

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., Gary Gustin, John Orick, Brad Newman, Mark Gary, John Simmermon and Wesley Likens.

Members Absent: None.

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

Current Business

1. Roll call was taken and all members were present.

2. The minutes of the preceding meeting were distributed to each member prior to the meeting. Member Randall made a motion to approve the minutes with the corrections as stated. Member Likens seconded the motion. The vote was unanimous in favor of the motion.

Member Maxwell informed the board the next item to be heard will be Petition #560 under New Business and then the board will go back to Petition #552.

1. **Petition #560 of Tyler & Lindsey Epperson, landowners and petitioners. Applicant is seeking a waiver for development standard.** The property is zoned “R-2” and is located on the south side of County Road 100 North, between County Road 200E and County Road 300E in Union Township, containing 10 acres, with the physical address being 2345 East 100 North.

Mr. Hershman said, the surrounding area is primarily residential, with a mini warehouse business in the near vicinity. The site is a house in a field.

Staff has received proof of proper notification.

The waiver is for proposed lot 1, which has an existing house on it. Proposed lot 2, a 1.936-acre lot on the northeast corner of the property, will have a house built on it. The balance of the property will be sold to an adjacent property owner.

Since the property is zoned residential, the maximum lot depth requirement is 2.5x the lot width at the front building line. This is the first step in the process. If the request were approved, the applicant would then proceed with an administrative plat.

Tyler and Lindsey Epperson, 2345 E 100N were present representing this petition.

The board was informed the Epperson’s are hooked on to city water and sewer.

Mr. Epperson told the board they purchased the land from Greg Blockson and have live at this site for approximately six to seven months.

Mr. Hershman said, this is the end result of a legal situation with Blockson. In fact I had to give a deposition regarding the property.

Greg Blockson, Alex Pike, Anderson.

Mr. Blockson said, there is a mini plat that I obtained that is to the southwest corner that I purchased off of Bob Taylor. There is a 50-foot easement, ingress, egress, and utilities back to that mini plat. This is a recorded easement. But, this really does not have any effect on what is before your today.

The board was informed they are asking for a waiver for the maximum lot depth requirement for the lot, which has the existing house.

Mr. Hershman said, the staff recommendation is for approval.

There were no remonstrators present.

Member Wilson said, I make a motion to approve the petition as presented and per staff recommendation.

Member Gary seconded the motion.

The vote was unanimous in favor of the motion. **Petition #560 of Tyler & Lindsey Epperson, landowners and petitioners. Applicant is seeking a waiver for development standard was approved.**

The board then went back to Petition #552 under Current Business.

Current Business

3. Petition #552 of The Little Village Makers, LLC for Conceptual Development Plan of Simpler Times Village on the SW corner of New Columbus Road and 500 South in Adams Township and containing 12 Acres, more or less.

Mr. Hershman informed the board this was continued from the last meeting due to the desire by the board to get additional information from the members of the Technical Review Committee.

The board was informed that Charles Leser, County Engineer and the Adams Township Fire Chief, Craig Bowyer were present.

Mr. Hershman told the board the Plan Commission has received nothing from the Board of Health.

Member Randall said, in regards to these reports and so on, the Technical Committee is not suppose to have a consolidated report according to our ordinances. And the individuals are to report only on their own area of expertise. And that information is to be forwarded to us by the director. If we do not hear from anyone and nobody attends a Tech meeting, from one of the assigned positions it is to be assumed that they are not opposed to what ever is before them in any way. That's stated right in the ordinance.

I am saying like with the Department of Health, if they have not reported and they weren't at the meeting then it's assumed they have no objections. And anyone else who was not at the meeting and has not reported it's assumed they have no objection. But, there is not a consolidated opinion. They do not vote on it one way or another as a Tech Committee on this Conceptual Plan. We are dealing strictly with the Conceptual Plan.

Josh Brown, 225 North Main Street, Fortville, IN 46040.

Mr. Brown said, I would like to introduce Mark Zonarich, Town Planner.

Mr. Brown said, the goal of what we are trying to create is, an old world pedestrian center village that has features that you don't see any more. Our zoning ordinance today is designed to produce urban sprawl. We wanted to create a village that would accommodate more pedestrian traffic than automobile traffic. But not to design our life around the automobile.

We would welcome home made business in to our lives. You know like where you use to have a business in your home. We feel that making agricultural a part of our lives is important. We feel this will be valuable to the children to experience that.

We have provided new information. We provided a guideline sheet regarding our agricultural guidelines. We want to make this affordable to a wide range of economic. This is about the whole thing, the whole plan. This will not be a gated community. We have no intention of making this a gated community. As to road ownership, we want to make it clear whether it's public or private we are not concerning with who owns the roads. If it turns out to be a public road situation that's fine with us, provided --- it's about the design. We are not concerned with the ownership we are concerned with the design.

Mark Zonarich, 120 Oak Drive, Kingsville, Maryland.

Mr. Zonarich said, the day following the sketch plan approval my clients received a letter from the Planning Commission stating, these roads need to be private and not maintained by Madison County. So, they began to proceed under that guidance that was provided by the Planning Commission.

The once we got to the Tech Review we meet up with a number of people, one of them being was the fire chief. We did receive a couple of things from him. One is dated August 19, 2007. It read, on July 8, 2007 a meeting was held with the Little Village Makers and the Adams Township Fire Department in which it reviewed the master plan thoroughfare (not audible). Based on this meeting the developer and the emergency service provider, both parties, will meeting on the master plan and the thoroughfare design are suitable for the provision of emergency services and will not have a negative impact on the health, safety and welfare of the residents and patrons of Simpler Time Village. (not audible) in writing as required by the Madison County Technical Review Committee. The following items were agreed to in relation to Madison County PUD submittal for Simple Time Village:

1. All thoroughfares are sufficiently sized for emergency vehicle access.
2. All the following surfaces are sufficient for emergency services being it asphalt, chip seal and gravel. (not audible) vehicular access including but not limited to, bungalow courts, (not audible) and pedestrian zoning have been shown as (not audible) for fire sections that are suitable. While the vehicle thoroughfares are not for primary emergency vehicle access they will be using this for emergency situations.

As a result the rear access alley lanes will maintain a 14 foot clear travel way (not audible) accommodation of pavement, gravel, driving aprons and (not audible). All thoroughfares shall be capable of handling any emergency apparatus weighing up to 80,000 pounds in any weather conditions. It shall be certified by an engineer. This was signed by, Craig Bowyer, Fire Chief, Adams Township Fire Department.

We at the firm, when we start looking at the road network and street design, streetscapes we look at three main components. The first being, contacts, the second being speed and the third being walk ability. Land use should come first and transportation design should come second.

