

**MINUTES OF SPECIAL
PLANNING COMMISSION MEETING**

MONDAY, FEBRUARY 26, 2007

Chairman Threadgill: I would like to call this special meeting to order, February 14, 2007. I would like to call it to order. Call the roll please.

Roll Call

Present: Commissioner James Clopton; Commissioner David Campbell;
Commissioner Wanda Thorp; Chairman Gary Threadgill

Absent: Commissioner Dana Hotho; Commissioner Lori Ames; Commissioner
Louis Kleinman

Chairman Threadgill: I need a motion to consider the agenda, to approve the agenda.

Commissioner Clopton: So moved.

Commissioner Thorp: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <Ayes> We have one item on the agenda. Ms. Director, would you please read that for us?

NEW BUSINESS

Director Kathy Sellman: Yes, the item is Garland County Fairgrounds Site Plan Approval. It's located on Highway 270, just West of the junction of 171 and 270 in the extraterritorial jurisdiction of the City of Hot Springs.

Chairman Threadgill: Alright. Is the applicant present? Please come forward. Rick, is that gentleman with this or is he supposed to be with ...? <Someone from the audience: Yes, that's our engineer, if you want him.> Oh, okay. Alright. What do you got there, Mr. Mattingly? We need your name and address for the record, please, real quick.

James Mattingly, 406 Winona:

Chairman Threadgill: A little bit of what you guys got planned for us.

Mr. Mattingly: We are relocating the fairgrounds out on 270 West.

Chairman Threadgill: Alright. Do I have any questions from the Commission to the applicant?

Commissioner Campbell: No. I'd like to know ...

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: ...what our reasoning is for a special meeting?

Mr. Mattingly: Well, we've had so many lawsuits for a year that we're a year behind, we're going to try to get this thing ready to go and opened up by September. We haven't even done dirt work yet because we've got to come to the Planning and Development deal and all that. Like I said, we've been getting in lawsuits so we're running way behind on trying to get ... If we don't have it open by September, kids don't get the points on the animal and they don't get to go to the State Fair.

Commissioner Campbell: Okay.

Chairman Threadgill: Any other questions to the applicant? Anyone else in the audience like to speak? Anything for or against? Seeing none, I'll close the public portion. Do I have any questions from the Commissioners?

Commissioner Campbell: Well I've got some questions for James.

Chairman Threadgill: James Mattingly or James Parker?

Commissioner Campbell: James Mattingly.

Chairman Threadgill: Alright.

Commissioner Campbell: Are you intending on putting a fence around this property?

Mr. Mattingly: We are going to put a fence around the grounds, so, yes, we intend to put a fence around the property. We're not going to get finished by September. We're just going to try to

get it so that we can open in September.

Commissioner Campbell: What about the protection of the people back there on Amanda Place? Are you going to have a fence back there?

Mr. Mattingly: Yes. I think we're putting a <unintelligible> solid fence up.

Commissioner Campbell: Will that be in place before you open?

Mr. Mattingly: We're going to try to be. We're going to have as much of everything done we can get done.

Commissioner Campbell: Staff's recommendation talks about waiting till the 2008 season to do your parking paving and I assume your road paving too.

Mr. Mattingly: The roads and everything will be cut in when the dirt work's done. The paving? It may not be paved by September.

Commissioner Campbell: For me to vote for this, it will have to be paved before you open – your parking lots and your driveways, with asphalt.

Chairman Threadgill: Any other questions to the applicant?

Commissioner Campbell: Yeah, I have one. It mentions that you're not going to have your gates at the roadways like you got them now. How are you going to do that? I was just curious of how you're going to do that?

Mr. Mattingly: We're going to have a building and carnival area which will be fenced and you park and then pay admission at the gate coming into the <unintelligible>.

Commissioner Campbell: Okay. I for one appreciate that. I know the Highway Department will too probably. The State Police or whoever. That's a good idea and I thank you for putting that part in there.

Mr. Mattingly: The old gate was set up in 1945 and in such of a way that <unintelligible> wasn't the way we would have done it.

Commissioner Campbell: There wasn't much traffic then.

Chairman Threadgill: Is that it? Anybody else?

Commissioner Thorp: Is he aware of the recommendations?

Chairman Threadgill: Did you see the list of the recommendations? Or your engineer? Would you like to read it to them real quick?

Director Sellman: I will read the recommendations.

Chairman Threadgill: Before we do that, I've got one change to the recommendations I'd like to make if it's alright with the Commission. If we have to, I'll vote on it or call for a vote. But Item No. 2, the entrance on the Amanda Place. I can't see that. Those people have ...

Male Speaker: Amanda Place? Is that over there behind?

Chairman Threadgill: Yeah.

Male Speaker: There's no entrance there.

Chairman Threadgill: Well you've got, in here it says provide an entry for ...

Male Speaker: That's 171.

Chairman Threadgill: So there will be no entrance off Amanda Place? Alright.

Male Speaker: We told people that we wouldn't ...

Chairman Threadgill interjected: Well, they called and a bunch of them told me that there wasn't supposed to be one and on here, it asks for a private entrance. So...

Male Speaker: The entrance is on 171 and one off of 270.

Chairman Threadgill: Okay, so I'd like to scratch Item 2 where it says there will be a public access for Amanda, however, public entrance and all that ...

Director Sellman: I don't see ...there is to be no public access or no access from Amanda Place. I think you want to spell it out if that's your intention.

Chairman Threadgill: Then that's what I'd like to do.

Director Sellman: Okay.

Commissioner Campbell: I agree with that.

Commissioner Thorp: And you deleting everything else, however, for the emergency?

Chairman Threadgill: Yes.

Commissioner Thorp: Okay.

Chairman Threadgill: Because the people called and that was, that's really the only big complaint they had about this whole area. They just didn't want people driving in and out for any reason onto Amanda because it being little ... But so far, everybody's really, that's called me, has been pretty well passive with it.

Commissioner Clopton: Mr. Chairman, I think it ought to include the fact that there will be a private entrance, but off of what, 171?

Mr. Rick Stauder: I thought they were supposed to propose a public entrance off of 171.

Chairman Threadgill: Yes, there is. It's a public entrance off 171 by the maps. That will stay, right there on that corner.

Commissioner Clopton: Will there also be a private entrance off 171?

Male Speaker: No.

Commissioner Clopton: So the private entrance doesn't exist?

Male Speaker: No, there's no private entrance.

Chairman Threadgill: Well, the private was on that Item 2 for the Amanda Drive, which we've eliminated.

Commissioner Thorp: Mr. Chairman, would you look at No. 1 again and be sure that's ...

Chairman Threadgill: Let's go ahead and have staff read the rest of them out and see what ...and then we'll question ...whatever. Go.

Director Sellman: Staff's recommendation is for approval of this site plan with the following conditions and there are eight (8):

1. The access points, interior roadways, and parking areas shown on the submitted site plan are to be hard surfaced paved and striped to a chip and seal standard at a minimum. Paving shall be completed by Garland County Fair 2008. A dust suppressant product shall be applied prior to public use and on an as needed basis to unpaved and unvegetated areas subject to wheeled or foot traffic.

2. There is to be no access from Amanda Place.

3. The applicant is to provide an accurate count of the existing trees on this site as to document that landscape requirements are met through the preservation of existing trees.

4. All parking lot and exterior building lighting shall be fully shielded to prevent brightness from causing glare at normal angles and to shield adjacent properties.

