The regular meeting of the Board of Commissioners was held on Tuesday, September 13, 2016 at the Chaffee County Fairgrounds. Board members present were Chairman Dennis Giese, Commissioner Frank Holman, and Commissioner Dave Potts.

Others present were Director of General Administration Robert Christiansen, County Attorney Jennifer Davis, Administrative Assistant Patty Baldwin, Director of Development Services Dan Swallow, Planning Manager Jon Roorda, and County Clerk Lori Mitchell.

Following the Pledge of Allegiance, Chairman Giese called the meeting to order at 9:05 a.m.

**Items for Review**

**Public Notices.**

**Public Comment**

There was no public comment.

**Agenda Item A**

Consider a request for a fee waiver for a Special Event Permit for the 5th Annual Salida Bike Fest.

Administrative Assistant Baldwin reported that the application for the Special Event Permit was complete.

Commissioner Holman made a motion to approve the fee waiver for the Annual Salida Bike Fest. Commissioner Potts seconded the motion. On the question, the motion passed 3 – 0.

**Agenda Item B**

Consider rescinding approval of the Salida Airpark Subdivision.

Administrative Assistant Baldwin reported that she has been in contact with the applicant and his surveyor. She recommended this item be tabled till December 2016.

Chairman Giese made a motion to table rescinding approval of the Salida Airpark Subdivision to a date to be determined. Commissioner Potts seconded the motion. On the question, the motion passed 3 – 0.
Agenda Item C
Public Hearings and consideration of recommendation from the August 30, 2016 Planning Commission Meeting with regard to the following matters:

a. Major Impact Review - Name of Applicant: ACA Products/Frank Holman
   Location: 14110 County Road 140, Located in the SW1/4SE1/4SW1/4, Section 36, Township 50 N, Range 7 E, NMPM, Salida. Zone: Rural Request: Surface mining of construction aggregate.

Chairman Giese called the Public Hearing to order at 9:15 a.m. Commissioner Holman recused himself and left the meeting room.

Commissioner Potts made a motion to continue this item on the recommendation of the Chaffee County Planning Commission till Tuesday, November 8, 2016. Chairman Giese seconded the motion. On the question, the motion passed 2 – 0.

b. To consider amendment to the Chaffee County Land Use Code. -
   SECTIONS TO BE AMENDED: Section 7.3.7.C.2 – Park, Trail, and Open Space Dedication – Add to the last sentence “or Minor Subdivisions”.

Planning Manager Roorda gave an overview of the Planning Commission's recommendation to change the Chaffee County Land Use Code to not require minor subdivisions to dedicate Parks, Trails, or Open Space.

Citizens giving public testimony against changing Section 7.3.7.C.2 of the Land Use Code were:
1. Sig Jaasted 19605 County Road 343 Buena Vista
2. Kathy McCoy 9985 Us Highway 24 and 285 Buena Vista
3. Alice Sawyer 26695 County Road 342 Buena Vista
4. Joel Scott 14410 US Highway 285 Buena Vista
5. Bill Dvorak 17921 US Highway 285 Buena Vista
6. Marjo Curgis 1135 F St Salida
7. John McCarthy 11890 Happy Jack Lane Salida
8. Greg Felt 131 W US Highway 50 Salida
9. Keith Baker 831 McDonald Ave Buena Vista

The Board then went into deliberation. Commissioner Holman noted that there is a need for open space but that he was not in favor of payment in lieu (PIL) because it put a burden on small subdivisions which many times were families splitting up their land to give to family members. He said is was in favor of the code change.
Chairman Giese said he was not for the code change because it takes away options for the developer.

Commissioner Potts made a motion to deny the recommendation from the Planning and Zoning commission of August 30th for parks and trails open space dedication.

Chairman Giese seconded the motion. On the question, the motion passed 2 – 1 with Commissioner Holman dissenting.

Section 4.3.3.C1.f – Open Space Plan – add (for Rural Open Space Incentive only)

Development Services Director Swallow explained that this item was directly related to item b and since item b was struck down, it would make sense to strike item c.