If you look in the upper left corner the text is obviously an environment that was designed with the automobile in mind. As you can see there is multiple modes of transportation and the pedestrian is serviced as the automobile.

If you look at Simpler Time Village in the regional contests, it's bordered by a few serious arterial (not audible). When we start talking about road designs the streets that are internal to the project, they are much different. The character, context and speed, these are actually people movers. These are more destinations. These are neighborhoods. The roads are quite different. Even within the project itself we identified a number of different thoroughfares, sections and types within the plans for a number of different reasons. What I have identified here is what we see as the main thoroughfare route. This going to help the majority of the vehicular traffic. All of these other roads that are not highlighted, not shown we think will handle a much lower volume. This only services about five houses. This services about seven.

We really emphasizes a lower speed (not audible) livability place. Some of the most contributing factors to speed is, lane width and the street geometry. We tend to design all of our streets within the neighborhood to be about ten to 20 miles an hour. The range (not audible). When we travel the country we tend to measure and photograph the different type of streets. We actually clock the speed on these streets as they are narrow and this allows us to see how the narrow streets handle traffic and also keeps the speed down. (The example that was shown was a mixed use with residential and businesses). In keeping with that rural character this why we have such a desire to keep the pavement down. Also for safety reasons with children in slowing the traffic speed, and with the rural character of Madison County. In some of the pictures I have shown the streets are even narrow than what is proposed for Simpler Times and they are handling the traffic quite well. We are trying to create an agricultural separation between the Hamlet and the Village Center.

On some of the streets we are proposing curbs, green space and sidewalks on the mixed-use street. But not on all of the streets. Some areas there is no off-street parking, as some of the streets are narrower, like 16 feet of pavement rather than 17.

What we are proposing on the loop road around the Village Center to provide on street parking, there is a little parking that runs along the parking pockets. Rather than having continuous wide strip -- you hardly have people filling up all the on street spaces. So, what we are doing here is, for each block we will provide a limited number of spaces for guest for people who want to park out front. But it's not a continuous strip. This is still in the mixed-use section.

In this black section here it is on street parking, every day, all day. There are parking lots with around 200 spaces. Scattered throughout the plan there are parking pockets located off the thoroughfares. One most

important principle is the walk ability. There is more than just the automobile to consider there is the pedestrian walkway, access for bicycles --- and by designing a place such as this we --- it's going to cut down on the county's up keep for the residence that live there. If somebody wants to go get bread, a gallon of milk whatever is in the town center they are going to have to get out on the collector and create more traffic. It will have significant affect on the amount of traffic, daily trips and such things as that.

The parking lots are hidden from view and as you move further away from the Village Center in any direction it's gets more rural in character even with the context of the surrounding farms and larger lot homes. We try to design for a wide range of people. There will be small businesses through out the project. A lot of these businesses will serve predominately the village its self. The Village Center is tucked away so without --- unless we design such a great place that it invites people to come in and if not the retail part will have a hard time surviving. We hope this will draw people in and keep the businesses running. The businesses will be mainly mom and pop shops, no big retail chains will come in. There will be professional's office, doctors, lawyer, dentist, small cafes, etc.

All of this will be accessible by fire trucks. All of this will be stabilized paving and everything so you will be able to drive a truck right in to the Village Center. We want to make it a different character on some of the roads to make it seem like you are moving from one Hamlet in to the Village. The downtown businesses will be connected building to building.

Member Wilson asked, in the area that you asked for the tightest commercial development, Village Center, does that have an alley that runs all away around it and behind it?

Mr. Zonarich said, yes, that is the most intense urbanism. All of these units in Village Center have fire access. They have access behind each of the units and their respected allies. They also have it out in front. In some respect they have three different access points for fire equipment.

The superintendent of the school was concerned with the turning radius of the lots. One of things we did there -- we're not actually even going to have a curb in that section because it is in that rural residential section. Having the flat curb won't even be an issue since we are not going to have a curb there at all. So that should not be a problem. Although it looks narrower there, it only looks like eight feet of pavement we are going to provide (not audible) shoulder on the inside so in their turning movement and they happen to clip that corner, it's going to be stabilized with grass pavers or gravel or something. We will also have street trees planted in the planned strips. Also a vertical barrier between the pedestrian and the road. The vertical barrier will be the street trees.

There will be a 20 foot stabilized section going up through (not audible) so they can literally bring the trucks and bring them up right through there. We will not allow on street parking and in case this street has on street parking we would assign it in such a way that you couldn't park in front of this.

On the property tax revenue we are predicting about 2.3 million generated each year. Of that 1.5 million will go to schools, about 600,000 will go to the county and 114,000 to the township, 5,000 to solid waste and about 2,300 to the state. Those figures are based on the local cost in the area. This based on the 2006 rate.

Member Wilson asked, where are main entrances are for the whole she-bang?

Mr. Zonarich said, the Village Center is located approximately right here, the main drive comes directly off of 500. There is a secondary entrance, and I would say more residential in nature (not audible) 500. It is actually directly across from Sprague Street. There is another access point ---

Member Wilson said, so you have two entrances off of 500S and one entrance off of New Columbus Road, is that correct?

Mr. Zonarich replied, that is correct. The main entrance is further to the east than the one across from Sprague Street. At the top of the hill. It's not on the curve. Some of these are alleyways that you come out of on to New Columbus Road. They are access points.

Mrs. Brown said, those right there have the potential for home base business on the first floor. Any where in the community people can have a home based business. But we are encouraging the people who are planning on living in (not audible) park, if they want to give a home based business to choose one of those spots. There is potential for mixed use in the community. Most of our mixed residential uses are 20 x 20 shops in front of the house. Mr. Zonarich said, each unit has onsite rear parking. Some of the garages in back will be detached. Each residential unit even though it may have a home based business will have enough space at the rear for two and three cars to park. Some will have a parking pad next to them.

Member Wilson asked, why put the two main entrances to the whole shu-bang on a 16 foot wide right of way access road verses what use to be a State Highway?

Mrs. Brown said, the common thing to do is put the commercial (not audible) and when you look at a traditional American (not audible) you will find the commercial core is at the center and from there it goes rural and so we wanted the whole outside of our plans and the interior core to be more commercial area, and that way the people that live there all have less walk to the center. All the commercial was in a row on New Columbus the people that are further a way would a 20-minute walk to the center. Our concept was to follow the European model where the commercial is in the center.

Member Wilson said, it appears to me, you're talking about 300 and 400 some structures and we are talking roughly 700 or 800 people, then you go to the existing homes on 500S, in that general area, I don't know how you get around major road improvements on 500S. And the problem is, if the county is in the business of additional right of way through there we are going to be knocking on Mr. Davis's front door. They have lived in the house for over 50 years so, if you are seeking approval in an existing neighborhood where it is going to change the lives of the people that's lived there for over 50 years and there is another way to lay it out where it wouldn't change their lives so much, why not reach to that level so there is some sort of compromise here to move your business forward and the people that live in Adams Township can still continue on with their lives.

