

The Madison County Plan Commission on the above date at 9:30 A.M. with Bill Maxwell, President, presiding.

Members Present: Bill Maxwell, Paul Wilson, John Randall, Jr., Brad Newman, Mark Gary, John Orick, and Wesley Likens.

Members Absent: Alan Esche, and Scott Tischler.

Also Present: Michael Hershman, Executive Director, Gerald Shine, Jr., Attorney and Beverly Guignet, Secretary.

### Current Business

1. Roll call was taken and two members, Alan Esche, and Scott Tischler were absent.
2. The minutes of the December 13, 2005 meeting was distributed to each member prior to the meeting. Mr. Wilson made a motion to approve the minutes. Mr. Randall seconded the motion. The vote was unanimous in favor of the motion.

The minutes of the December 13, 2005 “Special Hearing” meeting was distributed to each member prior to the meeting. Mr. Randall made a motion to approve the minutes with the corrections as stated. Mr. Gary seconded the motion. The vote was unanimous in favor of the motion.

### New Business

1. Annual report.

Mr. Hershman presented the Annual Report for 2005.

A copy of the Annual Report for 2005 is available in the Planning Commission Office.

After some discussion by the board Mr. Randall made a motion, seconded by Mr. Gary to approve the Annual Report for 2005 and from now on a copy of the Annual Report be sent to each County Council Member, placed on the Internet and a copy be sent to the Anderson Newspaper. The vote was unanimous in favor of the motion.

**Annual Report for 2005 was approved.**

2. Topics for discussion:
  - a. Proposed lots in administrative subdivisions.
  - b. Private drives.
  - c. Technical review committee review of rezonings.

Mr. Hershman said, the first topic is the number of potential lots shown on the preliminary Administrative Plat. Currently the ordinance requires the potential lots be shown on the Preliminary and Rural Concept Development Plan.

The problem that comes up is, when a person only once to create one lot this often involves a person that is wanting to divided off an existing house from an existing farm lot. The applicant ends up spending additional money and surveying cost for lots that will never be created. The proposed ordinance change would make showing the proposed lots optional instead of mandatory.

Patrick Manship was present and informed the board he is in the private sector of land surveying.

Mr. Manship said, the clients don't like to see it. It is a problem and I do agree that we need to do away with it.

Mr. Hershman informed the board he has prepared a change to the ordinance to make this optional incase a person does want to go ahead and show all the potential splits. This way it will be optional instead of mandatory.

Mr. Newman said, the way it is structured now, I think the one lots should go preliminary and final. At the preliminary stage it gives the County Engineer, the Commissioners and a few others the option of looking at this plat and seeing if there are any changes they would like to see before it is actually reviewed by the County Surveyor.

Mr. Hershman said, I can prepare an Ordinance Amendment for this. We would have to have a Special Hearing after the Planning Commission hearing, accept public input and make our decisions. Then forward a recommendation to the County Commissioners.

Mr. Hershman said, the next two items are interrelated. Before you you have a letter from Mr. Newman and myself. This is to address a couple of issues that have recently come up.

The first is a policy decision. Up to this point we have been allowing people who have gotten plat approval to pull a building permit before the plat is actually recorded. This has created some problems. Do you want us to continue this practice or do you want to go ahead and wait until the final plat is recorded before we issue any building permit?

Mr. Shine replied he would like the input from every Surveyor in Madison County on that and have them be here or have written statements as to why.

Mr. Newman said, what the problem is, the Administrative Plats are full of errors. We explain what the errors are and we send them back. In some cases the errors are not corrected and in other cases they are but more errors are the result of it.

Mr. Hershman said, this is more the way we are going to handle it through plat review.

Mr. Wilson said, in the business of the plat review committee on the Administrative splits, they come in with a preliminary plat, it's reviewed and most of the discussion on the plat appears on the preliminary level. IE, Drainage, etc. Then they go before the Drainage Board if it's a multiple split they get approval from the Drainage Board. Then it comes in for final plat. At the point when its presented to the plat review committee for final plat there are omissions that have not been put on the final plat to be recorded. And those vary. Do we at that point say wait a minute you have to get this fixed before we can pass it or do we make the motion to pass it contingent upon corrections being made on the final plat drawing. What this proposal does is, say that in

between the preliminary plat and the final plat when they get all their ducks in a row there needs to be one last look by the Surveyors office in reference to what will show up on that final plat. Can we do this within the same time cycle that we are operating with now? So, in essence the bureaucracy will not slow the final approval. The surveyor within the time frame has to review it, notify the surveying company and tell them here's the changes. They in turn bring it back in with the changes to meet the schedule for the meeting operation.

At the last Plat Review meeting we had a discussion with a local land surveyor, John Manship about this type of situation and his response was, that work has to be done either way and that it worked better for him with his clients if he new a head of time to make those changes rather than standing there in front of the committee saying what the corrections would be. So, the idea was, when the final plat came in that those particular issues were taken care of.

Mr. Newman said, these are two separate issues. We haven't had the problems with the Administrative Plats but we have had those with meets and bounds splits.

This process will make it so all those revisions will have to be on the plat before it ever is placed on the agenda for the Plat Review Committee. After it is approved by the Plat Review Committee it will be recorded that day.

We still are going to have a two-week time line that the surveyors have to turn in the final plat. They have to submit to the Planning Department two weeks a head of time. I think with the process that we are looking at now you could reduce that to a week, which would allow the surveyors more lead way and not hinder the process. Because there is really no point for a lot of these reviews to take place because they are already being done up to that point. So, I feel we could reduce that to a week.