5. All parking lot lighting shall be turned off no later than thirty (30) minutes after the conclusion of the final event on any given day.

6. Paving of overflow or seasonal parking is deferred, subject to annual determination by the administrative officer per Hot Springs Code § 16-2-103, Subsection 4.

7. Oversized vehicles – that would be semis, livestock trailers, recreational vehicles, and so forth – oversized vehicle parking areas shall be designated and on site directional signs shall be posted per an approved site plan.

8. Construction is to be in strict accordance with the approved site plan, including but not limited to, construction of entrances and exits, location of buildings, parking lot and interior roadways, privacy screening, and the preservation of existing trees and vegetation.

Director Sellman: That's all.

Chairman Threadgill: Alright. I have one quick question to staff. Item No. 1 is says striped and paint and then it says to a chip and seal standard at a minimum. Under our regulations for streets and all that in the City's regulations, I don't think we allow chip and seal, period, on any of our streets or parking lots or ...And I think there's a standard that we're putting this in, I think we need to strike the chip and seal minimum because if we state chip and seal, that's what it will be. I think it needs to be a hard surface asphalt to stay in standards with the Code.

Director Sellman: So hard surfaced paved then striped to City standards?

Chairman Threadgill: Right.

Director Sellman: Okay.

Male Speaker: Can we ask a question?

Chairman Threadgill: Yes, sir. Give us your name and address for the record, please.

--- Stone, 112 ---: We have some concerns about putting asphalt down that's basically not going to have any traffic on it for many months out of the year. We're afraid it's just going to fall apart <unintelligible>. That was our concern about using <unintelligible> ...and it'll deteriorate and be a real problem because we don't have traffic on it on a weekly basis. It's basically only two (2) weeks out of the year. I mean, it's such a short-term use that asphalt will come apart.

Chairman Threadgill: Well, what we're looking at, we have street specifications under the Article II Codes, all codes actually, that says it has to be a hard surface and the parking and the streets, you know, the parking lots come under the building sizes, so many per ground space of the building. Your arena is every 18", every 3' is a parking space. All that's part of the Code, which, I mean, you know, if tomorrow you guys built this thing and you sold it three (3) weeks later, then we're stuck with a development with no streets or parking.

Mr. Stone: No, you're not, because we'll do the same thing we're going to do now. We're going to take all of the buildings. If we sell it, it will be totally <unintelligible>. We've got twice as much as what we've got in it and we will remove all the buildings just like we're fixing to do now for SGI. You'll have a blank piece of property again.

Chairman Threadgill: Well ...Mr. Campbell.

Commissioner Campbell: Hard surface can be either asphalt or concrete. Would ya'll rather do concrete than asphalt?

Mr. Stone: We can't afford concrete, no, sir.

Commissioner Campbell: One of the two (2).

Mr. Mattingly: You know, we went ahead and sold this thing because of the traffic problems and everything on Higdon Ferry Road. We had <unintelligible> right in the City limits. The City's going to make money off this shopping center they're going to put in there. They're going to get money out of this thing. All we're trying to do is build a fairgrounds. We don't have money to do what you're asking us to do. I don't know exactly where the five (5) mile thing is on everything, but we're going to have to look into it because there's no way we can concrete it for sure. Not this year. Not next year. We have to have some money to do it. This is a non-profit organization that survives on what it makes two (2) weeks out of the year. We've got nice fairgrounds out there right now as far as we're concerned, but they're wanting a nicer one; but we cannot afford to do what you're asking us to do.

Chairman Threadgill: All we're asking you to do is abide by the Codes and that's what we have to look at right now.

Commissioner Clopton: Mr. Chairman?

Chairman Threadgill: Mr. Clopton?

Commissioner Clopton: Yes, do we not have the authority to make a variance in that?

Chairman Threadgill: Pardon me?

Commissioner Clopton: Do we have the authority to make some kind of a variance to that Code?

Director Sellman: Do you want me to answer that?

Chairman Threadgill: Go ahead.

Director Sellman: The Planning Commission has the authority to defer the paving of an area that is not immediately needed. You might want to consider in this case that this is not a 365 day a year operation and that the requirement be something alternative to what would usually be the mandate. We do have a standard, but the Planning Commission has the authority to determine whether that parking area must be paved immediately.

Chairman Threadgill: Immediately or must be paved period?

Director Sellman: Immediately.

Chairman Threadgill: Are we talking about paved today or paved tomorrow or are we talking

about putting down chip and seal? That's what my concern is, I think. Is that what you're getting at Mr. Clopton? Do we have the authority to waive the concrete, the blacktop until next ...

Commissioner Clopton interjected: What is considered <unintelligible> paving and can we vary from ...?

Chairman Threadgill interjected: Hard surface is concrete or asphalt.

Mr. Rick Stauder: Can I add something to that?

Commissioner Clopton: I'm a little bit confused, if you don't mind. I grew up in an era when chip and seal was considered asphalt.

Mr. Stauder: For example, a lot of the subdivision, that subdivision development that's going in the County, we do make developers submit plans that show a 2" hot mix street, for example. But the ultimate acceptance authority over those streets once they're constructed is not the City if it's located in the County. It's the County Judge. So, I mean, that's why you see sometimes chip and seal streets in the County versus hot mix asphalt.

Chairman Threadgill: What has been done since we took over Article II development? Have we had chip and seal put in?

Mr. Stauder: Yes, sir.

Chairman Threadgill: Where? On a subdivision that's come before us and we told them they had to have hard surface and they've put in chip and seal.

Mr. Stauder: It plainly states in the Subdivision Code that the final acceptance of streets in the County is the responsibility of the County Judge and we've had meetings with him in the past where he said he didn't feel comfortable making developers, for example, do hot mix asphalt when his own road crew did not do hot mix asphalt.

Chairman Threadgill: Inside the development? Not the streets going to it, but the inside. We're not talking about the streets going up to the development.

Mr. Mattingly: This is not a subdivision either.

Commissioner Campbell: This is an Article II.

Chairman Threadgill interjected: ...it's the same thing.

Commissioner Campbell interjected: It's an Article II which gives us the power to do this. Am I right?

Mr. Mattingly: <unintelligible>

Commissioner Campbell: Let's stop just a minute if we can. Can I have the floor a minute? Madam Director, would you explain to them that we do have the right to require this?

Director Sellman: We do have the right to require it.

Commissioner Campbell: Under Article II.

Director Sellman: Under Article II.

Commissioner Campbell: Right. And you say there's not traffic out there. There's not a day hardly that goes by that I go by the old fairgrounds that there's not cars all in there. I mean day in, day out.

Mr. Mattingly: You're going to find the kitchen people that go out there, but you've got twenty (20) cars a day for the people that's going out there working in those kitchens doing stuff. But events – we have two (2) events a year. Two (2) weeks out of the year. I mean this is not ...go out there and look at the asphalt that's out there now. It's busted all to pieces because it's not used and look at the chip and seal and it's in better shape than the asphalt is. And I'm not trying to weigh one against the other, I'm just saying, at this point in time, we can only do what we can afford to do. We have to build a fairgrounds. I'd love to have it concreted or asphalted and eventually, we probably will be able to do that. It's not going to be done by September. It's not going to be done by next September.

Mr. Stauder: Can I read a section out of the Subdivision Code where it talks about variances, just for the record?

