all I have to say. Thank you.

Chairperson – Darrell Barber

Did I miss any resident that wishes to address?

Patricia Meyer (raised her hand). Did you sign up?

Village Resident – Patricia Meyer

Yes, I did.

Village Clerk – Danielle Glover

Number 30.

Chairperson – Darrell Barber

You weren't flagged as a resident. Okay. Sorry about that.

I'm also a resident. Patty. This is a new format. We don't normally break it out like that. Change of pace.

Village Resident – Patricia Meyer

I live on Downing Branch Cove, a four-mile marker. And bad neighbors are just bad neighbors. I am a retired attorney, practice patent trademark. I write a lot copyright law. But also, as a past president of the Country Club Code POA and also past chair of the Architectural Control Committee, you can understand that I know you guys are stuck with paper in front of you. I'm trying to fit all of their paper and that paper and that paper together.

And the thing is that a special use permit is like our ACC. We get to do this. It's within our sole discretion whether or not we're going to permit it. And that's why people trust others, especially a group, to come to a decision. So special use permit is within the zoning laws, and it fits with what the big POA, not my little POA, the big POA does. So special use, case by case, is like my little ACC.

And yeah, it makes it hard to say, yeah, I know we picked up that tree, but we're not going to pick up your tree. But sometimes you just have to take a stand on what's right and what's wrong. That one was over a sidewalk.

So when you look at the GIS, the geospace, whatever it is, you will see that on this lake there are a lot of LLCs, like this person and their business partner. This house got sold. I got in my little kayak to go over and meet the new neighbors. Well, it turns out it's owned by a bank. And the bank is River Valley Bank Shares. This is on 817 Country Club Drive, if you want to look it up.

So it's owned by the bank, and they use it for perks. This is hard to call a business, but it's not exactly a perk either, because if you're not really rewarding someone, you're trying to

help someone, right? But I think this bank that's over across my cove, using it as a perk is the closest analogy you can get. Different people come down. You don't know who it's going to be. Unfortunately, we have neighborhood kids from outside our neighborhood. They come and put our pool furniture in our pool. And they use our jet ski dock. They have their friends pick them up. You're just going to have bad neighbors sometimes, and you're not going to always know who they are.

And it's good for you to stop and say hi, how are you? That's what we do in our little neighborhood when we see strangers. I don't mind the kids even putting the pool furniture in the pool as long as they pull it out. But anyway, so the bank uses it. They have different people come down. The only restriction they have, it's only the owners of the bank. They get to take the boat out, but they put it in ducks.

We don't know how that's going to go. But what I'm trying to say is there are many, many, many businesses that bring the clients down, entertain them, make a lot more noise than what these guys are going to be making. And as far as the special use permit, even though you have to look at the paper, fit it in to the paper, the purpose and what they are doing, the actual activities and any emotions that go along with those activities, whether it be the kids or Calo or these guys, what they're doing, the activities and how they affect the traffic and shopping and the health of the community count.

And the health of our larger community, not just the Village, does depend on having, frankly, pastors who are good and having lost Kris, having watched our pastor who has come through the cancer, and watching me so stressed, all right, because we are trying to get a new one, and it's hard to get a new one. We've been working over a year to get a new one. I don't like him being the sole pastor there.

So, yes, I want to see these people not only in our community, but in my home, I want them here for the wider community. Thank you very much for your consideration.

Chairperson – Darrell Barber

Can I ask a follow-up question? What is the property you were referring to?

Village Resident – Patricia Meyer

Oh, the bank? Okay, this is just one of many LLCs you'll see. If you go out on GS and put the little overlay in, you don't see it. It's River Valley Bank Shares, 817.

Chairperson – Darrell Barber

I'm just trying to figure out, is it within the Village?

Village Resident – Patricia Meyer

Yeah.

Building Official – Dwight “Ike” Newman

Yes, it is in the Village.

Village Resident – Patricia Meyer

Oh, I'm sorry. Yeah, Country Club Drive.

Chairperson – Darrell Barber

I'm just trying to make sure we're talking apples to apples.

Village Resident – Patricia Meyer

Yeah, yeah, yeah, yeah. Okay.

Chairperson – Darrell Barber

Anything else? Thanks, Pam. Okay. And what was your name again?

Village Resident – Maggie Moe

Maggie Moe.

Chairperson – Darrell Barber

Okay. Again, you weren't marked as a resident, so that's why I missed you.

Village Resident – Maggie Moe

Oh, okay. Thank you very much. Okay, can you hear me? Yep. Okay.

