

January 29, 2013

LEGISLATIVE COMMITTEE REPORT

A Legislative Committee meeting was held on Tuesday, January 29, 2013 at 6:00 p.m. in the County Administration Building, Quorum Court Meeting Room, 215 East Central, Bentonville, Arkansas

Committee Members Present: Allen, J. Harrison, Sandlin, Anglin, Blaty, Moore, Meyers

Others Present: County Judge Bob Clinard, County Attorney George Spence, Administrator of General Services John Sudduth, Planning and Environmental Director Christopher Ryan, Planning Board Chair Mark Curtis

Media: Tom Sissom – Daily Record

JP Allen called the meeting to order at 6:00 p.m.

Public Comments

None

JP Allen stated that these proposed revisions are not to change what is intended, but to clarify and take out the ambiguities that may exist, and have a more working document.

Planning and Environmental Director Christopher Ryan presented a hand out of the existing Blue Book and explained how Chapters 1-4 were marked up for cross referencing.

Christopher Ryan answered questions raised during review of the first two chapters;

a) Residential Development Goals – Revision to language-further discussion, requested by JP Michelle Blaty.

Addressed by removal of reference to market demand.

b. Burden of Proof – Item D reworded

Modified to place the burden on establishing non-conformity shared between applicant and County.

c. Appeal process – Add that Appeals Board has all authority as Planning Board – requested by JP Jones.

This has been added to Chapter 2 in Section 2.8

d. Set up separate Ordinance to list Fee Schedule.

Completed and provided to the Committee.

e. Revisit Inspections fees – requested by JP Allen.

No other agency contacted charge fees for follow-up inspections for permit applications. The Benton County building officials do charge re-inspection fees.

He stated that they will conduct further research on how to best ensure that applicants follow through and meet conditions but at this time they are ready to drop the re-inspection fee.

f. Easement for splits 1-8 Item c- Areas of Jurisdiction – requested by JP Jones.

The Planning staff is still researching this question to provide options to limiting access to County rights- of-way. He added that the Planning staff has received research from GIS department and is developing alternative text.

g. Enforcement – Section 2 – Authority to access a property.

An extended Section 2.4 (C) to clarify right of entry has been provided.

Other items discussed by the committee to be changed:

- a. Tie a certificate of occupancy to meeting conditions of approval.**
- b. Add grandfathering term to Section 1.4 (D)**
- c. Modify language of Section 1-4 (E).**
- d. Review Section 1.6 (E) (2) for better language**
- e. Review specific threshold requirements for site plans for minor site plans.**
- f. Mutually agreed upon price of outside technical consultants.**
- g. Clarify how Notice of Violation would be done.**

Lengthy discussion was held on the Planning and Regulations draft and the recommended changes.

Other Business

None

JP Sandlin announced that a Personnel Committee meeting will be held Thursday, January 31, 2013 at 6:00 p.m.

JP Allen announced that the next Legislative Committee meeting will be held Monday, February 11, 2013 at 6:00 p.m.

Meeting adjourned at 8:58 p.m.