Chairman Threadgill: Yeah.

Mr. Stauder: It's § 16-4-10: "The rules and regulations set forth in these regulations are the standard requirements of the City. Where the applicant alleges that extraordinary hardship or

practical difficulties may result in strict compliance with these regulations or the purpose of these regulations may be served by a greater extent by an alternate proposal, the Planning staff shall review such request for variance and the staff and Commission (it says) shall forward it's recommendation to the Planning Commission for final action so that substantial justice may be done and the public interest secured. Such variances, however, shall not be made ...or shall not have the effect of nullifying the intent and purpose of these regulations ...” And it goes on. I think you have the authority to.

Chairman Threadgill: Yeah, but it says it doesn't nullify them. That means it will be done. Is that what I understand? Or we just ... I mean that's just an interpretation thing to me. I read it that it says that we have to have it but I understand that we can give a variance to allow them a time frame or such.

Mr. Stauder: That would be a delay ...

Chairman Threadgill: It would still be met. I mean, I don't know.

Mr. Stauder: I guess what they're arguing is that an alternate proposal they think serves a greater ...I'm not making their argument for them. I'm just ...

Chairman Threadgill: I'm just trying to go by what the ordinance reads or how I read it.

Director Sellman: I think that that ordinance provides you the means to make an exception or vary from the strict requirements either as to material or as to time line. You have it within your authority, once you have made findings, that the circumstances described in the Code section are what you're dealing with here, then you can make a determination as to how you wish to proceed.

Chairman Threadgill: Okay. Can this be labeled ...What I try to do is keep a subdivision or another Article II ...I mean I understand the fairgrounds has its own set of circumstances. Like you say, it's not something used every day; but I don't want to allow something and it turn around and bite me next month on the next developer coming in. You know, I wish we had a fairgrounds section written out, you know, as part of an ordinance for the fairgrounds. But I mean, it's such a ...

Mr. Mattingly: I wish we were more than five (5) miles outside the City limits. But we're not, and we're trying to comply. The only thing I can see is, you know, if we can't do it then, let's not even build the thing.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: No. 1, the applicant is already stated that it won't be paved in the 2008 time frame. No. 2, I would like for you to explain Item 6.

Director Sellman: That is a section of the Code that says that if parking is not an immediate need of the operation as a whole that the improvement or the paving of that space can be deferred subject to annual determination by the administrative officer.

Commissioner Campbell: Okay, the way I see this in their outline of their parking areas, there are two (2) areas that they have outlined on the drawing are both needed areas now. That's not seasonal, per se, per Item 6. Right?

Director Sellman: As ...let me try to explain the staff's perspective that resulted in this particular condition. The area around the arena at the North portion is an area that is more likely to be used as I understand it on a year round basis. There will be other activities that are conducted within the arena structure. Because of that, the parking that serves the arena is to be paved early on. The roads, ideally, are to be paved. The overflow parking and the parking toward the South end of the site, or Southwest end of the site, the condition that we propose to you is to defer the parking until a later date, depending upon need. If there is a need that crops up, then on that annual inspection, that will be addressed, the Fair Board will be informed, and would be asked to do that paving at that time.

Commissioner Campbell: I think the applicant can clear that up right now. How many acres you got where you're at now?

Mr. Mattingly: <unintelligible>

Commissioner Campbell: How many acres you got out here? Okay. I along with everyone else has been to your fair nearly every year and it is almost impossible to find a parking place in the area that you have now, so I say this is a needed area.

Mr. Mattingly: No. You asked us how many acres we had. We've got thirty-four (34) acres, but we've got a rock hill up there that consists of ten (10) acres; so we're only using about twenty-four (24) acres. So, you asked how many acres we had. The parking that gets used all year round is the kitchen part. The EHC, which is the Home Extension Office for the County, Garland County, uses that kitchen. If you want us to pave around that kitchen, we might be able to pave around the front of it. We can pave the entrance ways in, but there's no way we're going

to have enough money to pave ...We've done spent more money in lawsuits. We might could have paved something, but we've done spent more money in lawsuits than we intended to.

Commissioner Campbell: Well, your parking around your arena is a definite need. As she just said, you'll have functions out there year round in that arena. You have ...

Mr. Mattingly: We don't have anything booked for anything.

Commissioner Campbell: You have a Spring Fling, right?

Mr. Mattingly: Two (2) weeks a year, I said. <unintelligible> Fair, the Fall Fair, the Spring Carnival. Two (2) weeks a year.

Commissioner Campbell: You didn't have a motor cross show or two (2) out there?

Mr. Mattingly: The first time in the history of the Garland County Fairgrounds. We let them do it because we were moving out and they tore the arena all to pieces and they'll probably never be back.

Commissioner Campbell: Okay. That's all I had. No, I have one other one. Can one more condition be added to this? The No. 9 be that the water and sewer service will not be provided until all the conditions are met.

Director Sellman: You can spell that out. I believe that is a condition of the ordinance anyway.

Chairman Threadgill: Let's look at what we're doing here, now. I'm lost. We've changed so much up.

Mr. Mattingly: I have one thing. Is Magic Springs' overflow parking paved?

Chairman Threadgill: No.

Mr. Mattingly: Okay, thank you.

Chairman Threadgill: But not by our choice.

Commissioner Campbell: Not by our choice.

Chairman Threadgill: We've asked that it be done and it hasn't. It's the same condition as this.

Once the parking is in, it's hard to get it done.

Mr. Mattingly: You're saying if we ain't got it paved, and we ain't done this, and we ain't done that, we're not going to get The City's run the sewer to us.

Chairman Threadgill: Yes, sir.

Mr. Mattingly: They've done agreed to do that. And then you're saying, don't run it. Well, if we ain't got it done, we ain't got any sewer, we can't open.

Commissioner Campbell: That's part of the condition. If the conditions ...I mean, we put that ...that's in the ordinance. It has to be met before you ...

Mr. Mattingly: This is in the County. This is the Garland County Fairgrounds. This is for the kids. This is something that people work diligently on for nothing, just like ya'll are up here, for nothing. We're out there. You're right. There are cars out there. We're out there, some of us are out there seven (7) days a week working on this thing. Keeping it cleaned up. Doing repairs on stuff that broke during the Fair, everything else. But given the two (2) weeks out of the year at this point and we'd love to have it all paved and we're going to get it all paved, but you're going to stop us from getting water and sewer or anything else, then there ain't no way that this can happen. We might as well not even try.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: You said this is the Garland County Fair. Does the government of Garland County have anything to do with this?

Mr. Mattingly: Garland County Street Department, Road Department, they help us a lot, yes.

Commissioner Campbell: Do they have anything to do with this?

Mr. Mattingly: Well, no.

Commissioner Campbell: Okay. It's name only, right?

Mr. Mattingly: Well, you know, but we don't have a lot of money. Ya'll can build greenways and everything down through it. You can pave and you can stripe and you can do that. If you need more money, you raise taxes, you raise water rates, you raise sewer rates and then ya'll got plenty of money. We ain't got that option. We make our money only two (2) weeks a year.

Commissioner Campbell: Maybe you overstepped, James.

Chairman Threadgill: Alright.

Mr. Mattingly: If the City had wanted this to happen as much as we did, and if this is the way the City's going to operate, that's fine.

Chairman Threadgill: This is not the City. This is the Planning Commission.

Mr. Mattingly: Oh, you're right. Ya'll are not part of the City. You're right. Just like we're not part of Garland County.

