

I. CALL TO ORDER

Chairman Dwight Freeman called the meeting to order at 1:30pm; other members present were Pam Bricker, Leonard Brown, Grover Hathorn, Gary Seger, Vernon McCallister and Rose Vanderpool, Secretary.

Members absent:

Others Present: Charlene Fonk, Lee T. Holfeltz, Daryl Booker, Alan Wehe and George Kelloff

II. Acceptance of Agenda: Pam Bricker moves to accept the agenda as revised; Grover Hathorn seconds; motion carried unanimously.

III. Accept Minutes: A motion to approve the May 17th, 2011 minutes; Pam Bricker moves to approve the minutes as submitted; Grover Hathorn seconds motion; motion carried unanimously.

IV. NEW BUSINESS:

First Item: Trish Martinez Minor Subdivision Exemption; Chairman Freeman read the application and letters received from Gayle Fletcher opposing and Kevin Ames/River Island Ranch in support of the request to approve. Charlene Fonk was present for Trish. Ms. Fonk submitted photos of the 1975 singlewide trailer of the inside; new flooring and carpet has been installed and the inside appears to be in good condition. The Planning Commission asked if there were pictures of the exterior; Ms. Fonk replied no. Rose Vanderpool Land Use Administrator has visited the site and expressed concerns, as to the non-maintenance of the outside; "it looks pretty bad" and since the singlewide was placed without a conditional use approval several years ago it is non-conforming. Ms. Martinez has moved to Arizona and her intentions are to keep her main residence and 3.72 acres and sell the singlewide with 2.00 acres, each parcel has a separate well and septic. If things don't work out in Arizona, Ms. Martinez still has her home here to come back to. If things do work out she will sell her home. Chairman Freeman entertains a motion; Gary Seger moves to recommend approval; Grover Hathorn seconds motion pending survey; motion carried with 5 ayes and 0 nays.

Second item: Anna V. Meriwether (deceased) & Jerry C. Holfeltz Minor Subdivision; W¹/₂; Section 20; Township 39N; Range 7 E containing 231.74 acres m/l. Chairman Freeman read the application and opened the floor for discussion; The Survey Map depicts the 35-acre parcels that are irrelevant to this request but are shown for the Holfeltz Family development plan. Tract 1 which belongs to Lee Holfeltz containing 9.29 acres; Tract 2 is/was Anna's parcel containing 2.05 acres and Tract 3 is Jerry Holfeltz parcel also containing 9.29 acres. Tract 2 includes the garage and a pump house which houses the main well and it serves all 3-homes and landscaping. There is also a second well on Tract 1 that serves as a backup; Tract 2 does not meet setbacks but there is a sidewalk that was followed to define the separation of Tract 3, and there is also a

gazebo that goes with Tract 2. (A “variance may be required, but at this time I did not pursue that route, due to the fact that this is a bit of a mess, and I didn’t want the Holfeltz Family to go that route at this point and time if this request should be denied for other reasons.”) Access easements are in place which starts on tract 3 and curves around to the other two homes. Property line configurations that are depicted was the best way to accomplish the 2 acre minimum for Tract Two because of the closeness of the other two homes, we could not do it any other way,. Chairman Freeman asked why 9.29 acres for Tract 2 and 3. Mr. Holfeltz explained that they wanted the views. Mr. Leonard Brown is familiar with the area and stated that the leach fields could pose a problem specifically Tract Two, the leach field is north of the property and while there was room for replacement, now with only 2-acres, replacement of the leach field could be a problem.

Mr. Holfeltz stated that he didn’t see any potential problem, that there is plenty of room if that problem should arise. All restrictions, accesses/easements, wells, power will be clearly disclosed at time of sale; potential buyers will know what is what, if and when a Tract is purchased.

Chairman Freeman entertains a motion; Gary Seger moves to recommend approval to the Board of County Commissioners; Leonard Brown seconds motion; Chairman Freeman called all in favor - 1 aye and 4 nays; request was denied;

1. Non-conforming uses;

- a) Setbacks for parcel two;
- b) Event of septic failure for Tract two
- c) Houses to close together
- d) easement/access

Third Item; Troyer Marvin & Lydiann/Lester Yoder Conditional Use to assemble/fabricate a product; W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 14-37-8; Chairman Freeman read the application and opened the floor for discussion; Lester Yoder was present to discuss this request. Mr. Yoder would like to continue a business that has closed in Center. He will assemble/fabricate the trusses inside an existing building that is 50x150 in size. All assembly will be constructed inside. The finished product will not be stored outside; each order will be delivered to the specific site location which may require 1 to 2 pick-ups with trailers in and out a day and a semi truck delivering lumber once a week which will be stored outside. Mr. Yoder stated that he will use all scrap wood for his wood stove as needed. All trusses are built to code. Mr. Chairman Freeman entertains a motion; Pam Bricker moves to recommend approval to the Board of County Commissioners’; Vernon McCallister seconds motion; motion carried with 5 ayes and 0 nays.

Fourth item: Kelloff Enterprises/Alan Wehe Conditional Use for a Communications Tower; NW $\frac{1}{4}$ NE $\frac{1}{4}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ 33-39-7 and the FR SW $\frac{1}{4}$ 34-39-7 and FR NW $\frac{1}{4}$ of 34-39-7 containing approximately 559. acres ml. Chairman Freeman read the application and opened the floor for discussion; Mr. Alan Wehe and George Kelloff were present. Mr. Wehe explained that this not a cell tower, this is a network communications tower (160’) which will offer internet and landline telephone service. There are two paths, micro and fiber. This tower will need power from SLV Rec and will be freestanding. It will be set on a 24x 24 concrete base - 90 cubic feet of concrete will be poured 4’ deep, no guy wires. This network tower will offer 3 to 6Mbps of high speed internet. Chairman Freeman read letters in support (2) and one opposing and a verbal response to Ms. Pam Bricker from Paul and Barbara Heersink they support the request, but have concerns of

visual effect. The main concern of the opposition is adjacent to the proposed site location; there are 40-acre parcels, they are vacant at present time, but one property owner Maria Aguilar who submitted a letter, does plan on building a home, and if approved, will devalue and cause an impact to their plans. Beacons are not required unless the tower is 200 feet or more in height. Mr. Kelloff stated that Best Western requires certain criteria to be affiliated with them/conditions for high speed internet if we don't keep up with technology it could endanger his franchise. Mr. Leonard Brown stated that when Governor Hickenlooper was in town a while back for economic development, one of the biggest faults of the area is lack of tele-communications for businesses to be attracted to. Mr. Kelloff also stated if this is approved that the county impose a deadline of completion. I stated to Mr. Kelloff that per the Rio Grande County Development Code once an approval is given the applicant has one year to develop and/or construct or the approval is null and void. Mr. Kelloff was satisfied with that. Towers aren't attractive but we need them. Chairman Freeman entertains a motion; Vern McCallister moves to recommend approval with the contingency that the footprint be surveyed for accurate definement; Leonard Brown seconds motion; motion carried with 5 ayes and 0 nays.

V. Old Business: None

VI. Adjournment: Meeting adjourned at 4:00pm.

Next meeting: July 19, 2011

Secretary

Chairman