I am seeing some good things here but I am also practically everybody that's in this room and trying to reach a way for everybody here to move forward and my problem right now is, is that that entrance at Sprague Street and that entrance at the top of the hill is a problem.

Mr. Brown said, I spoke to Chuck Leser and I discussed with him that we are willing to --- it feels fairly narrow --- it's not in the best shape. It's a 16-foot road right now with a 20-foot bridge right there at the stream. What we propose is, a couple of different things. First of all, widening the 16 foot to 18 foot and providing an extra foot so up to 20 then --- so one foot on either side of gravel. That's providing a wider section that would be

more stable and more safe. We are open to widening it in whichever way --- we didn't feel that --- it could be the centerline in tact --- I didn't feel that taking two feet on both sides would be a big disruption --- we are willing to --- the 40-foot right of way (not audible) on our side for the future. And then of course adding one inch to the top of the entire road section (not audible) so that resurface the road and maintain and make it nicer road at the intersection, which is difficult, turn. We feel that it might be a good proposal to make that a four way stop instead of a two way there by slowing traffic ----

Mark Zonarich said, we considered this fairly early on in the project and we quickly discovered that we could not locate Village Center from this end for a couple of reasons. We did not one to locate (not audible) would not be within a close proximity (not audible) and with that being said, from a traffic stand point if you look the enter change, it's located up here, most people --- are going to be heading to this interchange --- when you come down and make this turn on south Columbus it's a very tight turn --- the main east west access road to the new road will be 500S all the way from the Village to that intersection.

Member Wilson said, I think we will need some serious traffic analysis on that because now you are talking about road improvements running all the way from the Village to the new road which is 109, which is what New Columbus Road was. So, the bulk of the new people will run to the new road and then to the main interchange in Anderson.

Mr. Zonarich said, we are trying to be as sensible as possible to the people who live on the north side of 500 with the exception of that entrance we allocated --- we designated everything else along that frontage as very large lots, in keeping with the character of what was across the street. We have not done any computations on how many trips will be coming and out of the main entrance on 500.

Member Maxwell said, Mr. Wilson why would there not be a deceleration lane on their side for people to pull off (not audible) traffic coming up too and also an accelerating lane going towards New Columbus Road when they come out and where ---

Member Wilson said, those are the things that Mr. Leser needs to address.

Mrs. Brown said, we have always been willing to put in a deceleration and acceleration lane if necessary on our side of the street. We have also been open to having one of our main parking lots for customers to be --- we haven't planned it but if it were necessary we could put a parking lot for tourist off of New Columbus. We are very open to creative solutions.

Member Gustin said, as a County Council person, my main worry is, the funding of those upgrades to those connector roads. And you're willing to connect not even clear to the west side of the addition just to Sprague Street. But if we're talking all the way over to 109 and then you are going to have to do some upgrading, I think on Columbus a little bit, what is it going to cost the county for your project to go?

Mr. Brown said, we have proposed up to Sprague Street and the reason being, that's where the highest concentration is right there on 500. And of course New Columbus is in very good shape so that will not need upgrading. As far as the route and your talking about 500 and 109 being the route, again we are flexible. We want to come south from Madison and park along New Columbus that's fine. There are a number of ways to get there so we can talk through those things. Of course we know the county doesn't have money and the thing is, our goal is lets find a way to do it. And that's why we are saying, what if we have to have a traffic light,

well that's why we proposed a four way stop. It will be cheaper for us. There is a balance here that we have to end up at before we price ourselves to high and then not have (not audible).

As far as our contribution to the county (not audible) still we are talking about a sizeable addition to the budget and I hope that that makes a difference in sort of the way we talk about ---

Member Wilson said, that's a little bit more complex than just ---

Mr. Brown said, if you look at our figure ---

Member Wilson said, your computation is based on your residential units, are you figuring your assessed value as a straight residential unit or are you figuring it as a being a mixed-use assessment?

Mr. Brown said, we added them all together so we did account for both. We computed --- we tried to be conservative with our estimate as far as the value.

Member Wilson said, I asked that question because it could be that that person moving in to that house might be surprised at how high their assessment is if it starts being assessed at a higher use than what the residential rate will be.

Member Randall said, we are in the process that this is just a rezoning of the area from its current zoning to a Planned Unit Development. That is strictly a rezoning. The preliminary on that is a conceptual idea. If the rezoning is approved then you get in to the detailed work and that[s where a lot of the discussion and a lot of the questions have been raised are concerning the details that would really be developed after the rezoning. And you cannot really go a head and give all that detailed information for sure until the rezoning has been done. And the road situation, the fire protection situation, the other things like sewer and water are under control, that's been developed all ready. A lot of these things could really come after a rezoning have been addressed already and are being addressed right now. And I think we need to stop and realize, stop and think right now, lets get back to the purpose of the petition and that is for a rezoning from its current use to a Planned Unit Development. That would designate the various land use development at the conceptual stage points out the different uses and the different sections and what the different sections can be used for. And then after, if it's rezoned, then you get in to the detailed planning and work out any agreements that have to be made one way or another to accomplish what the conceptual idea is. I think we got too darn much detail at times and (not audible). Now some of it necessary I know but some of it we are getting in to and like some of the reports from the Technical Committee and so on will be things that are really --- should be based and addressed at the secondary type approach for the detailed things have to be worked out.

Member Maxwell said, and I agree with you John except for one thing, and I am sure the developers would like to have a better feel for what we want compared to what they want to put in there before it's rezoned because if we show not accepting their design and their theory then they might not want to go a head and get it rezoned. This is a unique situation is what I am getting at. I think what we have talked about has been beneficial to the neighbors to have a better idea of what they are planning before it gets down the road and then they say, hey wait a minute, you didn't explain this old donkey running around here or you didn't explain --- you know big trucks coming in or something.

Member Wilson said, it appears to me there are two or three choke points on this whole thing that the neighborhood is --- and I have several conversations with people that live out there that the neighborhood is very much concerned about that you know, if it's going to move forward you have to get past the choke points or the thing could die on its feet before it has really an opportunity to move forward. I think that's the reason why it maybe a little more detailed than what we are asking here but, on the other hand, with respect to the developers, they don't have the good sense of what those choke points are and what the cost would be entailed to work those choke points out. Nobody can move forward here. The people in the neighborhood can't get any more comfortable with the idea and the developer can't get any more comfortable with their entire capital expenditures are going to be to try and make this thing fly. So, that's what I am trying to do here is clean that up a little bit so everybody can make a decision then as to what their comfort zone is in moving forward with this.