Commissioner Thorp: I have a question.

Chairman Threadgill: Wanda?

Commissioner Thorp: Since your employees that work for Garland County are paid by the University of Arkansas...

Mr. Mattingly: We don't have any employees.

Commissioner Thorp: Oh, well, the fair ladies. Lisa ...what's her name and all those employees. They're paid.

Mr. Mattingly: We let them have a building and a <unintelligible> on that property. Yes, ma'am.

Commissioner Thorp: Okay. Not with ...since they are paid by what, the University of Arkansas Extension Corporation Service and all that, there is no funds to help you as a County to make that happen from them?

Mr. Mattingly: Not that I know of. We help them most of the time.

Commissioner Thorp: Okay.

Chairman Threadgill: Any other questions? Alright. Let's see where are we here. Okay.

Mr. Mattingly: I can sit here and lie to you and say we can do all this, but we can't. I can tell you we can't.

Chairman Threadgill: For a ...

Mr. Mattingly: I can be just like Magic Springs and tell you we're going to pave it all and not do it, but I'm not going to do that to you.

Chairman Threadgill: Alright.

Commissioner Thorp: I still have another question.

Chairman Threadgill: Go ahead. I'm trying to figure out what to do here.

Commissioner Thorp: With their job title and what I've known in the past as growing up and knowing that there was always a county fair, and you had that extension home economist and all that, so are they not required to see that some of that happens and so if you don't have that in your county, how does that look to them and Jimmy Driggers and all that business? So to me there should be some help somewhere else to help you as a county get that going. Where do you start from the very first? Who started the very first one and where did they get their start up money from?

Mr. Mattingly: I guess they got their start up money from the U of A.

Commissioner Thorp: So have you approached any of that to see, Driggers or any of them could help you in any way or are you just out here ...?

Mr. Mattingly: They can't help themselves. We're the ones that sponsors the <unintelligible> sale. We do just about everything for them up there. It's not the ...

Commissioner Thorp: So if they don't have a county fair, Mr. Driggers and them don't have to account for anything? The only reason that I can remember Jimmy is ...

Mr. Mattingly: You've got about 400 kids that's not going to get to show at the State Fair because they don't have ...they didn't get to show at their fair.

Commissioner Thorp: So you're saying the folks up the line don't really care if you have a county fair or not.

Mr. Mattingly: I don't know. I guess they do. They all show up.

Commissioner Thorp: Well I understand that, but I'm talking about if you're in a hard time and you need some help with some money, it looks to me like that who they work for would help you with some finances and ...

Mr. Mattingly: I don't know if you've read the paper tonight, but we've just been sued for ...

Commissioner Thorp interjected: Yes, I read every bit of that because it's right in my neighborhood.

Mr. Mattingly: ...because they care so much. They've sued us and kept us ... We're at the same point we were at when we started, except a year later. We should have done had the thing built by now, but we haven't. We're just now starting and trying to get it done by September. It just seems like there's people against all the way.

Chairman Threadgill: Any other questions? Alright. We need to figure out some way of working this out.

Commissioner Clopton: Mr. Chairman, may I just make a comment? Not a question, just a comment.

Chairman Threadgill: Go ahead, Mr. Clopton.

Commissioner Clopton: I'm not a big advocate of paving everything in sight. Quite frankly, I think it's detrimental in a lot of respects to our environment and I'd like to see us get by with as little paving as possible as far as that's concerned. Nevertheless, the main paving area of this property needs to be hard surfaced, whether that hard surface is "asphalt" as hot oil and mix or chip and seal. To me, there's very little difference, especially in something like this where No. 1, you've got a hardship, and No. 2, you've got very little use. And regardless of how you use it, unless they come up with a whole bunch of new programs out there, this is not going to be used very many weeks out of the year. Even if it was used eight (8) or ten (10), that would still be very little. That's my only comment. That's my feeling. That's my attitude toward it. I feel like we've got a way to give them a variance and allow them to do chip and seal on the main part of the parking and leave the other area unpaved until it's seen and shown that it needs to be paved. That would be where I would stand on the project. So I'll let you go from there.

Chairman Threadgill: Alright. Anybody else? Alright. Rick made a real good deal on § 16-4-10 variances. No. 2 says we can grant variances for safety, you know, the health and welfare of the public, things that would be detrimental to the site. I'm in agreeance that this is the County Fairgrounds. I don't believe I've ever been on a county fairgrounds that was paved. I'm well

aware that the City ordinance says that there will be paved parking and paved streets. Again, I think that since this is a fairground, I wished that we would have thought of this beforehand and had an ordinance that covered fairground area like this to where we know it's going to be a hardship paving and trying to keep an area like this up and improved. It's kind of like James said, Magic Springs has set up and we allowed them overflow parking which should have been paved years ago but still we allowed it. The past Planning Commission allowed it. I didn't have a thing to do with it.

Commissioner Campbell: May I stop you just a minute?

Chairman Threadgill: Go ahead.

Commissioner Campbell: They were told to pave it by the Planning Commission and it didn't get ...They were told to pave it by the Planning Commission in '99 or 2000 and it has yet not got done.

Chairman Threadgill: Okay, but anyway, we're on the fairgrounds here right now and I just ...I have a ...I don't know. I think it needs to be paved, but due to the fact that they're just trying to get this thing in swing, I mean we can call for a vote if you want to add your Item 9, which would, you know, stop their water and sewer until all improvements are done, but in my opinion, it's going to take them a couple of years to get this thing done.

Mr. Mattingly: If I can say something, Mr. Chairman. That fairgrounds out there was formed in 1945. We were still working on it the day that we sold it. We were still working on it. There are some things that just take time and you have to have the money to do it. We're not blessed with ... We can't raise the money or get the money to do anything else or raise taxes. We do with what we've got to do with and we try to make it as safe and family oriented as possible so that the youth in Hot Springs can have a place to show their cattle, show their arts and crafts, and go to the State Fair, and on to the Nationals. That's what we do.

Chairman Threadgill: Alright.

Mr. Mattingly: We don't try to make money. We put the money back in the place.

Commissioner Campbell: Would ya'll be willing to put up a maintenance bond with a deadline on it to get this done?

Mr. Mattingly: I couldn't give you a deadline on the thing if I did. I mean, you say put up a maintenance bond. What are you talking about?

Commissioner Campbell: To cover the paving.

Mr. Mattingly: You just put up a maintenance bond out here on the Baptist Hotel that didn't cover what they lacked.

Chairman Threadgill: Under Article II, there is a section for a maintenance bond of fifty percent (50%) of the ...What is that? Do you understand that?

Director Sellman: It's fifty percent (50%) of the cost of improvements. The type of bond that you might be looking for in this case where the improvements are still out in the future would be more of a security bond kind of a thing to insure that those improvements are installed.

Mr. Mattingly: I can guarantee that the improvements will be done. The time I cannot guarantee. If you don't have the money... You need to put siding on your house and you ain't got the money, you can't do it. You got to wait until you get some. <unintelligible>

Commissioner Campbell: What about the roadways that circle here?

Mr. Mattingly: The roadways will be paved, but the parking lots will not. We want to try to pave the roadways, except for where the <unintelligible> where it comes in. We'll pave the entryway, but I can't say it's going to be done ...It's not going to be done before the Fair. We'll be lucky to have all the, everything ...We'll be lucky to have everything done before the Fair. We'll probably still be working on the <unintelligible>.