I'm also a member of the board of the POA, and I'm probably going to be kicked off that board because there's <inaudible>. But when they first bought the property, they came to the POA and asked me if it was legal, according to our covenants. We consulted our attorney, our management people, and we declared that we had no problem with it. If you start breaking our covenants, yes, we will have a problem with you.

And that's why you guys went for the special permit. You guys do the zoning. We do not zone. So that's why a special permit is offered. I've got new neighbors moving down the street from me. I know what family they're from. I've never met them. I don't know if they're going to have parties all the time. We don't get to know our neighbors. We don't get to choose our neighbors. They just move in.

So this time, I love my neighbors. I'm going to have to apply for a special permit so I can get to know them. But they don't. So I really appreciate you guys offering a special use permit, and I would appreciate it if you would put restrictions on it. I think that would alleviate maybe a lot of issues for a lot of people that think something random is going to move in here. So I just thank you for the opportunity to speak.

Chairperson – Darrell Barber

Thank you, Meggie. All right. Is there any other residents that I can ask? So I'll go back through.

Village Resident – George Woodrum

Excuse me. Can I ask a question?

Chairperson – Darrell Barber

Sure, George.

Village Resident – George Woodrum

We were here, I think it was March, the first time. And the attorney that was here representing made it very clear that this wasn't legal or didn't match the rules. So I don't understand what has changed from March. Because he was very adamant. He stood up at the end of the meeting and was very adamant that this is not going to happen.

Chairperson – Darrell Barber

My understanding, I was not at that meeting. They came for the meeting. It was during a regular session. My understanding is the residents came to the board of trustees. And I think Shepard's Canyon was also representatives of the president. And my understanding at that time, they were told that they needed to apply for a special use permit.

Shepherd Canyon Representative – Reverend Kevin Buelmann

Yeah. So we had three choices, either to cease and desist any counseling activities, or to go through a zoning change, or to apply for a special use. And so special use was really the only option that we chose was appropriate. So that's why we're here, because we were told by the lawyer that that was one of our three options. So that's why we're here.

Chairperson – Darrell Barber

George, I can't speak to this. Sorry. I don't remember being there, I may have been and just completely zoned out. I think probably they were told that as is, that your proposed use doesn't fit our one accepted use of it. The special use would be the next step.

Thank you. Well, let's see. Where am I at? Dashiell? William Dashiell?

Village Resident – Mary De Michelle

They had a leave. Correct. I'm not wrong here, right? Yeah. Yeah.

Village Resident – Angie Fousie

I think we took too much time in the beginning. We couldn't get through some of the people that couldn't stay.

Chairperson – Darrell Barber

Is it Derrick Standley or something like that on here? But they've not indicated where they want to speak about.

Richard Steensma?

Shepherd Canyon Representative – Richard Steensma

That was me, I already spoke.

Chairperson – Darrell Barber

That's everyone that has indicated, on this on the signup sheet, that you wanted to speak. Is there anyone else that wishes to speak that hasn't had a chance to speak? All right.

So I appreciate all of your input. And I'll be real honest with you. I'm very happy to see members of our community getting involved. I'll be quite honest. I wish more people would come to the trustee meetings regularly just to know what is happening in our community and be up to date on this. So I'm very pleased. And I echo a lot of the statements that the work you're doing is good work. It's just we have to work within the constraints of the ordinances that we're drafting. And this is something I did at the last meeting.

I think I'm going to do this. Because a lot of times when people come in, they may come in and ask questions. And I may or other commissioners may interpret that to mean that they're against it. But they may come in against it, hear your response, and then are for it or maybe more middle ground. And so it's sometimes hard for us to gauge where people are at. So what I did during our last one, and I'm going to do this again, is I'm going to take a quick straw poll just to gauge the preference of those in attendance. I'm going to ask that it just be strictly residents or property owners of the Village. And if you would keep your hands up, so we can do a quick hand count. So no moving back and forth.

Village Resident – unclear who asked the question

So I'd like to ask, well, question. So two questions. This gentleman had to go because of emergency. So he asked that I could vote for him. My wife was going to come. She's sick. So I'm just curious if that's OK. That's the person.

Chairperson – Darrell Barber

And I guess I kind of jumped ahead of myself here. Does the commission have any further questions or comments?

Planning and Zoning Commissioner – Charles Phegley

I think this has taken so long and people have left, I don't think it would accurate.

Former Homeowner - Reverend Dr. Kris Morris

What was the actual data from the emails? How many for and against on your emails? 11-6. OK.

Vice Chairperson – Alisa Duba

I'm kind of curious. You said that in the past you paid taxes. Being a 501c3, what happens going forward as far as paying taxes?