Member Maxwell said, Mr. Leser is here today and he is on the Technical Review Committee and we asked him to be here today to give his reasoning and opinions on this.

Charles Leser said, I am the County Engineer. This first came to me about a year ago. I spoke to Mr. Brown and my first comment to him was, you have to have public water and sewer. He was proposing septic systems and wells. He then proposed brick streets, gravel roads and I said we do not accept those as county roads. They will have to be built to county standards. He said we don't want to build to county standards we want them to be like that. I said the only way you are going to do that is build them as private roads. That was my first thought but now that I have thought about it for a year and we have gone through all these meetings the concept plan was filed in front of the Technical Review Committee since January.

Private roads will not work in this addition. They will have to be public roads. The developer cannot tell how the property lines are going to be. They can't provide adequate turning radius and road widths. They show pictures of Pendleton, I am sure if Pendleton started over today they would not have those narrow streets. I don't feel that Madison County should have to live with those kinds of streets. We have an ordinance, land use ordinance that was recommended by this board to the commissioners in 2002 and it was passed by the commissioners with certain streets standards. There are standards for commercial, industrial, residential and those standards include curbs, sidewalks, thickness of the pavement and widths of the pavement. None of this matched any of those standards.

We have had several discussions with the developers and they would say if we have to do this to county standards then we can't afford to do that and our project is not pliable. We had discussion about 500S all the way out to 109. Well if they can't afford to build the streets in the addition as public roads then I don't think they can afford to rebuild public right of ways, the pavement for that distance. Madison County has never put public money in to a private development for this type of use.

Some of the other things that have come up over the last year is, when it came to the Technical Review Committee we said there are certain safety standards and public utility standards that we expect. We asked the developer to speak to the sheriff, the school, trash pickup, fire department and they came back with signed Memorandums of Understandings from the school superintendent and the fire chief from the sheriff and the trash pickup. No where in those Memorandums of Understanding did it ever say the roads were going to public or private. I was under the understanding that school buses do not on private roads. I don't believe the trash trucks can get around and I really don't believe the fire trucks can get around when you really look at what the layout of this is.

When Summerlake was built someone mentioned we had a lot of trouble with pavement widths during construction with residences trying to get in and out, mail delivery, and I am sure the fire and police departments had some problems too. At times the streets were completely blocked off. I don't understand how you can take from eight to ten foot wide streets that you have to get up and down during construction, let alone with all the cars running through back and forth.

We also asked for financial guarantees on this project. They didn't understand what the financial guarantees were. They didn't feel like they had to provide them. I would hate to get this half way down the road and then them take a walk. It can happen and that's why the county requires financial guarantees. If there are no public roads then there are no financial guarantees for the roads then how do we (not audible).

When a regular subdivision comes in and the street value of the construction (not audible) storm sewers, water lines, all drainage work, property corners, anything that is required by us to be put in that subdivision, the developer puts up a financial guarantee of 125 percent of that cost. Or they go out and build up all of the improvements before we sign a final plat. Nothing can be sold. They want to start selling as soon as they can so they can start generating some cash.

The three main entrances --- the two on 500S, there's a hill, a bridge, at that intersection. Those three things line up with the houses that are all ready there on the north side of the road to where these cannot shift the road to one side. That bridge is currently 24 feet wide, it's not 20 I've been told. That way the pavers could be wider than the 18 feet that is being proposed. But our standards would be a minimum of 24 feet wide pavement. The load capacity on the bridge is okay right now. The bridge is 25 years old.

We also asked where the water, sewer and storms were going to be. The first thing he said was, well we're really not going to have any storm sewers. The second thing he said was, well water is going in back and sewer is going in front. But they didn't tell us if they were going to be under the pavement or not. That's very important to the utility companies. And they couldn't tell us that.

Our ordinance, the way that it is set up requires public utilities. These public utilities are usually provided by cities and towns in our county. Our ordinance was based up on the idea that these developments would be done close to cities and towns where those public utilities are available and probably annexed in to that city or town. When I explained to them that they needed to have a water line and that they needed to talk to the city of Anderson. They did talk to the city of Anderson but Anderson made a statement, we could come down and annex you any time we wanted. They don't want to be annexed so they have abandoned the idea of hooking on to Anderson's water. They have a concept of drilling a well and adding their own water treatment facility to provide water to their community. My opinion is, that was not the intent of the ordinance. It was for public water lines to be connected to a city or town. Government has a function, and the function is, to provide infrastructure for (not audible). When I say everyone that means any county road or city street that you drive down you have the right to drive down that street. If there is a water line or sewer line you would have the right to hook on to that. If that water utility is owned by someone in that area then there is no guarantee that everybody could hook on. Or if there is a problem on the north side of 500S or along New Columbus Avenue Road coming down through there and one of our existing residences would need water it's not there for them to hook on to. There are fees for them to hook on to and reimbursed to the developer but they don't want to hook on to the public water lines.

I just feel like this development in concept is maybe okay, but in reality the infrastructure items, the safety items of the existing roads and the location of the existing residences out there, this does not fit with our ordinance. And when we talk about a PUD we based that on our existing ordinance and make modifications from that. This development is so far from that that we can't even start with our ordinance. We have to list everything separate and cannot risk deviations from our ordinance.

Mr. Brown said, regarding the interior roads, when we talked about the section of roads being narrower and for reasons realized we are also providing alleyways. Any given house will have street width on the front and the additional street width to the rear. The rear ally access so that is in addition to the road widths.

When you talk about public safety when we met with all the organizations and spoke to them about our roads and about (not audible) where are the problems that you see --- drainage issues here --- we went through very much details and a number of meetings with each of these organizations to go through all these points. Hence we got all these letter from them stating that they are adequate for there purposes. We went to the professionals that that's their job to know. We went to those professionals at the request of the Technical Review Committee and obtained those letters. So I don't know what else I can do. We asked the professional, are these roads adequate and he said yes. That's what we have been basing our designs on.

Regarding financial guarantees, we have no problem guaranteeing the work when it's started. This will not be a half way done subdivision. If we put a shovel in the ground it will be completed.

Member Wilson asked, are you willing to follow the current standards of Madison County when it comes to the finical guarantees for construction?

Mr. Brown replied. yes with an exception. The answer is yes we will provide finical guarantee before construction plans are approved. In other words, before a shovel goes in the ground so you will not have a half way done thing. Now what is unique about our subdivision is, we do want to pre-sell lots as soon as possible. I'm sorry after platting. So once we plat and have final plat approval we want to sell the lots ---

Member Wilson said, before we get too far in to detail because John is right this is a conceptual decision being made. But I only raise the question because the county engineer has raised a question. So you do have an understanding that there will be a point when some decision has to be made whether you are going to follow that line or not as to what the current county standard is?

