

**PLANNING COMMISSION
Regular Meeting
June 4, 2013 at 7:00 p.m.
Community Center, 140 NW 2nd ST; Room A**

Agenda

1. Call to order
2. Minutes: May 7, 2013 Public Hearing & Regular Meeting [A]
3. David Macintosh
4. Press Release regarding paving Main Street and identifying water/ditch owners. [A]
5. Delta County Subdivisions: Report by Member Raymond Hanson
6. Review Bylaws
7. Re-appointment of members with terms expiring: Bill Miller & Vacancy:
Recommendation to Board of Trustees [A]
8. Election of Officers: Chairperson and Vice Chairperson [A]
9. Adjourn into Work Session [A]
10. Reconvene [A]
11. Other
12. Adjourn

The Board of Trustee members may or may not attend Planning Commission meetings.

**PLANNING COMMISSION
Work Session
June 4, 2013
Community Center, 140 NW 2nd St; Room A**

1. Review Map of Ditches & Laterals: Continue compiling list of names and locations of Ditches within Cedaredge Town Limits and review new lists.

2. Mark down Ditch names on Map of the Town of Cedaredge provided by Delta County GIS Department.

**RECORD OF PROCEEDINGS
TOWN OF CEDAREDDGE
PLANNING COMMISSION
PUBLIC HEARING**

**The Sarver Minor Subdivision Application Preliminary No 2013-04
May 7, 2013**

The Planning Commission met for a Public Hearing Meeting on May 7, 2013 in Room A of the Cedaredge Community Center, 140 NW 2nd Street, Cedaredge, Colorado.

- 1) **Call to order:** Chairperson Al Smith called the Public Hearing Meeting to order at 7:00 p.m.
- 2) **Roll Call:** Chairperson Smith took roll call: Members present at the call of roll: Al Smith, Bob Michael, Ray Hanson, Bill Miller, Terry Jarbo, Chuck Dalpiaz, and Patricia Means. Absent: David Blanchette. Also present: Kathleen Ann Sickles, Town Administrator, David Smith, Public Works Director and Patricia V. Luna, Town Clerk.
- 3) **Chairperson Smith explained the responsibility of the Planning Commission, intent and process.** The Chairman explained Ex Parte and he asked members to excuse themselves from the meeting if they had taken part in any ex parte communication.
- 4) **The Purpose of the Meeting was explained by Mr. Smith and he stated that at the request of Anthony “Tony” Sarver and Barbara J. Sarver a Public Hearing was being held to review the request for a two lot subdivision with :Lot 1 (1.137 acres) a car wash at 1105 South Grand Mesa Drive and Lot 2 (6.233 acres) a gas station/shed sales at 1125 South Grand Mesa Drive and 1205 S Grand Mesa Drive.**
- 5) **Applicant Tony Sarver of 12238 Crane Lane, Austin, Colorado 81418 made his presentation to the Planning Commission at this time.** He stated that he had no objection to the Colorado Department of Transportation communication with himself or the Town of Cedaredge. He closed at this time.
- 6) **Staff Presentation by Kathleen Ann Sickles, Town Administrator:** The Administrator reviewed with the Commission her Memo’s dated April 16, 2013 and April 26, 2013 and May 3, 2013. She also reviewed a Power Point presentation that outlined access points to Highway 65 from subject property **and David Smith, Public Works Director** reviewed with the Commission his Memo dated May 2, 2013. He reviewed with the Commission the existing agreement and the need for an updated agreement amongst users and the need to have this described upon the plat. All of which are included in the Planning Commission Packet for this meeting.
- 7) **Public to Address Commission:**
 - a. **Public In Favor or Neutral:** Joe Bowman of 110 SW 11th Avenue, Cedaredge; Tim Callihan of 1040 SE Fairway Drive, Cedaredge and Larry Claxton of 1020 South Grand Mesa Drive, Cedaredge.
 - b. **Public Opposed** – None Present.
 - c. **Letters Received:**
 1. **Review Agencies** – Letter received from Source Gas indicating that there were no concerns.