Shepherds Canyon Attorney - Butch Miller

A 501c3 designation is issued by the IRS. It's a federal designation that covers income taxation. Property taxes are state-specific. They're state-level. And being a 501c3 does not make your property tax exempt. It's a factor, but by itself, there are plenty of 501c3s that pay real estate tax because they don't meet the state statute to qualify for tax exemption. But it's completely separate from the 501c. That's an IRS designation. Real estate property tax exemption is a state-specific issue. So will they? Will they pay? Will they pay taxes? Is it appropriate for me to clarify based on some of the comments that people made? Yeah. I'll be very brief with it.

I'm not sure that we would even qualify for real estate tax exemption.

Village Resident – Mary De Michelle

As a ministry, as a nonprofit ministry, you could once you start doing trades.

Shepherds Canyon Attorney - Butch Miller

Theoretically, but it's based on the actual use of the property. And there are cases out there that suggest a parsonage, unless it's physically attached to a church, does not qualify. So I don't know if they would do it. The real estate taxes, it's a substantial amount. I think it was \$3,000 a year. But there's a cost to getting that tax exemption. It's a legal process.

If you could involve one for the state tax commission, it may or may not be worth pursuing. We don't know. We're not even there yet, because if we don't get approved, it's a non-issue. We won't be operating from the property. So that wouldn't quite be worth it. But I'll be honest. It's not a sign at all. Not at all. And I'm not sure that that's something, even if approved, that the ministry would want to spend money trying to get, because it's not a sign at all.

Village Resident – Mary De Michelle

Can I ask a question? Sure. So explain to me a parsonage, then. Are they legally a parsonage if they're not owned by the church?

Shepherds Canyon Attorney - Butch Miller

A parsonage is similar to a rectory or a compound.

Shepherd Canyon Representative – Reverend Kevin Bueltmann

I understand, which is owned by a church.

Shepherds Canyon Attorney - Butch Miller

I don't know if there's a legal requirement if that's the case. With respect to real estate property taxes, the state tax commission has settled on its own that parsonage that aren't physically connected to a church don't fall in that. So whether that's a legal definition or not of a parsonage, with respect to income state property taxes, the state tax commission sees it as such. And they're the ones that have the final say for state property taxes.

Shepherd Canyon Representative – Reverend Kevin Bueltmann

And paying \$3,000 a year is a good guess.

Village Resident – Mary De Michelle

I mean, my concern more so is the zoning aspect of what is a parsonage, because then you're claiming if you're a parsonage, you get special permission for zoning for that, and thereby you can kind of slide the whole business model in underneath without having to meet any of the codes of a home office.

Shepherds Canyon Attorney - Butch Miller

There are specific portions of the zoning code that apply to every institution.

Village Resident – Mary De Michelle

Oh, that is true. That whole last part of the code applies to everything in R1 and R2. So that would be having only two people, only 300 square feet. Yeah, that doesn't mean a parsonage isn't exempt from that.

Shepherds Canyon Attorney - Butch Miller

There's a distinction here. The first part of the zoning code says what uses are permitted as of right. If you read through that, I can pass these around if you want to look at it. If you don't want one, just pass it on, please. The first part of the code says that the permitted of right uses, you don't need a special use permit for, are clearly residential. You can see there's some incidental business use, but it's very, very clearly aimed at overwhelmingly residential users.

Then the second part is a special use permit that allows daycares, nursery schools, not part of a home occupation, a flat-out for-profit daycare could qualify for a special use permit. So that's completely separate from this home occupation. I think the home occupation might have come from the cease and desist letter from the Village attorney. I don't know where the idea was, but where it came from, that this would be a home occupation.

Village Resident – Mary De Michelle

So you're asking the Village in our residential area, in our neighborhood, in our community, to put in a parsonage that is not owned by the church, that's not affiliated, like directly. You're affiliated.

Planning and Zoning Commissioner – Charles Phegley

Excuse me. But that's... This conversation needs to end. If you want to speak, speak directly to us.

Oh, sure, sure.

Shepherds Canyon Attorney - Butch Miller

Okay. I didn't mean to.

No, no, no. Okay. I just want to quickly run through it. We do appreciate everyone's comments, even though it's an early public hearing. We know where you're coming from. We want to protect your community. And that's absolutely legitimate, even if you disagree with our interpretation of what we're going to do and what we would like to do.

So I understand that if a realtor was going around all around the lake asking you to sell your house, that wasn't done at the request of Kevin. That was done by a realtor trying to make a buck. And there's nothing illegal about her doing that, but that wasn't at our request.

