

January 21, 2009
NOTICE OF REGULAR MEETING AND PUBLIC HEARING MEETING OF THE
BENTON COUNTY PLANNING BOARD

WHEN: January 21, 2009
TIME: 5:30 p.m. The Benton County Planning Board will meet to receive Public Comments on any of the proposed projects on the agenda.
PLACE: Benton County Administration Building, 215 East Central Avenue
Quorum Courtroom, 3rd Floor (Suite 324), Bentonville, AR 72712

MINUTES FOR REGULAR PUBLIC HEARING

1. **Call to Order**

2. **Roll Call**

The following Benton County Planning Board members were present: Mark Curtis, Caleb Henry, Bill Kneebone and Heath Ward. Scott Borman was absent.

The following Benton County Planning Office staff members were present: Ashley Pope, Ronette Bachert, and Teresa Sidwell. Benton County Administrator Chris Glass was also present.

3. **Disposition of the Minutes of December 3, 2008 technical advisory committee meeting and the December 17, 2008 public hearing meeting as distributed.**

Mr. Curtis made a motion to accept the meeting minutes as distributed; Mr. Kneebone seconded the motion.

Mr. Curtis, Mr. Henry, Mr. Kneebone and Mr. Ward all voted in favor of the motion; the motion was passed.

4. **Reports of Planning Board members**

Mr. Ward thanked Mr. Gray and Mr. Sorey for their service to the people of Benton County and extended his best wishes. Mr. Curtis asked for the reasons of their resignations. Ms. Pope stated that Mr. Sorey could not allow himself to compete for county work because of a conflict with his position on the board. She added that Mr. Gray was not clear on his reasons for resignation. Mr. Curtis asked if there were any prospects for future board members. Mr. Glass stated that he would like to ask the Board for suggestions for potential qualified board member applicants. Mr. Kneebone asked Ms. Pope if applications from previous applicants were available. Ms. Pope stated that the applications were available.

5. **Public Comment**

Showing no public comment; public comment was closed.

6. Old Business

Mr. Ward stated that because there were no projects before the Board at this time, the Board would follow up on items discussed at the October Planning Board workshop. He added that he would like to point out that some special guests were present and asked each to introduce their selves.

Benton County Judge David Bisbee stated that he would look to the good council of the Board for potential board members to fill the two vacant seats. He stated that Mr. Sorey and Mr. Gray never conducted themselves in any kind of manner that would have displayed any kind of a conflict of interest; he added that both men served the County well. He stated that he was excited about where the County is going and wanted to emphasize that he does not anticipate any radical changes and was looking forward to working with the Board.

Mr. Glass stated that the Judge has provided parameters for him - essentially they would seek qualified people on the Board with diverse backgrounds. Justice Frank Winscott stated that he was appointed as a liaison between the Planning Board and the Quorum Court but that he did not have any agenda. He added that he would be happy to answer any questions the Board might have for him.

Mr. Ward stated that the Board would follow up on items from the fall workshop. Ms. Pope commented on the "Volunteers for Volunteers" program which would ask engineering and survey companies to volunteer their services to volunteer fire departments. She added that if the Board was satisfied with the changes she would forward it to Mr. Glass and Judge Bisbee for proposed implementing. The Board agreed with the changes.

Ms. Pope stated that she was in the process of drafting an ordinance for large scale development levels and regulations. Mr. Glass stated that he noticed that there was discussion of a storm water pollution prevention plan and wanted to make the Board aware that it is a policy issue. He added that one of the things he and the Judge were looking at was the levels of NPDES regulations as proposed by the EPA and the criteria in three small areas of the county. He stated that the requirements for meeting the general permit with ADEQ will require mapping the entire county in terms of all creeks and areas of water flow, which would be a very ambitious undertaking. Mr. Glass stated that none of those things had been done to date relative to a time line that we signed off on over five years ago. He added that he noticed that the Board was looking at a construction square footage footprint requiring a SWPPP or not; he stated that County compliance with SWPPP may not be consistent with the Board requirements. He cautioned the Board regarding adopting the ordinance for large scale development levels and regulations before we have firm understanding of the requirements of the NPDES general permit.

Mr. Henry stated that there may be an inconsistency on level 4 because it states "Board approval required with all current requirements of the large scale developments." He added that he did not know if SWPPP is included in the current requirements. He stated that to qualify to be a level 1 there would be no site work involved. Judge Bisbee stated that the Board needed more qualifications in the document. Ms. Pope stated that our current large scale developments do have storm management requirements. She added that although SWPPP was used as an acronym it mainly means the current requirement for the storm management as it is

currently in the regulations. Mr. Henry stated that even though a SWPPP may not be required for a site less than one acre, it would not relieve the developer of BMP responsibilities. Ms. Bachert stated that Mr. Glass was referring to Phase II MS4 responsibilities when he referred to those particular areas that cumulatively equal about three square miles.

Mr. Ward stated that the wording of the document may be changed to reflect construction site erosion control. Mr. Glass stated that the wording may be changed to "best management practices relative to erosion control be employed." Mr. Henry stated that at this time the document would have to reference ADEQ rules and regulations for storm water in regards to construction site compliance.

Mr. Ward stated that the comments or remarks from the Board should be emailed back to Ms. Pope by the end of next week. Ms. Pope stated that she planned to have the ordinance next month and that the Board could tell her when they wished to have the public hearing.

Ms. Bachert stated that she received only one comment in regards to the checklists she created. Mr. Ward stated that he would like one final review of the documents and get any final comments back to Ms. Bachert by January 30. Justice Winscott stated that recommendations from a user, such as Mr. Sorey, would be advisable. Mr. Curtis, Mr. Kneebone, and Mr. Ward praised Ms. Bachert for the work that she did on the checklists.

8. Adjournment

The meeting was adjourned at 6:15 p.m.

Respectfully submitted,

Ashley E. Pope

Planning Director