Chairman Threadgill: Alright. Any recommendations? James, I've heard one from you. I think yours was more or less to give them waiver time and paving.

Commissioner Clopton: I would support the recommendations given by staff with the changes to Item 2 as was mentioned.

Chairman Threadgill: Items 1 and 2?

Commissioner Clopton: Yes.

Chairman Threadgill: I think when you do it, it still needs to be a hard surface, if this is what's voted on.

Commissioner Clopton: I would still recommend ...my support would be for staff

recommendations as is with the change to Article 2 as suggested.

Chairman Threadgill: With chip and seal?

Commissioner Clopton: Chip and seal.

Chairman Threadgill: Alright. Commissioner Campbell?

Commissioner Campbell: Well, the only thing that I have to say about that, the applicant has already told us that Item 1 will not be met – that the paving will not be in place by the 2008 Fair.

Mr. Mattingly: 2007 Fair.

Chairman Threadgill: Yeah, I understood he said 2007 Fair.

Commissioner Campbell: You said 2008. You said it won't be done. Nope.

Mr. Mattingly interjected: I said the parking lots could not be paved by the next one.

Commissioner Campbell: You said it will not be paved by this year or the next year, which is 2008.

Mr. Mattingly: The parking lots.

Commissioner Campbell: So you're already admitting that the first item is not going to be done.

Commissioner Clopton: Excuse me. When you say "paved" are you talking about the chip and seal or are you talking about hard surface?

Mr. Mattingly: It will not be paved. Now we may have done <unintelligible> by chip and seal. We do have people that do help us out on ...like John Batton being one of them. He has come and he donates some. We pay for some.

Commissioner Clopton: So it is conceivable by 2008, you could have the chip and seal in on your parking lots.

Mr. Mattingly: I hope so, yes. If the money is there, it will be done. Part of it may be done, but all of it may not be done. I can say "yes" just like Magic Springs did, but I'm not going to. I'm not going to lie to you about it. I hope we have enough money left to pave the whole thing, but

the way this storm water thing and all that is going off, we didn't encounter. It's costing a chunk.

Chairman Threadgill: That's where I come in. That's what I thought of your designer the first go round. I told him, you know, that this might have been one of those things you brought in as phases, instead of just saying you wanted all these buildings thrown up out there this year; but then you don't want to do any parking or paving or any of that.

Mr. Mattingly: There we go again. All those buildings may not be put there this year. We're just now getting bids on it. We're just now ...we haven't got bids on the dirt work yet. The storm water thing ...we've done seen it's going to be \$100,000. Dirt work is going to be three-quarters (¾) of a million. We've only got so much money to play with here. But I do and that's why I said the last time that we will have ... We want the arena, the cattle barn, and the kitchen. We can have a fair without the rest of it. We don't need the buildings. We'll put up fence or something for the vendors to show their arts and crafts, whatever, if that's what we have to do. That's what we've done out here for years before there were buildings.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: I would make a motion but I'm not making a motion. I'm just going to tell you where I would go with it and ya'll can go however you want to. If it was up to me to make the motion, it would be to approve it with the conditions that the roadways be hard surfaced, asphalt or concrete, all the way around – the roadways that are shown on here that go around the back of the parking lot on the North side of the arena and continue on around to the South side – all of that be paved by this year's Fair and that a surety bond or whatever type bond be put in place to cover the arena parking lot.

Chairman Threadgill: Bond of assurance?

Commissioner Campbell: Whatever ...

Mr. Stauder: A completion bond.

Director Sellman: Completion.

Commissioner Campbell: Okay.

Chairman Threadgill: And that's usually running what, twelve (12) months from the date of completion? Or was that ...?

Director Sellman: It would be for a minimum of twelve (12) months ...depending upon when you established that you want your improvements done.

Chairman Threadgill interjected: Right.

Director Sellman: I mean that's really...

Chairman Threadgill: It would be twelve (12) months after that.

Director Sellman: Well, no, that's your maintenance bond.

Chairman Threadgill: Yeah, that's what I was thinking, maintenance bond.

Director Sellman: Okay, that's to guarantee, to warranty ...

Chairman Threadgill interjected: ...to guarantee you that it's done within ...Would that not work in this type of situation? Would it be better for the developer?

Director Sellman: Well, the improvements in this case are entirely on private property. I don't know that that's a step you would find essential here.

Commissioner Campbell: To go along with that, the parking areas, as far as the arena, should be at least a base course, a hard surface base course, for this year.

Mr. Mattingly: That's not a parking area for the arena. That's part of the parking area period. You can park all the way around it at the same time. It's not just the parking area for the arena.

Commissioner Campbell: Okay. Let me restate it. The parking area North of the arena be brought up to a hard surfaced area, just shy ...whatever it takes before you put the asphalt down. You understand? You understand what I'm saying?

Mr. Mattingly: Yeah, I understand.

Chairman Threadgill: Alright, Wanda, what's your thoughts?

Commissioner Thorp: I'm not so sure that I don't think the chip and seal might do okay. I've been to other fairgrounds that didn't have paving and you parked on grass. I think the one down around ... as I recall, living in Union County, when we went to the fair there, you parked on

grass.

Commissioner Clopton: Oklahoma City's parking is not paved.

Commissioner Thorp: So, I'm not sure that I would have too much a problem with the chip and seal. I mean to me, the chip and seal would help to settle the dust when we have it in September. They seem to think that the asphalt, if it's not used – I never had heard that concept before but, that's not necessarily wrong that I have not heard that – so I'm not sure that I couldn't go along with what Mr. Clopton was saying with the chip and seal.

Chairman Threadgill: Alright.

Mr. Stauder: Could I ...I mean, if it's in order ...I could read a small section out of the bonding portion of our Subdivision Code, if you don't mind.

Chairman Threadgill: Go ahead.

Mr. Stauder: Upon approval, final approval of construction plan or the required improvements, the developer may enter into an agreement with the City to install or insure the completion of the improvements as outlined in these regulations. The City may accept the subdivision and issue – or Article II, I mean I've read that in, but it applies to Article II as well – the City may accept the subdivision and issue the certificate of final plat approval subject to the assurance of installation of improvements. Then it goes on, one of the following methods shall be utilized by the developer to insure the improvements required by these regulations have been, can, and will be installed within a specified time and with accordance with the approved plans and specifications. Then it goes on about performance bond could be utilized, cashier's check, certificate of deposit, irrevocable letter of credit. And then under (c), in those instances where sufficient cause is established by the developer which may justify an extension of time, the developer may formally apply for an extension which shall only be granted by the Planning Commission. An application for an extension of time must be made by the developer prior to default.

Commissioner Clopton: May I, Mr. Chairman?

Chairman Threadgill: Mr. Clopton?

Commissioner Clopton: My colleague here brought up a good point. I think that I would add to what I had suggested that Item 1 be amended to include at a minimum a hard surface of chat, gravel, whatever to the parking area before this coming Fair.

Chairman Threadgill: So let me get this straight, you're saying back to chip and seal.

Commissioner Clopton: No, I'm talking about just a hard surface. You've mentioned a hard surface base, upon which later you could put chip and seal.

Chairman Threadgill: Alright.

Commissioner Clopton: That's some kind of a hard surface base in the parking area so it won't be a ...so if it rains, it won't be a muddy mess out there, basically.

