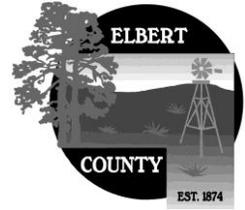




# COUNTY OF ELBERT

## COMMUNITY & DEVELOPMENT SERVICES DEPARTMENT

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### MINUTES ELBERT COUNTY REGULAR PLANNING COMMISSION MEETING November 20, 2014

Note: These meeting minutes are only a summary of the meeting. Duplications of the audio recording are available, for a fee, by contacting Community & Development Services.

The regular Planning Commission Meeting was called to order at 7:00 p.m. by Chairman, Tom Beshore.

#### ***PLEDGE OF ALLEGIANCE***

#### ***ROLL CALL:***

Commission members present: Tom Beshore, Rick Brown, Tony Baker, Bob Ware and Daniel Rosales.

Staff present: Curtis Carlson, Senior Planner; Carolyn Parkinson, Planner – Flood Plain Manager; Kyle Fenner, Director of CDS.

#### ***STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S):***

***A. No land use items were discussed.***

#### ***CONSENT CALENDAR:***

- a. **The Commission did not vote on the meeting minutes on the consent agenda. They were tabled to be discussed at a later meeting.**

#### ***COMMUNITY INPUT:***

***PUBLIC HEARINGS:***

**A. Adoption of Planning Commission Bylaws:**

- a. Kyle Fenner explained that there would not be a staff report because the bylaws for the Planning Commission are to be established by the Planning Commission. There was an outline created by the County Attorney and presented to the Commission so that there was a place to begin.
- b. Wade Gateley, County Attorney, went over the purpose of creating bylaws and policies with the Commission. He suggested they start with Membership.
- c. Tom Beshore had some questions about changes in the Elbert County Zoning Regulations. Wade explained that the Planning Commission bylaws are supplementary to the Zoning Regulations and no changes are being made to the Zoning Regulations.
- d. Bob Ware pointed out that if the number of Commission members noted in the bylaws differs from what is currently in the Zoning Regulations, there would need to be an amendment to the Zoning Regulations to reflect the same.
- e. Wade Gateley stated that State Statute requires not less than 3 and not more than 9 Commission Members. He went on to say that the BOCC would like the Planning Commission's input on the number of members on the Planning Commission.
- f. Rick Brown questioned whether it is mandatory for the Planning Commission to create bylaws. He also stated that he felt it is unnecessary to address the number of members on the Commission because it is already stated in the Elbert County Zoning Regulations.
- g. Wade Gateley said that he believes it is mandatory that bylaws be created and that he would like to present the BOCC with a recommendation from the Planning Commission on the number of Planning Commission members so that the BOCC and Planning Commission are working together.
- h. The Planning Commission Members discussed this and decided on 9 members; 3 from each Commissioner District so that each district has a good amount of representation. They also discussed 3 associate members; 1 from each district.
- i. Appointments: Rick Brown suggested that all references to how and when the BOCC appoints members should be removed because these are Planning Commission bylaws and the Planning Commission does not have the authority to outline procedures that belong to the BOCC.

- j. Eligibility for membership: The Planning Commission decided that the entire section referring to residency eligibility should be removed from the bylaws because there is already an ordinance addressing residency eligibility for members of the commission.**
- k. Removal: Rick Brown stated that in this section, the bylaws are again giving direction to the BOCC. Wade Gateley explained that it is a recommendation from the Planning Commission that would be adopted by the BOCC, if agreed upon.**
- l. Requirements of Professional Performance: The Planning Commission approved of this section.**
- m. The Planning Commission decided that a new section addressing annual training should be added, To be set up by CDS and the Planning Commission Chair.**
- n. Conflict of Interest: there were some suggestions for changes in language referring to C.R.S 24-18-109. Items that would constitute a conflict of interest and reasons for recusal were also discussed.**
- o. Ex parte Contacts: There were suggested changes in language. The language will be e-mailed to Wade Gateley and noted in the document.**
- p. Open Meetings and Open Records: Rick Brown questioned whether this information is necessary. Wade Gateley explained that it is Informational.**
- q. Compensation: no comments**
- r. Election of Officers: Rick Brown discussed part of the section that refers to a secretary; Language should change.**
- s. Powers Duties and Responsibilities: Discussion regarding the 30 day recommendation did not result in any agreement on language or interpretation. The Planning Commission would like to discuss this further.**
- t. Secretary: The Planning Commission would like to remove this section.**
- u. General Rules and Provisions: The Planning Commission discussed the tie vote. They had several suggestions. Kyle Fenner will incorporate the changes into the document.**
- v. Tony Baker made a motion to continue the meeting to a date certain of Tuesday, December 2<sup>nd</sup>. Bob Ware seconded the motion. Motion carried 5 to 0.**

***PUBLIC COMMENTS:***

- A. John Dorman: asked the Planning Commission to consider the Law of unintended consequences where eligibility considerations were concerned. He voiced concern about the Planning Commission including time frames in the bylaws that would interfere with the public being able to comment, if there were a large amount of citizens wishing to be heard.

**NEW BUSINESS:**

**ANNOUNCEMENTS:**

- A. Meeting adjourned at 10:00 PM