Mr. Brown replied, yes we do understand that. Regarding public utilities, first of all on the sewer, the sewer is right next door and of course a year ago we didn't know where we were going to put the sewer or where are the water wells --- (not audible) we hired Snyder Corporation to due our plans so they will ---

Mr. Zonarich said, when we were here last month we had a representative from Fall Creek Regional Waste District. We are currently working with them now and are trying to finalize (not audible) for the units and just to try and understand what our fee is going to be. Where or where the sewage can or can't be positioned. We are working with them but it is still at that concept stage. We have a layout of the sanitary sewer collection system for the entire development. We have sanitary sewer easements. (not audible) at times we run down the alleys at times in the streets. We understand this plan is unique and is not a typical subdivision (not audible) --- sewer in each and every instance. We have had several conversations with Fall Creek Regional Waste and we are working through them. It is definitely a gravity system and it will be ultimately be collected in to our own

lift station. The lift station will (not audible) down along 500 and connect to an existing sanitary sewer system with a manhole, which is about 1600 feet west of our property. The lift station will be located on our property.

Mr. Brown said, regarding water Mr. McKee from South Madison Utilities is here and I want to make a correction. That was not correct what you heard that it is a private utility only for us. That is not true at all. We are the one building that water plant that is Southern Madison Utilities --- it will serve Pendleton and they are just building an additional station here that can serve anybody else that desires to hook in. We spoke to Anderson initially regarding water because that's what we were told. And we realized that could cause us to be annexed and so we said, wow we looked at the tax rate and we said this is more suited to us.

Mrs. Brown said, the fire chief would introduce us would introduce us to the conflict of having our own ---

Mr. Brown said, and when we found out (not audible) we did not have to hook in to Anderson's water that's why we proceeded that way. There is water available to the site one way or another. From our first priority being to build our own water plant. That will be a public water plant (not audible) a public service that anyone can hook in to. Number two option would be attempting to purchase that water from Anderson through South Madison Utilities. The third option would be, just going to Anderson and getting their water. This would not be directly coupled with annexation.

Member Wilson said, historically here it is. Either that it is automatically or there is some pre-existing agreement with the developer or the people that move in that they won't oppose annexation if it rolls around. So there would be an annexation waiver coupled with that? The people in that neighborhood don't want to be annexed in to the city.

Mr. Brown replied, yes if we had to go that route. And we don't want to be annexed either. It would be cheaper to build the water plant than go that route. We are building the water plant at our expense. That letter from Anderson dated very early this year just said that water be available to our site.

Member Randall said, there were statements made that the water and sewer had to be through a municipality and that's not true either on because the Fall Creek Regional Waste Disposal is not a municipal organization it is a service of the southern part of the county. The three townships in the southern part of the county and that's all it serves. It is not owned or operated by any municipality. And the water company that operates out there does provide water to the Town of Pendleton because Pendleton could not supply all of their own needs. Water was pipe from their operation in to Pendleton to supply the rest of Pendleton's needs as well as supplying a lot of other areas in the whole area down there. It is not operated or owned by a municipality.

Mr. Brown said, to the last point the county roads. We understand that and I don't think that that was possibly conceived of when this ordinance was (not audible). The types of roads that we are wanting to provide. I don't that was ever conceived of. We want to make clear the difference being from typical urban sprawl design, being wide streets, automobile friendly streets, we have reasons for it.

Mr. Zonarich said, basically if you were to follow the ordinance this is basically the physical manifestation of the ordinance. It only mandates in the ordinance itself four acres of open space on our entire property and we are providing over 50 percent is going to be in (not audible) preserves and open space.

One thing that is unique about (not audible) the construction entrances, if you built a conventional subdivision in most instances you have one way in and one way out so it does get very difficult in terms (not audible) if you take a look at our plan its based on a loan, for example, we have three outlets on to south Columbus. This main entrance here would most likely be the main entrance that we would use for sales and residences would us that and these alleys then would probably serve as the construction entrances so you would separate the two. Each phase would have many opportunities to separate construction traffic from residential traffic.

Mr. Brown said, so when we are in phase one of the construction we can also bring in construction (not audible) there are other ways to access and I think that has been illustrated. So with respect to the ordinance and we certainly understand that the ordinance is important under PUD and that is certainly why we applied under PUD (not audible) reason. We just don't arbitrarily think that lets do it this way because it's neat. We have professionals design something that is very workable and safe and also (not audible) the requirements for a unique experience. Our drainage plans would be happy for Brad to comment on our drainage progress.

Member Wilson said, lets say these are public streets, the type of streets that you have in there are --- some are asphalt paved, some are brick pavers, some are reinforced grass streets, if they are public streets are the Homeowners Association going to be responsible for the long term maintenance on those streets?

Mr. Brown said, if they are public streets we are going to have to discuss that. If they are public streets no but -- that would be part of the ---

Member Wilson said, right this minute we don't have a piece of equipment that's brick laid piece of equipment for brick pavers to deal with that. The county highway basically maintains concrete streets, they maintain chip seal roads and asphalt-paved roads, that's it.

Mr. Zonarich said, we can account for the unique features in the Homeowners Association so we can account for that. We envision some separation and responsibility for the long-term maintenance of the streets.

Mr. Leser said, they also have stone, gravel and some chip sealed roads. I don't think the commissioners would want to take on a brand new chip sealed and gravel roads for their long-term maintenance. The financial guarantee only works when they are public roads. If they are private roads there is no guarantee those roads will ever be built. We do the finical guarantee on the public infrastructure. That's why it's important that the roads be public. So everyone has access and there is a guarantee that those roads will be built.

Member Orick said, Chuck you're saying that the public roads the only way that the county can really maintain it is if they are built to county standards?

Mr. Leser said,(not audible) roads after the initial construction it would fall apart. The life of a chip and seal road is three to five years. That means you have to go in every three to five years and re-chip seal that. And that would be the county's responsibility. The gravel or stone road you would have to grade down at least once a month if not more. We don't have the manpower or the time and equipment to go to this one addition and do this all the time. That's why we have in our ordinance certain road standards that all developers know before they show up that this is what they need to do. And these standards also match the City of Anderson and the surrounding counties. That's how we do under these standards.

Member Orick said, I guess I'm not hearing are they going to be public or are they going to be private, I don't even know if anyone knows what kind of roads they are going to be and who is going to take care of them. It seems to me to be a very big issue here and so ---

Mr. Brown said, let me make a proposal then. The county maintains the asphalt roads, but the Homeowners Association will maintain the gravel roads and private roads. There is no chip and seal there, it will be either asphalt or gravel and/or brick pavers.