2. **Public** – Ronald Freeland letter read aloud and into record and an e mail from Dale Roaring of Colorado Department of Transportation.
- 8) **Staff to Address Questions, comments or concerns:** The Staff addressed questions regarding the Service Agreement for Private Sewer Utility Line.
- 9) **Applicant to address questions, comments or concerns.** The Applicant addressed questions regarding the Service Agreement for Private Sewer Utility Line both proposed agreement and one dated September 18, 2000 between previous owners.
- 10) **Adjourn Public Hearing at 7:43 pm.**

Respectfully submitted,

Patricia V. Luna
Town Clerk

**RECORD OF PROCEEDINGS
TOWN OF CEDAREDDGE
PLANNING COMMISSION
REGULAR MEETING AND WORK SESSION
May 7, 2013**

The Planning Commission met for a Public Hearing Meeting on May 7, 2013 in Room A of the Cedaredge Community Center, 140 NW 2nd Street, Cedaredge, Colorado.

Members present: Al Smith, Bob Michael, Ray Hanson, Bill Miller, Terry Jarbo, Chuck Dalpiaz, and Patricia Means. Absent David Blanchette. Also present: Kathleen Ann Sickles, Town Administrator, David Smith, Public Works Director and Patricia V. Luna, Town Clerk.

- 1) **Call to order:** Chairperson Al Smith called the Regular Meeting to order at 7:45 p.m.
- 2) **Approval of Minutes of the April 2, 2013 Regular Meeting and Work Session:** Minutes of the April 2, 2013 meeting were presented. Mr. Hanson moved to approve the minutes as presented. The Motion was then seconded by Ms. Miller. Motion passed.
- 3) **Delta County Subdivisions:** Mr. Hanson advised the Planning Commission that there were none.
- 4) **Sarver Minor Subdivision Preliminary 2013-04.** A Motion was made by Mr. Hanson to recommend approval of the Sarver Minor Subdivision Preliminary 2013-04 to the Town of Cedaredge Board of Trustees as presented but with the following recommendations as outlined in the Memo dated May 3, 2013 to the Cedaredge Planning Commission from Administrator Sickles:
 - Indicate the sewer manhole locations on the subdivision plat or provide an exhibit attached to the Service Agreement for Private Sewer Utility Line with the manholes indicated.
 - Provide a response to David Smith's comment regarding the total footage of sanitary sewer collection line in addition to an outline of how the manholes will be assessed with a proper operation and maintenance plan.
 - Review and revise the Service Agreement for Private Sewer Utility Line per recommended edits to town planning staff and resubmit as a new draft prior to obtaining signatures.
 - After town staff review and approval provide an executed Service Agreement for Private Sewer Utility Line document with existing property owner's signatures notarized with final subdivision plan submittal requirements.
 - Provide a common access easement common access on the plat for Lots 1 and 2, 50' fronting Highway 65 and 25' wide at a minimum. Construction of common access is not expected with final subdivision submittal.)
 - Submit all Final Subdivision Plan submittal requirements.

This Motion was then seconded by Mr. Michael and the Motion was then passed unanimously.

- 5) **Adjourned into Work Session at 8:05 pm.** After discussion regarding Ditches and Laterals and the efforts made by the Planning Commission to reach out to the public, Mr. Smith will write a draft press release for the newspaper for review at the next meeting.
- 6) **Reconvened Regular Meeting at 8:09pm.**
- 7) **Other: None.**
- 8) **Adjourn:** The next regular meeting will be June 4, 2013 at 7:00 PM, Room A of the Cedaredge Community Center. The Planning Commission will elect new officers and hold their annual meeting at the June 4, 2013 meeting. There being no further business Mr. Miller moved to adjourn the meeting; seconded by Mr. Hanson. Motion carried. Meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Patricia V. Luna
Town Clerk

