

The Madison County Plan Commission met on the above date at 9:00 A.M. with President Wes Likens, presiding.

Members Present: Wes Likens, President (Via WebEx), Cory Bohlander, Vice President, John Simmermon (Via WebEx), John Richwine, Tom Shepherd, Lindsay Brown, Jerry Alexander, Denise Spooner and Mark Gary (Via WebEx)

Members Absent: Brad New, Director

Also Present: Jeff Graham - Attorney, and Stacey Hinton - Board Secretary

Current Business

Prayer – Jerry Alexander

Pledge of Allegiance - Vice President, Cory Bohlander

Jerry Alexander asked to speak to the board and audience – Every Tuesday he has a conference call at 10:30 that he must participate in that pertains to his job. It has gotten back to him that he is leaving because he doesn't like what is being talked about or what's going on. He wanted to publicly say that is not the case. He has a conference call every Tuesday at 10:30 he needs to be on.

Roll call : 5 – Present in person, 3 – Present via WebEx, 1- Absent (Lindsay Brown)

Secretary Hinton asked for clarification on the board appointments from the last meeting – Who were the No Votes - Member Brown and Member Spooner were the two No's regarding the MCPC Citizen Member. Member Spooner also stated that she wasn't sure as to who made the motion of Director Newman. Attorney Newman advised "Upon duly Appointed" would be appropriate to put in the minutes.

Approval of the January 11th, 2022 board minutes. Member Shepherd made a motion to accept the January 11th, 2022 Board Minutes. Second by Member Alexander. **Minutes Approved.**

Discussion for hiring a Planning Consultant while Brad Newman is on leave – President Likens stated this would be move to the last thing on the agenda

Old Business

Attorney Graham spoke to the board regarding two old petitions that were introduced at the January meeting. The request for a zoning change and a waiver on property 5205 S 525 W., known as Grace in Motion . The petitioner is ill and is not able to be at the meeting. Petitioner did appear at the January meeting and spoke in detail about the proposal and petitions. Both petitions were continued t that meeting.

- 1. Petition: 2021-Z-006
 Address: 5205 South 525 West, Pendleton
 Location: Fall Creek Township, District 1 Commissioner
 Petitioner: Ryan & Vanessa Sellers
 Landowners: Ryan & Vanessa Sellers
 Zoning: CR – Conservation Residential
 Request: Rezone from Conservation Residential (CR) to Institutional District (IS)

Regarding the rezone, Attorney Graham asked President Likens if he would like to open it for public comments since evidence had been presented at the January meeting. President Likens agreed. No Remonstrators were present. Attorney Graham presented the board with proposed Findings of Fact that he drafted with the help of the Planning Staff for the board and read them to board members. He also indicated that the rezone would be for a favorable or unfavorable recommendation to the Board of Commissioners. The waiver would be approved or denied by Planning board. Member Bohlander asked if the reason these two petitions were tabled was because we didn't have a staff report. Attorney Graham answered yes. Member Alexander made a motion for a Favorable Recommendation to the Board of Commissioners with the adopted condition from the November 9th letter regarding hours of operations, number of employees, etc. and the adopted Findings of Fact. Discussion was had among board members. Motion was seconded by Member Shepherd. Roll Call vote taken and was unanimous. **Motion Approved for a Favorable Recommendation to the Board of Commissioners to be heard as early as their February 15th, 2022 meeting.**

Secretary Hinton asked that it be noted that Lindsay Brown came into the meeting at 9:18 a.m.

- 2. Petition: 2021-W-005
 Address: 5205 South 525 West, Pendleton
 Location: Fall Creek Township, District 1 Commissioner
 Petitioner: Ryan & Vanessa Sellers
 Landowners: Ryan & Vanessa Sellers
 Zoning: CR – Conservation Residential
 Request: Waiver of the public sewer and water requirement in the Conservation Residential (CR) Zone District

The Second petition is for a waiver of public sewer and water. Evidence was presented at the January meeting and distance was a major problem. Attorney Graham read aloud the proposed Findings of Fact to board members. He also indicated that the reason this was not voted on at the last meeting was because no Staff Report had been given to board members. Member Spooner made a motion to approve Petition 2021-W-005 per adopted Findings of Fact as read and Seconded by Member Brown. Discussion was had among board members regarding hooking up to public sewer when it becomes available. Member Spooner amended her motion to add a condition to require the Petitioner to hook up to public utilities when it becomes available within 300 feet of the subject parcel. Seconded by Member Brown. Roll Call vote taken and was unanimous. **Petition 2021-W-005, Motion Approved with adopted Findings of Fact.**

New Business

1. Petition: 2022-W-001
 Address: 4730 S Rangeline Road, Anderson
 Location: Union Township, District 1 Commissioner
 Petitioner: The Kenneth Pittsford Trust
 Landowners: The Kenneth Pittsford Trust
 Zoning: CR-Conservation Residential
 Request: Waiver of the Width/Depth Ratio in the Conservation Residential (CR) Zone District

Attorney Graham indicated that the petition is for a waiver of the Width to Depth Ratio in the CR Zoning district. Haldon Ashton from Ashton Land Surveying spoke regarding the Kenneth Pittsford Trust and explained what the petitioner's intent is. After the splits are done, it would leave the two larger parcels as non-conforming. Brad Newman advised that the petitioners need to go in front of the board for a waiver of width to depth. Member Alexander made a motion to approve 2022-W-001 with adopted Findings of Fact. Second by Member Spooner. No Remonstrators were present. Attorney Graham offered proposed Findings of Fact. Member Simmermon had questions regarding how many splits were allowed and if the petition was a legal split. Attorney Graham said the board could adopt the waiver contingent on the split being legal. Member Alexander amended his motion to consider that investigation of the legal split. Second by Member Spooner. Roll Call vote taken and was unanimous. **Petition 2022-W-001 Approved with adopted Findings of Fact and Conditions.**