And we would gladly accept the condition that we don't buy the other houses, that we limit it to four pathways, we don't expand to other properties. We're fine with that. Our plan is outside of Missouri, certainly not within the Village.

And the parsonage thing, it's allowed, specifically allowed as a special use permit with restrictions, if that's what the commission recommends or what the Village approves. But I assume that that zoning ordinance was prepared in accordance with the comprehensive plan. So this isn't really deviating from it. It's just a question of whether the commission and the board of trustees think of this is a reasonable fit. Let's see. We do want to talk to everybody in the neighborhood, and we're following the Village process.

Once we realized that there was a Village ordinance issue aside from the POA, we didn't have any visitors come to the property, didn't have any counseling sessions. So we haven't done anything like that. And this is the first real practical opportunity for us. I guess if everybody in the Village wanted Pastor Kevin to come knock on their door, probably not what everybody wants. But I'm not sure that he ever has time to do that.

Village Resident – Angie Fousie

You said that you spoke with everybody, and you weren't. None of us knew any of this.

Shepherds Canyon Attorney - Butch Miller

But this is the opportunity to do that.

Chairperson – Darrell Barber

We need to stay focused. We've drug on for a long time.

Shepherds Canyon Attorney - Butch Miller

And I don't mean to ignore people by not responding to their questions. Let's see. I know that people see this as a business, and whether it's a business or not is probably not legally relevant. What's relevant is the use of the property and whether the commission recommends that this is a use that fits in, whether it's a business or not, and whether the trustees vote to say yes, it's allowed as a special use permit, or no, it's not.

Chairperson – Darrell Barber

Larry, any further comments or questions?

Planning and Zoning Commissioner – Larry Bayliss

No.

Chairperson – Darrell Barber

Alisa? Oh, you want to jump to the straw poll?

Board of Trustee Liaison – Dave Perdue

I would suggest, I mean, this is your suit. I don't know that it's necessary to do a straw poll. I think it's in my personal opinion. But we can set that up as if that's what we want to do. In fact, people are gone, it's not even going to be attained.

Chairperson – Darrell Barber

It's not a binding vote.

Board of Trustee Liaison – Dave Perdue

I know it's not a binding vote. So what? Who's going to care? But it's your suit.

Chairperson – Darrell Barber

I'm trying to hear you because I know it has to present this to you guys tonight.

Board of Trustee Liaison – Dave Perdue

Yeah, like I said.

Chairperson – Darrell Barber

So, I mean, the trustees are free to ignore. All I'm going to do is put in a straw poll, and this is what it is. And they're free to take it for what it is.

Board of Trustee Liaison – Dave Perdue

Like I said, you're the chair.

Village Resident – unclear who

I think you need to add to that this is a straw poll, and here's what it is. You need to add to the fact that after several hours of discussion, the crowd was somewhat smaller than it is.

Chairperson – Darrell Barber

Dave is one of the trustees. And there's two trustees sitting in the hall. So they know.

Village Resident – unclear who

Then you include emails, too, right? Yeah.

Village Resident – Angie Fousie

And are you including the people who spoke that left? As far as? The people in the straw poll. Are you including, like, Jeremy just left. He spoke and said no and then left.

Chairperson – Darrell Barber

So that's not. It's not a clean process. It's just to give me a better idea of the feelings of those that are here, where we're at now. Because, you know, a lot of times you come in and I think you're no, and then after the meeting I talk, oh, yeah, I'm in favor of that now. It's like, oh, okay. So it just helps me have a better feel. And I have to clarify these if I'm true to the trustees. So point taken, Dave. I'm going to do my poll.

Board of Trustee Liaison – Dave Perdue

Sure.

Chairperson – Darrell Barber

All of those that are in favor of the special needs permit as it's proposed. Raise your hand.

Village Resident – various speaking at the same time

They're residents. They're residents. They're not residents.

They are residents. They are residents. They own the whole community.

That's one. Okay. Kris, you're not a resident.

Former Homeowner - Reverend Dr. Kris Morris

I have ownership of 1087 Eagle Drive. You can enter that into the record if you like. I don't fully mind. I mean, it's just a strong poll.

Chairperson – Darrell Barber

I came up with, what, 13? Is that everyone?

And those opposed. 11?

Not any further questions or comments. It's up to us to vote now. One thing, and I had to talk to the commissioners real quick. During the last trustee meeting, they were concerned with zoning issues. They were kind of struggling with how to make the motion. And I get it. You know, sometimes someone doesn't want to sort of be the first one out the gate with it. I know. But the other thing, and the attorney suggested this, the motion should be made in the affirmative. Because a lot of people have trouble dealing with double negatives. Because they can't get each other out, and it gets confusing. So, I'm going to ask for a motion recommending approval of the special use program for Veronica. If you're 70, Veronica.