BY- LAWS

Town of Cedaredge Planning Commission

INTRODUCTION

- 1. The name of this organization shall be the “Town of Cedaredge Planning Commission”, hereafter referred to as the “Commission”.**
- 2. The Commission is created for the purpose as stated herein and pursuant to CRS 31-23-202, and amendments thereto.**
- 3. The provisions of these By-laws shall apply to and govern the Town of Cedaredge Planning Commission.**

PURPOSE

The purpose of the Commission shall be to take the lead in preparing the Town’s Master Plan. As the goals of the community change or circumstances in the town change, the Commission has the responsibility of updating the plans. The Commission must insure that each proposal made to the Commission meets the goals and the standards set out in the Land Use Codes.

PRINCIPAL OFFICE

The principal office of the Commission shall be Cedaredge Town Hall, but meetings of the Commission may be held at such places in the Town of Cedaredge or other places as the Commission shall direct.

JURISDICTIONAL AREA

The jurisdictional area of the Commission shall be limited to the town limits of the Town of Cedaredge.

MEMBERSHIP

- 1. Qualifications: The members of the Commission shall be residents in the jurisdictional area of the Commission.**
- 2. Composition: The Commission is composed of nine members, including the mayor of the Town and one member of the Board of Trustees of the Town, as ex officio members, and seven persons appointed by the Board of Trustees.**
- 3. Terms of Service: The terms of the ex officio members shall correspond to their official tenures and the terms of non officio members shall be three years.**

4. **Member's Duties:** Each member shall have the responsibility of attending all regular and special meetings of the Commission in order that the Commission can conduct business in an effective, efficient, and responsible manner. Each member shall fulfill other duties and obligations as assigned by the Chairperson of the Commission. Unexcused absences for more than three consecutive regular meetings by a member shall constitute grounds for dismissal from the Commission, provided that the requirements of the Municipal Code are met. Each member of the Commission who has knowledge of the fact that he/she will not be able to attend the scheduled meeting of the Commission shall notify the Chairperson of such, no later than 12:00 noon on the date of the meeting. Only the Chairperson of the Commission may authorize excused absences. The Secretary will keep a record of attendance.
5. **Vacancies:** Vacancies occurring on the Commission shall be filled by recommendation from the Commission to the Board of Trustees for appointment, and such appointees shall complete the un-expired term.
6. **Reimbursement:** Members of the Commission shall be reimbursed for transportation and actual expenses (up to, but not exceeding state or town policies for reimbursement) incurred while conducting Commission business. Members shall be reimbursed for allowable expenses incurred in attending or conducting Commission business. Members may be reimbursed for the actual expenses while attending conferences or meetings in another city, county or state, providing that (a) such conference or meeting is deemed necessary or beneficial by the Board of Trustees, (b) the conference or meeting deals with planning or related problems, and (c) there are sufficient funds available in the Commission appropriation.

MEETINGS

1. **Regular Meetings:** The first Tuesday of each month at 7:00 pm. shall be the regular meeting time of the Commission. The Chairperson of the Commission may cancel any regular meeting for which there is a lack of official business. All meetings of the Commission shall be open to the public.
2. **Special Meetings:** Special meetings may be called by the Chairperson or any two (2) members upon written request to the Secretary. The Secretary shall notify all members at least three (3) days in advance of a special meeting.
3. **Annual meeting:** The regular meeting held in June shall be known as the annual meeting, and such meeting shall provide for the election of officers, receiving annual report (if any) and reviewing committee functions (if any).
4. **Quorum:** Five or more members of the Commission on a nine (9) member Commission shall constitute a quorum.
5. **Official Action:** No action of the Commission is official unless authorized by a majority of the members of the Commission attending a regular or properly called special meeting. In the event that a quorum is not present or an "official action" by the

Commission is not obtained, the members present shall consider all applications before the Commission and any action taken by the members present shall be forwarded to the Board of Trustees as an “unofficial action.” Recommendation to the Board of Trustees can still be made under this “unofficial action.”