It was the consensus of the board to take a ten-minute break (11:09:00 A.M.).

The meeting was called back to order at (11:23:20 A.M.).

Craig Bowyer, Fire Chief Adams Township Fire Department.

Mr. Bowyer said, I met with Josh and Sarah a number of times over this development and realistically the outlay of the development serves us fine for the most part. There are some areas of concern. I have made Josh aware of those a few times. Primarily the secondary entrance off of 500S causes me a little bit of concern because it is not very wide. I think the paved width of that area is 8 feet wide. With a stabilized shoulder of six feet and it still cause me a little bit of concern getting some of our trucks through there. We're talking about running 35-foot long trucks through that small square. I have made them aware of that.

The only other issue I have and this was something that came up afterwards and the more I thought about it, these houses here and here, particularly, I am not sure but I don't think they have paved access road along the front of these houses. In the middle of winter when you have four feet of snow on the ground are you going plow that so I can put my trucks in there. That's my question. How am I going to get my trucks through there? The grassy pavers work great for the most part of the year but there are those times that we do have heavy enough winters that there is going to be snow built up along the front of those houses. Then with the gravel alleyways back here not being the primary access, it still causes me enough concern about providing access to the front of these houses. I realized we talked about this and it does meet that 115-foot distance that is required under code.

Those are the only real concerns that I know of and I have made them aware of those concerns. But relatively speaking the main thoroughfares I think they are going to be wide enough for our access and getting around the Village.

I forgot the building heights. I do have a concern, three stories is what we are comfortable in protecting because we don't have any kind of elevated appliances. We don't have a ladder truck. We just don't have that kind of equipment. I talked to Josh about this and they are willing to stop at three stories. Now the bell tower would not be a problem and as long as it is not life threatening I would have no problem with the height.

Mr. Brown said, we are willing to build what can be protected. In the future because of tax revenue maybe at that time a new truck could be purchased and if that happened we could expand the buildings up ward if people wanted.

Mr. Zonarich said, I guess the comment here on your observation of the distance between the road here in front of these houses. A lot of times in most conventional developments that's about 40 to 50 feet --- most

conventional subdivisions mandate that the house has to sit back off the road at least 40 to 50 feet off the road any way.

The Homeowners Association will plow the snow on the pavers that will support emergency apparatus along the front of those houses.

Mr. Bowyer said, those are my primary concerns -- the only other thing I would say is, keep in mind that as your building these houses, I am not sure what Madison County requires necessarily when you start talking about mixed use, your going to have to account for the most stringent portion of code when you build a house and business (not audible) --- it always refers to the highest and most stringent code.

Member Wilson said, since we used Pendleton as a comparison often today, Adams Fire Department sits on 109 south of US 36, the Pendleton Fire Department sits in the business district, in the downtown, actually in the area where there is zero lot lines setback and multiple stories, is there concern on your part in the fact that you are going to have this high density area and the distance between the two --- where your fire station is ---

Mr. Bowyer said, certainly, I think particularly in the urban center of the Village Square portion that there always has to be concerns. It is going to impact our ability to protect ---

Member Wilson asked, have you had any conversations with the water developer in reference to not only pump capacity so you can get the appropriate pressure provided but also storage? Has there been any conversation in reference to storage?

Mr. Bowyer said, no, I haven't spoken with the water developer at all. The only thing I can say to that is the water system will have to meet the International Fire Code requirements. That will have to be in place before any building permit is issued.

Neal McKee, President of South Madison Utilities.

Mr. McKee said, (not audible) design for the area. We will follow the fire codes.

Member Wilson said, in essence there are things that will have to be set for phase one that in turn handle five phases. And one of the things that will have to be in there will be the water including whatever the necessary requirements are by the code before the first building permit can be issued on the very first house, to be mixed-use house, to be built in the place.

Member Simmermon said, how about the entrance off the roads? Does that bother you? Some of those entrances off 500, those little alleys and stuff, does that bother you? The two main entrances off of 500S appear to be wide enough and they have shown, did a study based on their largest truck and its turning radius

Mr. Bowyer said, the two main entrances off of 500S appear to be wide enough and they have shown --- did a study based on their largest truck and it's turning radius and at this point it appears that the truck can make the turn without any real issues.

Member Wilson asked, do you envision more apparatus being needed?

Mr. Bowyer said, yes, some point in time we will and that will be both for fire trucks. And ambulances, we all read have two and that should be sufficient.

Member Wilson said, I understand there will be additional revenues through additional assessed values in there but I also understand that there is a two year and a minimum up to three years time lag from the time that you start doing the development before you actually start seeing the revenue coming in that you would use to pay off your debt services. So, the question is how much impact is going to fall on the current resident of Adams Township to pick up the load in between?

Mr. Bowyer said, I think we are talking about --- depending on the market one to two years --- I think the first phase isn't going to make a sufficient impact and the second phase I certainly think (not audible).

Mr. Hershman said, this area right through here that will be come like a camp area, retail area, and cabin area. Now this is only serviced by a gravel road or dirt road. Is that going to be a potential problem in reference to fire protection?

Mr. Bowyer replied, certainly. I would prefer that it be more than just a gravel road if there are life saving issues.

Mrs. Brown said, that area is going to be sold to someone who is going to develop it and when we get in to the details the purchases that camp is going to have to comply with all the fire standards. That is included in the PUD and will be at the conceptual part.

Our public roads will be up to our standards (not audible) thoroughfare plan for the asphalt (not audible) streets. And the gravel will be maintained ---- the gravel and the brick, whatever is above what you currently service that we will maintain that.

Member Simmermon said, in terms of any kind of a financial guarantee on all the roads, Mr. Leser said earlier, that he would only do that on public roads, would you be willing to put in some kind of a bond or some kind of a guarantee on the secondary roads?

Mr. Brown replied, yes we are willing to guarantee that before one shovel hits the ground you guys will know a guarantee --- (not audible) 100 percent of all the roads ---

Harold Gardner, 857 E 500S.

Mr. Gardner said, I have some concerns of people that live in that neighborhood. Some of the questions have some what been answered by Mr. Leser. Who pays for the roads inside the addition? Keep those roads up. Is this going to be the taxpayers? Sounds like you might need a new fire engine and you might have to have a substation for the fire department, is the taxpayers ready for that? Mr. Brown seems to use the we a lot in referring to what's going to happen. If we is what he is talking about here is the taxpayers, it's going to take major money as to what's going to happen to the infrastructure and the roads surrounding the subdivision.