Commissioner Potts made a motion to deny the change in the Land Use Code Section 4.3.3.C1.f Rural Open Space Incentive only. Chairman Giese seconded the motion. On the question, the motion passed 2 – 1 with Commissioner Holman dissenting.

c. To consider amendment to the Chaffee County Land Use Code. - SECTION BEING AMENDED: Section 7.3.4.A1 Subdivision Fire Protection/Water Supply/Fire Cisterns – Strike entire section

Chaffee County Fire Protection District Fire Chief Robert Bertram and South Arkansas Fire Protection District Fire Chief gave testimony regarding cisterns and payment in lieu of funds.

Chairman Giese asked Chief Bertram to explain where payment in lieu of money has gone. Chief Bess reported to Chairman Giese that most of the money has gone to fire trucks that they will be paying off for another seven (7) years. Chief Bess also expressed that he did not want this section of the Land Use Code struck.

Public testimony was given by Bill Dvorak of 17921 US Highway 285, Nathrop. He was in favor of denying the Code change.
The Commissioners went into deliberation.

Chairman Giese made a motion to continue the item. Commissioner Potts seconded the motion. Chairman Giese then amended his motion to include sending the item back to the Planning and Zoning Commission and for staff to consult with the fire protection districts to come up with wording for this section of the code. Commissioner Potts seconded the amended motion. On the question, the motion passed 3 – 0.

d. To consider amendment to the Chaffee County Land Use Code. - **SECTION BEING AMENDED:** Section 4.3.3C.1.i; 4.3.4.B.1.k; 4.3.4.C.1.k; 4.6.2.M.2, – Visual Analysis - Strike. **Sections 4.3.3.A.1 item g, 4.3.4.A.1 item h;** - Visual Analysis- add a reference to Section 4.6.2M1. **View Protection Guidelines Section 7.2.4A – Applicability**- add to paragraph after non-residential buildings “non-agriculture buildings” Section 7.2.4B – Visibility - Strike “To the maximum extent feasible structures should” and replace with “It is suggested structures be sited…” and add “may” between structure and include in the last sentence of 7.2.4B.

Citizens giving public testimony against changing Section 4.3.3C.1.i; 4.3.4.B.1.k; 4.3.4.C.1.k; 4.6.2.M.2; Sections 4.3.3.A.1 item g, 4.3.4.A.1 item h; 7.2.4A Visual Analysis:

1. Sig Jaasted 19605 County Road 343 Buena Vista
2. Kathy McCoy9985 Us Highway 24 and 285 Buena Vista
3. Alice Sawyer 26695 County Road 342 Buena Vista
4. Keith Baker 831 McDonald Ave Buena Vista
5. Marjo Curgis 1135 F St Salida
7. Alison Ramsey 724 G Street Salida

Citizens giving public testimony in favor of changing Section 4.3.3C.1.i; 4.3.4.B.1.k; 4.3.4.C.1.k; 4.6.2.M.2; Sections 4.3.3.A.1 item g, 4.3.4.A.1 item h; 7.2.4A Visual Analysis:


The Board went into deliberation.

Commissioner Potts made a motion to adopt the Planning Commission’s recommendation for the visual analysis Section 4.3.3C.1.i; 4.3.4.B.1.k; 4.3.4.C.1.k;
4.6.2.M.2; Sections 4.3.3.A.1 item g, 4.3.4.A.1 item h; 7.2.4A, Visual Analysis and
directed County Attorney Davis to create a resolution. Commissioner Holman seconded
the motion. Chairman Giese added that if the visual analysis plan changed significantly
during the review process, the developer would have to resubmit the changes. On the
question, the motion passed 3 – 0.

Consent Agenda

- Report from the County Treasurer for the month of August, 2016
- Pay Bills

Commissioner Potts made a motion to adopt the Consent Agenda. Commissioner
Holman seconded the motion. On the question, the motion passed 3 – 0.

There being no other business before the Board, Chairman Giese made a motion to adjourn. Commissioner Holman seconded the motion. On the question, the motion passed 3 – 0.

The Meeting adjourned at 12:46 p.m.

Attest:

Lori Mitchell, County Clerk