Mr. Hershman said, the next item also involves Administrative Plats. Currently the Ordinance allows private drive to service up to three lots. These are normally lots that don't have frontage on State or County roads. The ordinance does allow the frontage to be counted on private drives.

The problem that is happening is, we've got surveyors who are saying that are wanting to go a head and use a private drive just for one lot. They are calling a stem a private drive so they don't have to go through the wavier requirements for maximum lot depth and road frontage.

My idea on this is, to go a head and limit the private drive to two or three lots not allowing them to have just one lot as opposed to getting around the waivers for maximum lot dept and road frontage requirements.

Dick Donnelly was present.

Mr. Donnelly said, the example, you have somebody that owns a farm with a building site clear at the back and they want to leave the whole agricultural area but the wood lot at the back they want to build. You have to have a private drive for one lot because that in many cases is what you get that people want and it is the logical way to split land.

I think the solution would be to require them to get the waivers. People don't want an easement because they want to own that piece of land.

It was suggested that the fees be changed to accommodate the public a little more.

Mr. Hershman said, we can further consider this one. I will come up with some other solutions and try and do an ordinance of this.

Mr. Hershman said, the next time is the Technical Review Committee.

The committee makes recommendations regarding rezonings. However, the ordinance limits the committee members to what they can make recommendations on. Further the committee hears site plans when zoning involves a new building.

To the committee the site plan is more relevant to what they do. An idea would be to simply eliminate the rezonings as part of what the committee hears. This is just for rezoning. This is not PUD's. This would just simply eliminate a step in the rezoning process.

They would first have to go before the Tech Review and then they would have to make a recommendation to the Plan Commission and then that would still have to go before the Commissioners. Then the Tech Review would have to hear it again on the site plan.

There were some questions about the timetable to get items in to be heard and when the meetings are scheduled.

Mr. Donnelly told the board he feels items should go before the Tech Review Committee but he feels it should be scheduled early enough so not to hold people up.

Something needs to be done to speed this process up.

Mr. Wilson said, I make a motion that Brad Newman, Wes Likens and Bill Maxwell sit down with the Planning Director and work this issue out. This issue should be resolved as soon as possible. And that the members selected for this committee get together to work out the time they can all meet.

Mr. Orick seconded the motion.

The vote was unanimous in favor of the motion.

Mr. Hershman said, the last issue involves meets and bounds to platted lots. We have allowed platted lots to add ground to them by simply replatting the lots.

If you wanted to add ground to an old Mini Plat you could go one meeting in front of the Technical Review Committee for a replat and be done with it.

Recently someone came before the Tech meeting who wanted to add ground to an older subdivision. My thought was to have one meeting in front of the Tech Review similar to the way we had handle Mini Plats. However, the Tech Review wanted to bring it before the Plan Commission as it involved a major subdivision. Subdivision regulations require that anything that creates an additional building site reduces lots or alters right of ways or easements come before the Plan Commission.

Mr. Hershman said, I would like a clarification of how to handle these.

Mr. Newman replied, the Zoning Ordinance I thought was pretty clear.

After some discussion by the board Mr. Hershman was informed he would make the final decision.

3. Election of officers - The meeting was turned over to Mr. Hershman for election of officers.

Mr. Randall said, I nominate Bill Maxwell for President. Mr. Gary seconded the motion. Mr. Wilson moved to close the nominations, seconded by Mr. Randall. The vote was unanimous in favor of the motion. Nominations are closed.

Mr. Hershman asked for the vote on the nomination for President. The vote was unanimous in favor of the motion. Bill Maxwell is President of the Planning Commission for 2006.

Mr. Wilson said, I nominate John Orick for Vice President. Mr. Maxwell seconded the motion.

Mr. Randall said, I nominate Wes Likens for Vice President. Mr. Orick seconded the motion.

Mr. Randall moved the nominations be closed, seconded by Mr. Maxwell. The vote was unanimous in favor of the motion.

Mr. Hershman called for a vote for John Orick. Five no's, Newman, Likens, Orick, Gary and Randall. Mr. Hershman said, the nomination for John Orick has died.

Mr. Hershman called for a vote for Wes Likens as Vice President.

The vote was unanimous in favor of the motion. Wes Likens is Vice President for 2006

Mr. Maxwell said, I make a motion to retain Beverly Guinea as Secretary to the board. Mr. Randall seconded the motion. The vote was unanimous in favor of the motion. Beverly Guignet is Secretary for 2006.

Mr. Randall said, I nominate Mr. Shine as the board's attorney. Mr. Orick seconded the motion. The vote was unanimous in favor of the motion. Gerald Shine is the board's attorney for 2006.

Mr. Maxwell made a motion, seconded by Mr. Randall to retain Michael Hershman as Director of the Planning Commission. The vote was unanimous in favor of the motion. Michael Hershman is Director for 2006.

4. Miscellaneous - Mr. Wilson said, in the December meeting we tabled an issue that had been brought in front of this body by Vaught. We tabled that until the January meeting but we did not have a meeting in January nor a February. We tabled this until the Drainage Board approved their plan. I sat in as an observer in the Drainage Board meeting and they have obtained the necessary easements for the bridge. I would like to address that today and get on with it.

Mr. Newman made a motion, seconded by Mr. Wilson to approve Petition #434. The vote was unanimous in favor of the motion. **Petition #434 was approved.**

Mr. Newman made a motion, seconded by Mr. Wilson to adjourn. The vote was unanimous in favor of the motion.

Adjournment: 11:50:16 A.M.

---

Bill Maxwell, President

---

Beverly Guignet, Secretary