6. **Order of Business:** The order of business shall be as follows unless otherwise ordered by the Chairperson:
 - a. Call to order
 - b. Approval of minutes
 - c. Unfinished applications
 - d. New applications
 - e. Other
 - (1) Personal appearances
 - (2) Reports
 - (3) Regulations/Ordinances
 - f. Adjournment
 - g. Workshop
7. **Public hearings:** The order of public hearings shall be but not limited to:
 - a. Summary presentation by the Chairperson
 - b. Applicant presentation
 - c. Town staff comments
 - d. Public testimony
 - (1) Proponents
 - (2) Opponents
 - (3) Applicant responds regarding Proponent and Opponent comments or questions
 - (4) Staff responds regarding applicant comments or questions
 - e. Commission questions of the applicant, attorney, town staff, proponents, or opponents.
8. **Rules of order:** ROBERT’S RULES OF ORDER shall govern the Commission in all parliamentary procedures unless otherwise specified in the By-laws.

VOTING PRIVILEGES

1. **Voting right:** Each member of the Commission shall have one (1) vote, and each member shall exercise his/her voting right in a manner specified by the Chairperson. Proxies shall not be allowed.
2. **Conflict of interest:** Any member of the Commission who shall feel that he/she has a conflict of interest on any matter that is on the Commission’s agenda shall immediately give notice of such conflict to the Commission, voluntarily excuse himself/herself, vacate his/her seat, and refrain from discussing and voting on such matters. At any time, the Commission may, by majority vote of the members present, disqualify any member

from participating on any issue for which the Commission agrees that such member has a conflict of interest.

OFFICERS

1. **Elective officers:** The elected officers of the Commission shall be the Chairperson and Vice-Chairperson, who shall be elected annually. The Commission may create and fill such other offices as it may determine.
2. **Eligibility:** Any member, except ex officio members, of the Commission may hold an elective office.
3. **Duties of the Chairperson:** The Chairperson shall have the usual executive power of supervision and management of the Commission. The Chairperson shall at a minimum:
 - a. Preside at all meetings of the Commission.
 - b. Call special meetings of the Commission in accordance with these By-laws.
 - c. Sign documents of the Commission.
 - d. See that all actions of the Commission are properly taken.
 - e. Appoint the Chairperson and members of all committees as are necessary to conduct Commission business.
 - f. Be an ex officio member of all committees.
 - g. Be the public representative of the Commission.
4. **Duties of the Vice-Chairperson:** During the absence, disability, or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all duties and be subject to all responsibilities of the Chairperson.
5. **Terms of office:** All elective officers shall be for one (1) year with eligibility for re-election. The term shall commence to run following the annual meeting.
6. **Vacancies:** The Vice-Chairperson shall succeed the Chairperson if the Chairperson vacates his/hers office before his/hers term is completed. The Vice-Chairperson shall serve for the un-expired term. The Commission shall appoint a member of the Commission to fill any un-expired term for the Office of Vice-Chairperson.
7. **Secretary:** The Commission, in conjunction with the Town Administrator shall designate the official Secretary of the Commission. The Secretary shall at a minimum:
 - a. Keep the minutes of the Commission in an appropriate manner.
 - b. Give or serve all notices required by law or the By-laws.
 - c. Prepare and distribute the agenda for all meetings of the Commission.
 - d. Be custodian of all Commission business.
 - e. Inform the Commission of correspondence relating to Commission business and attend to such correspondence.

COMMITTEES

The Chairperson may appoint members of the Commission to various committees as is necessary to conduct Commission business.

FINANCIAL ADMINISTRATION

- 1. Authority to expend money: The Commission shall have the authority to expend, under regular Town procedures, as provided by law, all monies appropriated to it for purposes and activities authorized by CRS 31-23-204 and the Cedaredge Board of Trustees.**

AMENDMENTS

These By-laws may be amended at any meeting of the Commission by official action, provided that notice of proposed amendments is given to each member in writing at least two (2) weeks prior to said meeting. Amendment of these By-laws shall require an affirmative two-thirds majority vote of the members present and voting.