We all ready have a simpler area to live in, why add hundreds of people to un-simplify a simple area. As far as them raising livestock everybody raises their livestock differently. If there are 60 people in there with these small lots with chickens, goats, milk cows there is no way that you aren't going to have an area with lots of

odors, lots of complaints and lots of problems, fencing problems. Pictures look great. What we have here is an artist picture of a simple European life style. We are local people and want the area to stay simple with out hundreds of people, homes, livestock, odors, etc. I think this is a master plan for disaster.

Darvin Davis said, I live on road 500. I am not for or against this I do have concerns. I've seen that area fill up with water and it comes across the road and at times it looks like a river. I am also worried about the roads. I am worried about the wells drying up and losing our piece and quite in that area.

Member Maxwell said, this is for Mr. McKee. He brought up a point here. I understand when you put in your new system and you start pumping test pumps and stuff like that, and it would affect somebody's well in the area --- so it was probably a result of this well pumping (not audible) water. What if a year from now a close neighbors well went down after --- in other words this is a test process but after the first phase is finished, wells are running, and somebody's goes dry, is there a time frame that we're looking at?

Mr. McKee said, there is no time frame. The Department of Natural Resources governs (not audible) which all public water systems that pumps over 100,000 (not audible). So the method of finding out the investigation the Department of Natural Resources (not audible) problems with their wells would go through that process and they would contact me or you could contact me and I will get them to the right person and they will come out and investigate and determine whether it's the department of utilities doing or if the pump went out. We will get them water.

Mr. Brown said, the test is way bigger than capacity.

Mr. McKee said, we will actually test pump it before we expect to pump out of that facility, We determine the size of our storage tank and everything based on the capacity of our well facility. Also the (not audible) based on what we can actually produce out of the well. We want to build something small for Josh right now and if it continues down the road we can expand it so you can actually get (not audible). Our initial build out is to sustain the needs of that entire development. There has not been a test bore done on the property as of yet.

Mrs. Brown said, I really understand the desires of the neighbors to keep that area as a nature preserve and the Henning family owns this property and I don't think they are inclined to turn this in to just a nature park. I don't think that would be a practical option for this property. The more realistic approach would be for development to come in.

Mr. Brown said, we are preserving as much of the natural area as this as possible which will be around 50 acres of open space.

Mr. Zonarich said, we have incorporated nearly 100 percent of all the trees growing on the property will have walking paths and trails. The only area where we will have to actually cut them out is where there is an intersection because we want to preserve the forest area as possible.

Member Wilson said, I realize this is kind of complex to everybody that is out here and planning and developments, PUD's do not operate the same way as other zoning questions that come before this body. But the way this works is, this question is before this body, which is the Planning Commission, and for PUD's there is a conceptual decision that's made and a detailed decision that is made. So the way it progresses is, the question that is before this body today is do we as body make a recommendation to the Board of

Commissioners to change the zoning for this property to a PUD concept. In other words it would be a PUD if we would just say yes we think it's a good idea or no it's not a good idea coming out of here as this concept has been presented.

Then there is a time frame for the Board of Commissioners to consider the issue. Which is 60 days. The Board of Commissioners then make a decision in about taking it up. Regardless of what the recommendation is from this body. This body can say yes we think it's a good idea or no we don't think it's a good idea. But there's no final decision that comes out of the nine people that you see sitting in front of you today. It moves to the Board of Commissioners. Then the Board of Commissioners then have some options as far as taking it up. They can take it up and approve it. I am talking about the conceptual. They can approve it, they cannot approve it or they can just choose to let it ride under the recommendation that the Planning Commission makes or the Board of Commissioner can modify it. So there are several different things that can fall in this. If the Board of Commissioners approve it then what it does is, it creates a county ordinance that is specific to this property. So all the ordinances that are out there don't apply. Just that ordinance, the county law that will deal with just this property. And then that is broken in to two pieces then. It is the conceptual presentation and then we move to what's called a detailed agreement. The detailed agreement then can have x number of qualifications built in to the detailed agreement they have proposed in their conceptual area that five phases. We could achieve agreements that the five phases would be built out no closer to one year at a time or 18 months at a time or there are all kinds of things that can be written in to that.

So it could be voted on today and move forward with a split vote up here. It could be voted on today voting not to recommend it. Or it could be voted to recommend it. But either way, up or down, the next step goes to the Board of Commissioners. And then regardless of the vote it is still up to the developer because they are coming in to make decisions along the way whether they think that their development is still do able development as this progression of agreements works its way forward for their PUD.

Mr. Shine said, its 90 days that is has to be heard from the conceptual by the County Commissioners and 60 days (not audible). So for the conceptual it's 90 days.

Member Wilson said, I can't answer for all these guys but every time this moves forward we advertise for public hearings on each one of those steps. And Mr. Davis I won't have a problem calling you and telling you. There will be additional meetings that will occur along the way. We will take public input all away down the line on the conceptual end of it as far as the Board of Commissioners is concerned and on the detailed end of it. The detailed plan will comes back to the Planning Commission again. So even after we move through the whole conceptual end of it everyone of those phases comes back in and we move through this whole thing again.

We could if the developer makes a presentation they may come in and want to have an agreement on all five phases at the same time. That's possible. But that's how that gets approved. It still comes back to the governing body to make those decisions.

Member Maxwell asked, Member Newman, since he serves on the Drainage Board, if he had any information he would like to share with the board?

Member Newman said, as far as the drainage is concerned, since we do hear this in Drainage Board, I generally let the Technical Review Committee know up front that I would just as soon not bring up the drainage in

Technical Review because we would be going through it twice. I have met with --- I have taken a look at the conceptual plan of this and reviewed it extensively. I have met with Michael Diamente several times. I have spoken with our consulting engineer multiple betimes who has also reviewed this project. The conceptual drainage plan will not have any problem what so ever meeting the specifications that are set forth in our zoning ordinance. They have actually presented us an exceptional drainage plan that is quite a bit different than what the county is use too. But one thing I would like to point out is, the EPA did pass an un-funded mandate, it's called the Clean Water Act. And a lot of the concepts that are part of this Clean Water Act are somewhat innovative and different than what this county is normally seen. But they have brought in a lot of the aspects from that and put that in their development that really puts them above and beyond what we have normally seen. But what I have seen on the conceptual plan, their drainage plan, I consider it to be an excellent drainage plan.

Member Randall said, in the matter of rezoning this from its current zoning to a PUD development, I would start by saying the intent according our county ordinances with a Planned Unit Development is to provide greater design flexibility in the development of land and also that the Planned Unit Development regulations are intended to encourage innovations in land development techniques so the growing demands of Madison County may be met with greater flexibility and variety in type, design and layout of a sites and buildings. Planned Unit Development projects should also encourage a more efficient use of land so that (not audible) economies may benefit the community at large. Examples of this concept would include the preservation of existing trees or wetlands and the inclusion of recreation areas within new residential subdivisions.