If that doesn't negate the people who don't have it anymore, it doesn't tie the motion together if you make the motion or second it. So, do I have such a motion?

Planning and Zoning Commissioner – Charles Phegley

Wait. We haven't talked about restrictions.

Chairperson – Darrell Barber

I've got that next.

Planning and Zoning Commissioner – Charles Phegley

I just thought we would need to do that part first. I mean, if there aren't restrictions, I may look at it.

Planning and Zoning Commissioner – Larry Baylliss

Can I help? I would make the motion to approve subject to these 11 restrictions. That were in Ike's notes and one added.

The one I added was that not purchasing any other property in Four Seasons. And do we need to read those aloud for those people at home?

Chairperson – Darrell Barber

I'll read them. Staff recommends approval of the special use permit to express the subject to the following conditions.

- Primary residential gate is maintained. The realm shall remain a full-time residence of the host pastoral couple.

- The frequency counseling session shall be limited to approximately six events per year per calendar year, unless otherwise approved by the commission.
- Guest capacity. Overnight occupancy shall not exceed eight guests in addition to the resident household.
- Counselor lodging facilitators shall lodge off-site and shall not expand overnight occupancy.
- No short-term rental use.
- The property shall not operate as or be advertised as a short-term vacation rental.
- Parking, all participant vehicles shall park on-site, off the roadway, and shall not obstruct traffic or emergency access.
- Noise and conduct, outward activity shall be limited in duration and volume so as not to disturb neighboring properties.
- Inspections and permits, the applicant shall comply with all building, fire, and code enforcement requirements, including periodic inspections as deemed necessary.
- Signage, no exterior signage identifying the property as a retreat facility shall be installed without prior approval.
- Permit review, the Village reserves the right to review or revoke the permit if the event was substantiated in compliance.
- The one you added, no purchase, not purchasing other property in four seasons.

The only change I would make to that is on item two where it says limited to approximately six events. I think we need a firm number. Yes, that would be great. So I will strike the approximately.

So we have a motion to approve the special use permit for 270 Veronica with incorporation of these restrictions. Do I have a second?

Planning and Zoning Commissioner – Charles Phegley
Second.

Chairperson – Darrell Barber

Okay. So we have a motion and a second recommending approval of the request to special use permit for 270 Veronica Lane and recommending the restrictions presented in action be incorporated with the special use. Is there any other discussion on the motion? If not, we're going to do a roll call.

Alisa? Your mission is lovely, and there's a place for you at the lake, but I opposed it.

Larry Bayliss? I agree with what they're doing, but my vote is no.

Chuck? Yes.

Were we ever able to get Ron? He's on right there. Hey, Ron?

Planning and Zoning Commissioner – Ronald Mather
Yes. Yes.

Chairperson – Darrell Barber

Oh, yes. Okay. I heard you and can see you.

So that is a 2-2 tie. The chair is going to break the tie with a vote of no. I get it.

I like what you're doing. I just think there's too many conflicts. Again, we are strictly recommending to the board.

So the commission must prepare a findings of fact and recommendations letter for the trustees. It will be presented to the trustees Wednesday evening, January 14th at 5:30 p.m. in this room. So I would encourage Shepherd's Canyon people to be back here so that questions that the trustees, although I think three of them are here and one is on Zoom.

But I thank everyone for your participation today. If there's nothing further, I'm going to close the public hearing.

Shepherd Canyon Representative – Reverend Kevin Buelmann

Can I just address everyone here? Yeah, real quick. Yeah, I'm sorry. Thank you so much for expressing your opinions and everything here. You know, being a believer, we operate out of faith, not out of fear. You know, God has, if the ultimate answer is no, we're not worried. God already knew this was going to happen a year ago. And this wasn't an exercise in futility, but an exercise in sharpening our vision and our cause. So thank you. I'm so glad you guys are responsible citizens. All of you. I appreciate that a lot.

Village Clerk – Danielle Glover

I just wanted to make sure everybody knows that meeting on Wednesday will be in this room. It will also be limited. It is open to anybody, but it will be limited on how many people we can have because of fire code.

Village Resident - unknown

What time is that meeting?

Village Clerk – Danielle Glover

5:30 p.m.

Village Resident - unknown

Will there also be a Zoom?

Village Clerk – Danielle Glover

Yes. There will be a Zoom and it will be recorded and I will post it the next day.

Chairperson – Darrell Barber

Motion to adjourn the meeting

<inaudible who made and seconded the motion>

All approved. Meeting adjourned.