2. Petition: 2022-Z-002
 Address: 9639 West 700 South, Pendleton
 Location: Green Township, District 2 Commissioner
 Petitioner: Jeffrey and Tylene Baldwin
 Landowners: Jeffrey and Tylene Baldwin
 Zoning: GC – General Commercial
 Request: A Rezone from GC to AG for the purpose of selling their home in the General Commercial (GC) Zone District

Attorney Graham indicated the current petition is for a rezone from GC to AG for the purpose of selling their home in the General Commercial Zone District. Petitioner, Jeff Baldwin, spoke to the board and explained that after putting their home up for sale and accepting an offer, the buyer indicated that the loan company would not lend on a property because its zoned general commercial. Their intent is to change the zoning to AG for the purpose of being able to sale their property. Member Richwine explained that when the Planning Commission went through their previous comprehensive plans and land use studies, several parcels were rezoned through the planning stage. Public hearings were held regarding those changes. Member Alexander made a motion for a Favorable Recommendation to the Board of Commissioners, Seconded by Member Brown. Remonstrators were present and spoke. Attorney Graham read proposed Findings of Fact to the Board and the board adopted those findings. Roll Call vote taken and was unanimous. **Petition 2022-Z-002, Motion Approved with adopted Findings of Fact for a Favorable Recommendation to the board of Commissioners to be heard at the February 15th, 2022 meeting.**

Discussion for hiring a Planning Consultant while Brad Newman is on leave

President Likens turned it over to Member Richwine to explain what is going on. Member Richwine indicated to the board that Brad Newman has been absent for a while and after speaking to him, he is not certain of Brads return or if he will be returning. We have reached the point that we need to have someone in the Planning office with planning experience to do this job. He asked Jerry Bridges to recommend a couple planners and Jeff Graham and himself reached out to Rachel Christenson who used to work for COG as well and now works for HWC. They have three (3) consultants who would provide professional planners to work for the planning department. The Interim would be for 16 – 20 hours in the office and the rest of the time would be on call. There isn't enough money that has been budgeted for this in professional services. They would then have the remainder of Brads salary to work with. The County Council, their personnel board meeting has been made aware of this subject matter and that it may require additional funding and additional time for hiring a new planning director if Brad does not come back. All the consultants are woman. One of the consultants worked for the City of Anderson, Rachel was a planner for COG and for the City of Pendleton before moving to HWC and the third consultant has a lot of planning experience. Attorney Graham indicated that the Plan Commission hires the Planning Director. The contract would then be reviewed by the Commissioners, but the selection would be made by the board. Member Richwine indicated that all 3 have familiarity with Madison County and Rachel has the most recent experience. Member Gary asked for the names of the three consultants. Attorney Graham indicated that the first is Rachel Christenson, second is Kay Kay Gerhart Fritz and the third Deborah Lussier. After much discussion was had among board members, Member Alexander made a motion to negotiate a contract with the County Council for Rachel Christenson to be the Interim Director. No second was made. Motion dies. Member Simmermon made a motion to designate John Richwine as the Representative of the Plan Commission to work out an agreement with HWC to hire an Interim Plan Director by contract with Rachel Christenson. If that does not work, then he can choose from the other two. Member Brown seconded the motion. Roll Call vote taken and was unanimous. **Motion Approved.**

Ken de la Bastide with the Herald Bulletin - He asked a question to President Likens regarding how the hiring of the Interim Director, how does this impact the new solar ordinance going forward since Brad is the only one who really understands that ordinance and how does it impact the timeline for the Commissioners. President Likens asked Attorney Graham to help answer that question. Attorney Graham stated that the new ordinance should be done with the input of the permanent director, whoever that is. It will naturally cause a delay because of Brads illness, absence and possible replacement. Member Alexander stated to Attorney Graham about a month ago, that there is no pending legislation to force the counties hand. Member Alexander spoke to the board as well.

Member Alexander excused himself from the meeting so he could get on his conference call for his job. He left at 10:27 a.m.

Member Bohlander indicated to President Likens that someone was at the podium and would like to speak.

Kevin Majeski with Carpenter Realtor spoke. They have an approved plat that is waiting for Brad's signature that hasn't been signed yet. He asked if someone would be able to sign the plat from Ashton Land Surveying. Member Spooner has looked it over already and everything looked great. Member Richwine made a motion that subject to Attorney Graham and Member Spooners review and approval of this plat, that they be able to complete the administrative function on the plat presented by Carpenter Realtor. Seconded by Member Spooner. Roll Call vote taken and was unanimous. **Motion Approved.**

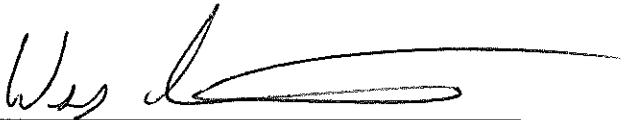
Miscellaneous

Peggy Robie spoke to the board regarding facts about Solar Panels.

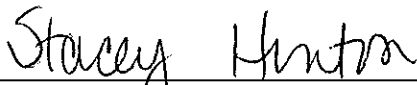
Laureen White spoke to the board and provided them with papers regarding Drews Parts and had questions for the board.

President Likens made a motion to adjourn, seconded by Member Shepherd. Motion approved.

Meeting Adjourned 10:54:03 a.m.



Wes Likens, President



Stacey Hinton, Board Secretary