In as much as all the testimony we have heard through about six hours or seven hours in the last month, I think that they have demonstrated that conceptually this is what they are presenting to us. And I would therefore move that we as a County Planning Commission refer this to the County Commissioners with a do approve recommendation.

Member Orick seconded the motion.

The vote was seven yes; Maxwell, Likens, Randall, Gary, Newman and Simmermon. Two no's; Wilson and Gustin. The motion carried. **Petition #552 of The Little Village Makers, LLC for Conceptual Development Plan of Simpler Times Village forwarded to the County Commission with a favorable recommendation.**

2. Miscellaneous:

Mr. Shine said, I need to put on the record, on August 14 we had an Executive Session and the only thing discussed at that Executive Session was job performance of employees, it was a similar meeting that we had on July 25th, I need to have that signed and placed in the records.

Attachment: The following is a memorandum of the Executive Session held August 14, 2007 concerning, job performances.

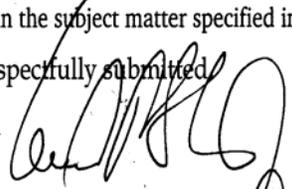
**MEMORANDUM OF EXECUTIVE SESSION OF
MADISON COUNTY PLANNING COMMISSION**

On August 14, 2007, at 8:00 a.m., an executive session of the Madison County Planning Commission was held in Room 108, First Floor, Madison County Government Center, 16 E. 9th Street, Anderson, Indiana, pursuant to notice issued, for the purpose of job performance of employees, pursuant to I.C. §5-14-1.5-6.1(9).

Present were John Randall, Jr., Bill Maxwell, Brad Newman, John Orick, Paul Wilson, Wes Likens and Gary Gustin, Members, and Gerald P. Shine, Jr., Attorney. John Simmermon and Mark Gary were absent.

Job performance of employees of the Madison County Planning Department were discussed in detail, including those of the Executive Director, who appeared before the Board. No subject matter was discussed in the executive session, other than the subject matter specified in the public notice.

Respectfully submitted,

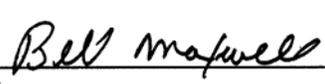


Gerald P. Shine, Jr. (#297-48)
Attorney for Madison County Planning Commission

CERTIFICATE

No other issues were discussed in the executive session, except those stated in the above memorandum.

MADISON COUNTY PLANNING COMMISSION

BY: 

PREPARED BY:

Gerald P. Shine, Jr. (#297-48)
Attorney for Madison County Plan Commission
911 Meridian Plaza/P.O. Box 1448
Anderson, Indiana 46015
(765) 649-3434

Mr. Shine also said, that exhibit from the city of Anderson in regards to the furnishing of water needs to be part of the record.

The following attachment is an Exhibit from the City of Anderson concerning Simple Times Village.

Greg Valentine, Green Township Trustee.

Mr. Valentine said, I want to bring to the staff's awareness a business that is operation in Green Township that has never come before this board or any other one. The one I would like you to look in to is a motor cross, four

wheel and off road operation. It looks like it is really getting on a roll. The gentleman lives on 750W just north of 67. They are hauling in stone and gravel and it looks like they are building a parking area for this. They have also put in a road cut in for people that are riding --- The owner is Joe Shetterly, 10038 S 750W.

Member Maxwell said, under miscellaneous we have one item. I have a letter from Mr. Hershman and it is his petition to resignation as director of Madison County effective January 1, 2008. We have discussed all this in Executive Sessions and now he has turned this in so now we need to vote on it as to whether to accept his or not.

Member Newman made a motion, seconded by Mr. Likens to accept Mr. Hershman's resignation. The vote was unanimous in favor of the motion.

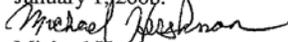
The following attachment is the letter of resignation from Michael Hershman, director of the Madison County Planning Commission:

October 9, 2007

Bill Maxwell
Chairman
Madison County Plan Commission

Mr. Maxwell

I resign my position as Director of the Madison County Plan Commission, effective
January 1, 2008.


Michael Hershman

Member Randall was not present for the vote.

Member Maxwell said, Jerry and I, and Member Orick and Member Randall, talked to Michael awhile ago and expanded the details that he will be caring on his job until January 1, the last day of this year doing his job description, his vacation and stuff. Everything is in order because he is still an employee till December 31 and he will continue his job as director.

Member Wilson said, we don't meet again for another month so my suggestion would be, in past practices has been to establish a sub-committee that would move forward with this and charge them with the responsibility of organizing advertisements, schedule interviews, all those things that has to do with that. That would also incorporate the Planning Commission's attorney as an advisor as they move along through the process. There were four members from the board that served on the last sub-committee. Member Maxwell said, I will volunteer to one of them. John Randall, Brad Newman and John Orick also volunteered to serve on the sub-committee.

Member Orick said, I would like to say something. I really valued working with Michael for all this time. And at any point the agreement is, Michael if you find a position and I personally pray that you do, that this board will not hinder you starting that position at the appropriate time. If his being hired somewhere else prior to the agreement of December 31. And that is my understanding of this board. That we will give him a favorable recommendation for that position.

Member Wilson said, certainly the committee will make a recommendation to this whole board but I do think it is incumbent up the other people that are sitting at this table to give their, either verbal or in writing, thoughts in reference too this process. I think we owe it to you guys to do that. I will commit myself to do that. Just what they would like to see as the qualifications of a new director.

Member Newman said, I think we had this discussion last time that there was some concern over the job description. And so I would think it would very wise of us to have a discussion regarding that and coming up -- and if anybody else has any opinions on that pass that opinion along so we as a sub-committee have an idea of what this Planning Commission is thinking in regards to that. I would like those responses in writing not verbal.

Mr. Shine said, by this Friday I will e-mail everybody a copy of the job description that was followed before.

It was the consensus of the board to hold the first sub-committee meeting Monday, October 22, 2007 at 9:00 A.M.

Member Randall said, I hate to see this all happen and occurring like it is now. Michael has been through some of the roughest, toughest things here in the county since I've been involved. And whenever you go through the periods he has gone through you end up making people unhappy. Someone in Michaels's position you try to do what is right and correct and not pay attention to those people who think they are not being treated fairly. And some people have and some haven't but there has not been any complaints filed with the Board of Zoning Appeals appealing his decisions at any time during the time he has been here. I think Michaels's has done a decent job with what he had been facing. After all the ordinance thing and the changes and everything (not

audible) any kind of those changes makes a lot of people unhappy. He was the messenger, he wasn't the one that made the changes he was the one that had to tell the people had been made.

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

Adjournment: 12:52:37 P.M.

Bill Maxwell, President

Beverly Guignet, Secretary