Commissioner Thorp: Right.

Commissioner Clopton: You understand what I'm talking about? That's possible, isn't it? So I would add that and then go along with, like I said, the recommendations as mentioned by the City and add his recommendation that it be at least hard surface for this year's Fair.

Chairman Threadgill: Alright, if I understand this right, you're talking hard surface city pit on the parking lot? Alright.

Commissioner Campbell: Pavement on the streets.

Commissioner Clopton: In my case, I'm thinking about packed gravel, packed surface of some sort to keep it from being a muddy mess.

Chairman Threadgill: Well, city pit.

Commissioner Clopton: Yeah.

Chairman Threadgill: City pit does a nice job. It makes a nice hard surface. It packs down really well. James, would you come back up to the podium? Kent, did you have something, sir? Please come forward. Your name and address for those who don't know you, please, sir.

Kent Myers, 105 Oak Street: I'd just like to say that I agree with what Wanda ...Wanda's comments. Isn't that amazing, Wanda, that we actually agree on something?

Commissioner Thorp: It certainly is. I mean that is a shock. Please put that in the minutes.

Mr. Myers: If we were to do a survey of the County's in Arkansas, I would venture a guess that none of them require paving of their County Fairgrounds. So basically it's been an oversight in drafting our regulations to leave that, as Gary indicated, to leave that out of that. So with that in mind, I think we need to try to work out a compromise and then maybe come back and... because

we don't really have time to postpone this and rewrite our regulations. In the interest in time, we've got to work out a compromise I think. So I would just urge ya'll to try to do that rather than a hard and fast, "it has to be paved" and you know, because I really think this has been oversight in drafting our ordinance that we didn't add that in there. I would just urge ya'll to try to work out something in terms of 2007, and then maybe something else for 2008. We'll be glad to work with you and as far as a performance bond, we could certainly add that if you wanted to for 2008, to get them open. It gets reals complicated though since it is private property, so I would prefer not having a performance bond – just work something out without it. I think you need to look at 2007, what's required and then 2008, and I just urge ya'll to try to work this out and not to hard and fast pave the whole thing.

Chairman Threadgill: Alright. That's kind of where we're getting at now. We've gone from a chip and seal to asphalt back to chip and seal and now we're down to city pit; so I think we're trying to work something here. Now we're at the point of the perimeter drive.

Commissioner Campbell: And may I ...?

Chairman Threadgill: Go ahead.

Commissioner Campbell: And the reason I say that, is again, you go back and you look at the amount of traffic that is out there those two (2) weeks out of the year. There is a tremendous amount of traffic. I just think that those areas going around to those parking lots in both directions should be paved. You talk about fairgrounds. If I'm not mistaken, the fairgrounds in Little Rock – the midway's paved on it. I was over there just this last year and I think it's asphalt paving on it itself.

Chairman Threadgill: You talking about the State Fairgrounds?

Commissioner Campbell: Yeah. So, you know, I don't think it's too much to ask for a paved road, this paved road going around this for this season.

Chairman Threadgill: James?

Commissioner Clopton: No comment.

Chairman Threadgill: Wanda?

Commissioner Thorp: <None>

Mr. Mattingly: You're right, the midway does have some asphalt on it; but if you look at the parking, chip and seal and grass. But the midway does have some paving on it where they walk, but not where the carnival sets because you've got to drive so many stakes in the ground and do everything where the carnival sets that you'd tear it all to pieces if you had the paving. But there is some paving at the State Fairgrounds.

Commissioner Campbell: Okay, don't get me wrong, James. I'm not asking you to pave the midway now. I'm not saying that.

Mr. Mattingly: I understand, but I'm just saying that the parking is grass, chip and seal, and their overflow parking is all grass.

Commissioner Campbell: Okay, in that same turn, I drove on paved streets to turn into their parking lot everywhere I turned in over there too. So, in Little Rock.

Mr. Mattingly: In that one area, yeah.

Commissioner Campbell: That's my feelings on it, you know.

Director Sellman: Could I say something?

Chairman Threadgill: Yes.

Director Sellman: I think although we have a couple of weeks a year where this is a place of assembly for lots of people in the County, that we can't lose sight of the fact that this is a rural, an agricultural, cultural underpinning of this County and it's something that I believe, from our conversation, we want to see go forward. To apply a standard that is suburban or urban in nature to this does not necessarily make the sense in this situation that it does in others. This is not a shopping center. This is something very different. So, to stick to the spirit of what the Code says in terms of parking and parking surface, there is specific language in that section that says in order to recognize the differences between – or something to that effect, I'm not looking at it, but it's something like that – the Planning Commission has the ability to modify the standard based upon similar uses or experience in other places. I think here you're going down the road to that right now. You're talking about what the standards may be at other fairgrounds and I think that's entirely appropriate. The key point here is that this is probably a one-of-a-kind situation in the Hot Springs area; and to try to cram a one-size-fits-all solution onto this – it just may not work in this situation. There are practical difficulties in terms of time. There is a need for these kids to have a place to exhibit their animals. I think we have some unusual circumstances here that we don't see with most of our projects. So, I would urge you to consider

a negotiated solution here that accomplishes the public health and safety issues that would be served by paving the parking under normal circumstances. I don't think we're compromising that here.

Chairman Threadgill: I've got a question. How can we word this as if it is an ordinance strictly pertaining to a fairgrounds only so as that in the future we don't get nailed by another Article II development that's going to have say a hog farm and he's going to have kids you understand where I'm going? Is there some type of heading that we can give this so we don't get burnt? That's my only concern. I know how developers are going to be. They're going to say, "well, you let so and so have it, a non-profit group, so I'm a non-profit group and I want the same". And it's a totally different, like I say, this is a one-time, I hope we don't come up with another Garland County Fairgrounds next year.

Mr. Mattingly: If it does, it'll be more than five (5) miles outside the City limits.

Chairman Threadgill: There you go. <laughter>

Director Sellman: I have a suggestion.

Chairman Threadgill: Alright.

Director Sellman: I have a suggestion that in addition to the conditions that you would establish here, that you make one finding and that finding would be that the Garland County Fair is an agricultural, rural activity unlike other activities in the County.

Mr. Mattingly: I can give you our Articles of Incorporation or whatever and it tells you what the Garland County ...what any county fair is and that's all it is. It's just a county fair. We have to go through so many different things and we've got ...We have to answer to the State with our fair, as well as every fair in every county in Arkansas.

Chairman Threadgill: Do you see where I'm going with this, Dave?

Commissioner Clopton: Could you not say ...?

Chairman Threadgill: Just a second, James. See where I'm going, Dave?

Commissioner Campbell: Oh, yeah.

Chairman Threadgill: Do you have a problem with that, seeing as that we have a fairgrounds here? I mean, it's going to be brought to a vote. Don't get me ...I'm not asking any one of you to do anything. I'm just telling you what we've got going here ...is we're going to label this as a county fair site, period, and reflect the parking and the internal structures and all, since they're not going to be built all at one time. This thing's going to linger on as the fairgrounds we have over the last fifteen (15) to thirty (30) years. My request for a <unintelligible> to the site plan wouldn't work because the buildings aren't going to be built in any specific order, so maybe by labeling it as a fairgrounds, as they add, we can add, as far as parking or if you add a building, you do a little more paving. You know, you understand where I'm going? You have a problem with that?

Commissioner Campbell: No, but I'd like to put a motion on the floor.

Chairman Threadgill: As for ...

Commissioner Campbell: I mean it can be voted down or not get a second or whatever, but you know what we've all sat here and talked about that this is completely different than anything that's in an Article II, I'd like to make a motion that the Planning Commission disregard the Article II requirements of this project and let them go do whatever they want to do.

Director Sellman: I don't think you have the authority to do that.

Chairman Threadgill: You can't waive the Article II.

Commissioner Campbell: It's not a ...you know, it doesn't fit Article II, or we're going to make them pave if it does.

Chairman Threadgill: Well, that's what we're saying. Under article ...on variances, § 16-4-10, we have the ability to give them the waivers, the variances, as far as they needed for the parking to go to the different type and all. That's just ...what I'm trying to do is set up a way to where we don't get burnt later down the road. By labeling it as a fairgrounds, the separate entity of itself in an Article II ... We have to stay with that Article II. We can't beat the Code. I'm not going to alter the Code or change the Code. We have the ability to, how do we say, tweak it?

Director Sellman: You have the ability under the subdivision rules to vary certain requirements.

Commissioner Campbell: I haven't ...

Chairman Threadgill: Go ahead. I'm trying to work this out with everybody.

Commissioner Campbell: Is that not supposed to be placed in writing? Or is that another variance?

Director Sellman: I'm sorry. What is your question?

Commissioner Campbell: Is that variance ...isn't it supposed to be presented by the applicant in writing? I don't know what the variance he's asking for.

Director Sellman: I will try to paraphrase my understanding and that would be that we are looking for relief for the requirement to provide an asphalt or concrete paved circulation system on the site, whether you call it a loop road or a drive or whatever, and also relief from the requirement to immediately pave, again with asphalt or concrete, all of the parking areas. Would that be close to what you're looking for, Mr. Mattingly?

Mr. Mattingly: Well, yeah. What we're trying ...I'm going to tell you. We want to make Garland County Fair Association better than the State. We can't do it overnight. I want it all paved, but I can't do it. I can't do it now.

Chairman Threadgill: See where he's coming from? We're just ...

Commissioner Campbell: Yeah, but are you saying, we're just going to bury it forever?

Director Sellman: No. <Several other "no" responses in the background.> The condition ... the condition in the staff report talks about deferring the improvements and doing the annual inspection by the administrative officers. Here we talked specifically about overflow or seasonal parking. If you found that useful, you could change "overflow and seasonal parking" to some other area of this site that could be subject to this requirement. I believe that would be practical and actually legal.

Commissioner Clopton: Let me ask James. I'm going to go back and I asked this question once before and I know you didn't give me a 100% answer, but we talked about the chip and seal. You did say that would be possible, possibly by the 2008 fair season.

Mr. Mattingly: Yeah. I mean if the money's there. We're going to go as far as ...I might have it paved. If we have the money, we want everything done. I mean, the fairgrounds have been out there since 1945. How many of you been to the fair in the last fifteen (15) years? Every

year. There's a lot of changes that have been made out there. That was all dirt. We fixed it up with ... and we're right in the middle of the City and the City hasn't made us do anything. The County hasn't made us do anything. We did it upon ourselves to enhance the looks of that fairgrounds.

Commissioner Clopton: Let me go a little bit further. First of all, the hard surface gravel, what do you call it? City pit? City pit. That's possible by this year and that would include the roads and the parking areas? At least the front parking area?

Mr. Mattingly: The road will be, the base will be put on the road, pavers, everything for chip and seal paving or whatever by, I'm pretty sure that'll be done by 2007. We could probably have everything with city pit on it we're going to park on by that time, but I can't swear to that. But I know we can't have it paved by that time.

Commissioner Clopton: Let me go one step further. Around the kitchen area that's going to be used pretty much the year round, is it not possible to pave some of that area at least with chip and seal for parking around that area?

Mr. Mattingly: Yes that is. We could probably do that.

Commissioner Clopton: To me that would make sense that that area would at least have some parking there available for the people who regularly use it.

Mr. Mattingly: That kitchen, the kitchen is going to beIt's not going to be located like it is now. It's going to be located with the fence coming to the building on each side so that those folks from the Home Extension can enter the kitchen without coming into the fairgrounds themselves.

Chairman Threadgill: Alright, I'm going to take on one more question. Commissioner Campbell?

Commissioner Campbell: Under these conditions of varying this, James, would you be willing to limit the activities out there to the two (2) events a year and no other events in that arena? Or on those grounds?

Mr. Mattingly: Well, no other ...I can't say, I can't say. If St. Joe wants it for their cancer thing they do every year, we don't charge them for it. I can't say I ain't going to let them do that. I won't do nothing that we're going to make money on; but anything for ...We help ...We do Walk

for Life and everything. We help them all do everything – whether it be the Optimist Club needs to use it or Lion’s Club or whatever. We let them. We let people use it at no cost – no charge for lights, water, sewer, gas, or anything else.

Commissioner Campbell: Thank you. That’s all I have.

Commissioner Clopton: I have nothing.

Chairman Threadgill: Well, I’m going to close it right now and I’m going to entertain a motion with recommendations. Anybody?

Commissioner Clopton: Mr. Chairman, I move that in view of the ...<Chairman Threadgill interjected: Spell it out there.> ...in view of the time frame problem. In view of the fact that this is a unique operation, one-of-a-kind inside the County, being the County Fair, that we approve the project with staff’s recommendations as written with the following changes: The parking and road areas around the site will be city – What do you call it? City pit? – city pit packed and ready to be paved in the future. That Item 2 be stricken, the writing or the language talking about a private entrance be stricken. And finally that, a minimum area around the kitchen be at least chip and sealed by the 2007 Fair date.

Chairman Threadgill interjected: There’s Item 9 will be that the cantina area, the kitchen area, will have chip and seal around the perimeter?

Commissioner Clopton: No, one side. The front.

Chairman Threadgill: Which, what’s that? The front area that faces the parking? I mean, you can’t get it all the way around.

Mr. Mattingly: There won’t be anybody parking inside the fence, so the parking will be done in front of the building.

Chairman Threadgill: It’ll be the North side? <Yeah.> Okay. <I guess.> <South side.>

Director Sellman: South side?

Chairman Threadgill: South side? Okay.

Commissioner Clopton: And that concludes the motion.

Chairman Threadgill: Alright.

Commissioner Thorp: I second it.

Chairman Threadgill: Alright. I have a motion and a second.

Commissioner Campbell: Question.

Chairman Threadgill: Commissioner Campbell?

Commissioner Campbell: To our Director, when does this mean that this will be paved, in this motion?

Director Sellman: This would be subject to an annual determination if the approval is in February of this year, then inspection for paving ...Is this what you're asking? Am I answering the right question?

Commissioner Campbell: It's 2008, by the Fair of 2008, is that when it will have to be paved by?

Director Sellman: That's what it says in this motion.

Commissioner Clopton: That's the motion.

Commissioner Thorp: Could I ask a question?

Chairman Threadgill: Yes.

Commissioner Thorp: Who is this administrative officer that inspects it?

Director Sellman: That would be me.

Commissioner Thorp: Okay. I just wanted to be sure. And so if something would happen in the future that you were no longer here, whoever took your place, and I'm not suggesting that you're leaving or anything like that, but I just want it understood that ...?

Director Sellman: That would be delegated to the zoning administrator and that will go into her tickler file.

Commissioner Clopton: I have a question.

Chairman Threadgill: Mr. Campbell first.

Commissioner Campbell: And does this...is the chip and seal struck from this and changed to hot mix?

Commissioner Clopton: No. Not from my motion.

Chairman Threadgill: Not on his motion. He's left it at chip and seal. That's what I was going to ask under the discussion we've had, from the way I'm looking at it, at the end of the first year, staff will go out and determine then what the hard surface be done. Am I correct?

Director Sellman: And that would be done annually until full paving is accomplished.

Chairman Threadgill: Until everything's done and they've got their buildings built. It will be in the future paved.

Commissioner Campbell: By 2008.

Chairman Threadgill: Not all of it.

Director Sellman: No, it doesn't say that.

Chairman Threadgill: What it's saying ...it's going to be worked on as a fairgrounds. As they improve, it will have to be done. It could be 2010.

Mr. Mattingly: If we can do that, we can probably pave it.

Chairman Threadgill: Yeah. It's saying as the area grows, as the buildings increase, the paving and everything, every year staff will go out and ...

Commissioner Campbell: What area on Item 1 will be paved by 2008?

Commissioner Clopton: We're talking about the front.

Director Sellman: The applicant is saying in front of the kitchen. Was that your intention?

Commissioner Clopton: My intention was in front of the kitchen by 2007 and the front area parking by 2008.

Chairman Threadgill: Yeah. That's the way I took it. And then at that time, you'll go out and look and determine how much further. Is that where you're at, Dave?

Commissioner Campbell: Which parking?

Commissioner Clopton: They're talking about the area just behind ...

Commissioner Campbell: The area on the North side?

Commissioner Clopton: Right. That's what No. 1 is talking about.

Commissioner Campbell: That means that that area right there will be paved prior to the 2008 Fair. Right?

Director Sellman: That's what the motion says now.

Commissioner Clopton: That's my motion – at least with chip and seal.

Commissioner Campbell: At least with chip and seal?

Commissioner Clopton: Chip and seal at least.

Commissioner Campbell: Okay. I just want to be straight.

Chairman Threadgill: And the other will be determined by staff at a later date whenever.

Commissioner Campbell: Per Item 6.

Commissioner Clopton: Right. Since we're in discussion, I want to point out that I think, with the other people up here, might be an acceptable compromise.

Chairman Threadgill: We'll find out here in just a sec.

Commissioner Campbell: Does that include the roadways?

Chairman Threadgill: Yes.

Commissioner Campbell: Around it also? Item 1?

Director Sellman: Umm, hmm.

Commissioner Campbell: Okay. That's all I have.

Chairman Threadgill: Everybody on the same page? <laughter>

Commissioner Thorp: I hope.

Chairman Threadgill: Can you read out the scratching that you have?

Commissioner Thorp: Can you <unintelligible> that your notes are?

Director Sellman: Yeah, actually I think I can. Do you want to read through 1 through 9?

Chairman Threadgill: Why don't we try that before we make a vote?

Director Sellman:

1. The access points, interior roadways, and parking areas shown on the submitted site plan are to be hard surfaced paved and striped to a chip and seal standard at a minimum. Paving shall be completed by Garland County Fair 2008. A dust suppressant product shall be applied prior to public use and on an as-needed basis to unpaved and unvegetated areas subject to wheeled or foot traffic.

2. There is to be no access from Amanda Place.

3. The applicant is to provide an accurate count of the existing trees on this site as to document that landscape requirements are met through the preservation of existing trees.

4. All parking lot and exterior building lighting shall be fully shielded to prevent brightness from causing glare at normal angles and to shield adjacent properties.

5. All parking lot lighting shall be turned off no later than thirty (30) minutes after the conclusion of the final event on any given day.

6. Paving of overflow or seasonal parking is deferred subject to annual determination by the administrative officer, per Hot Springs Code § 16-2-103(4).

7. Oversized vehicles – that is, semis, livestock trailers, recreational vehicles, and so forth – those parking areas shall be designated and onsite directional signs shall be posted per an approved site plan, sign plan. Thank you.

8. Construction is to be in strict accordance with the approved site plan, included but not limited to construction of entrances and exits, location of buildings, parking lot and interior roadways, privacy screening, and the preservation of existing trees and vegetation.

9. The area around the South side of the kitchen shall be paved with chip and seal.

Did I get that?

Chairman Threadgill: Got it.

Commissioner Campbell: Just one more.

Chairman Threadgill: One more?

Commissioner Campbell: One more comment on it. I think we need to do a little changing on No. 1 because under these conditions that we have, the way I read it, that means that the North and that South parking lot both are going to have to be paved by 2008, because they are shown on the drawing.

Chairman Threadgill: Alright.

Commissioner Campbell: I think we're only talking about the North one.

Chairman Threadgill: Alright.

<Several people are talking at once.>

Chairman Threadgill: Alright, we'll do the one parking lot and defer the other. James, would you like to make a change to that motion so that it would be just the one parking lot and not the other?

Commissioner Clopton: Let me make two (2) changes. I will add to my motion that the parking area we're talking about being paved by 2008 will be the – is that the North? South? – <several people are talking at once> ...North, I call it the North parking lot. The second change that I would make to my motion is that all of the other roads are to be hard surfaced with city pit.

Director Sellman: City pit.

Chairman Threadgill: Is that satisfactory? Mr. Campbell?

Commissioner Campbell: Yeah. I just didn't want him, the way it read, it showed both parking lots.

Commissioner Clopton: Do I have a second on that?

Commissioner Campbell: I'll second that.

Chairman Threadgill: I've already got a second by Commissioner Thorp. Do you have the roll thing? What is that over there? If you would, call the roll please.

Commissioner Thorp: Explain when we vote. If you vote "yes" ...

Chairman Threadgill: If you vote "yes," it's the way it's written now.

Commissioner Thorp: What all she just read?

Chairman Threadgill: Right.

Commissioner Thorp: Okay.

Director Sellman: Okay. Do you want to amend the conditions before you vote to approve?

Chairman Threadgill: Yes.

Director Sellman: That would make it cleaner.

Chairman Threadgill: Let's back up here. Right now, I need a motion to approve the amendment.

Commissioner Campbell: Amended conditions?

Commissioner Clopton: Yes. I can't make that.

Commissioner Campbell: I make a motion that we amend the conditions as they have been read.

Chairman Threadgill: Alright, do I have a second?

Commissioner Thorp: Second.

Chairman Threadgill: I have a motion and a second. All in favor? <Ayes> All opposed? <None> Alright, now we've got our amendment. Now we're going to make a vote on the item itself as written, site plan. I need a motion.

Commissioner Clopton: The motion still stands. The motion still stands. We amended that, but the motion is still on the floor.

Chairman Threadgill: Okay, I still did that. Call the roll.

Director Sellman: James Clopton – yes; David Campbell – yes, and good luck, James; Wanda Thorp – yes; Gary Threadgill – yes.

Chairman Threadgill: Motion passes, James. Meeting adjourned. Good luck.

Mr. Mattingly: Hey, we're going to tell everybody to say that.

Chairman Threadgill: We're sure you will, James.

Mr. Mattingly: We'd even like to have it all paved <unintelligibleA>.

<END OF TAPE>

(For 4 – Against 0 – Abstain 0 – Absent 3)

Adjourn

Gary Threadgill