

May 3, 2006

Commissioners met on this day with the following members present: John Richwine, Paul Wilson and Patricia Dillon. Also present were County Attorney Jim Wilson, County Auditor Kathy Stoops-Wright, Deputy Auditor Jane Doty and Commissioners office manager Shawn Swindell.

IN THE MATTER OF CATTAILS SUBDIVISION IN ELWOOD

Lisa Hobbs from the Elwood City Planning Department came before the Board with an update on the Cattails Subdivision in Elwood requesting to go through the County right-of-way. The issues have been resolved. Through the annexation process the City of Elwood will be responsible for the stop signs at the intersection and any emergency calls in that subdivision. Motion to approve made by Paul Wilson and seconded by Patricia Dillon. Motion carried unanimously.

IN THE MATTER OF DETAILED DEVELOPMENT PLAN FOR THE HAMPTONS

Attorney Steve Hardin, representing Centex Homes, and from Centex Homes, John Isaacs, came before the Board of Commissioners with the Detailed Development Plan approval for The Hamptons. This project has been reviewed by the Technical Advisory Committee and the Planning Commission with favorable recommendations. It does comply with all the governing regulations and Ordinance in effect of this project. Commissioner Wilson asked if they had documents in reference to the drainage with CP Morgan. Mr. Hardin stated that they are still in discussion with CP Morgan and they agreed at the drainage board that they would grant easement. There is a master agreement being workout on how to work together on a whole host of development issues since they are an adjacent developer. As far as this project goes with the Detailed Development Plan the question was if they had access for the drainage and they did agree at the drainage board to provide that easement. Nothing will be built until everything is worked out with CP Morgan. A construction plan approval will not occur without an agreement being signed and the Planning Commission will not issue a building permit until then. Paul Wilson made the motion to approve the Detailed Development Plan for the Hamptons. Motion seconded by Patricia Dillon.

IN THE MATTER OF ORDINANCE NO 2006-BC-O-3, AN ORDINANCE AMENDING THE HAMPTONS PLANNED UNIT DEVELOPMENT

Commissioners approved the following Ordinance No. 2006-BC-O-3, An Ordinance Amending the Hamptons Planned Unit Development. Motion to approve said Ordinance made by Paul Wilson and seconded by Patricia Dillon. Motion carried unanimously.

ORDINANCE NO 2006-BC-O-3

AN ORDINANCE AMENDING THE HAMPTONS PLANNED UNIT DEVELOPMENT

Whereas, Indiana Code 36-7-15 et seq. authorizes and sets forth the procedures for allowing a Planned Unit Development District in any unincorporated area of the County; and

Whereas, the Board of Commissioners of Madison County, Indiana, did heretofore on the 4th day of April, 2002, approve Article VII, Planned Unit Developments, amending their previous Ordinance; and

Whereas, on the 17th day of January, 2006, the Madison County Board of Commissioners did conduct a hearing pursuant to said Ordinance, considered the matter and did approve the Hamptons Planned Unit Development Ordinance and a certain Memorandum of

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Understanding dated January 17, 2006, by and between the Board of Commissioners of Madison County, Indiana and Centex Homes; and

Whereas, Madison County Land Co., LLC filed its Petition No 426 for a Detailed Development Plan, Hamptons, Phase I, with the Madison County Planning Commission, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference, which petition was approved by the Madison County Planning Commission on April 11, 2006, and forwarded with a favorable recommendation to the Madison County Board of County Commissioners; and

Whereas, the Madison County Board of Commissioners did set a public hearing and considered the recommendation of the Madison County Planning Commission on the – day of -----, 2006 at a public hearing.

Now, Therefore, Be It Therefore Ordained by the Board of Commissioners of Madison County, Indiana, as follows:

1. That Petition No. 452 filed by Centex Homes of their Detailed Development Plan for Hamptons, Phase I, is approved this 3rd day of May, 2006.
2. Secondary review shall be retained by the Board of Commissioners of Madison County, Indiana.
3. Said approval is subject to certain written commitments dated January 17, 2006.
4. This Ordinance shall be in full force and effect from and after its passage and legal publication.

Passed and Enacted by the Board of Commissioners of Madison County, Indiana, this 3rd day of May, 2006.

MADISON COUNTY COMMISSIONER
S/John Richwine, President
S/Patricia Dillon, Member
S/Paul Wilson, Member

ATTEST:
S/Kathy Stoops-Wright
Madison County Auditor

**IN THE MATTER OF FIRST PAYMENT ESTIMATE TO ATLAS
EXCAVATING FOR THE WILBURN/YARLING PROJECT**

Tony Feliciano, from RQAW, came before the Board of Commissioners with the Application for Payment No. 1 to Atlas Excavating, Inc. for the Wilburn/Yarling Project. He stated to the Commissioners that the project is on schedule. The project has 5% retention and there were no Change Orders requested. The Food and Beverage money was spent on design and engineering cost and the Revolving Loan money has not been used as of yet. Total amount to be paid to Atlas Excavating at this time is \$98,315.27. Motion to approve payment made by Paul Wilson and seconded by Patricia Dillon. Motion carried unanimously.

**IN THE MATTER OF PENDLETON COMMUNITY LIBRARY BOARD
APPOINTMENT**

Commissioner approved the reappointment of Eric Reske to the Pendleton Community Library Board. Motion to approve reappointment made by Paul Wilson and seconded by Patricia Dillon. Motion carried unanimously.

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IN THE MATTER OF DRIVEWAY PERMITS

Commissioners approved the following Driveway Permits upon recommendation of the Highway Engineer. Motion made by Paul Wilson and seconded by Patricia Dillon. Motion carried unanimously.

D06-40	Wm Montgomery	200S W of 500W S sd	Stony Cr.
D06-52	Hallmark Homes	Property next to 9178 S 300E	Adams
D06-56	Scott & Denise Amos	1450N ¼ mi E of SR 9 S sd	Van Buren
D06-57	Hallmark Homes	East Knoll, Lot 24	Union
D06-58	Hallmark Homes	100W ¼ mi N of 1450N W sd	Boone
D06-59	CP Morgan	Summerlake L 538	Green
D06-60	Sharon K McDermit	900 W N of 100S W sd	Stony Cr
D06-61	Thomas E Shelton	750W N of 1000S W sd	Green
D06-62	CP Morgan	Summerlake L 764	Green
D06-63	CP Morgan	Summerlake L 537	Green
D06-64	CP Morgan	Summerlake L 661	Green
D06-65	CP Morgan	Summerlake L 565	Green
D06-66	CP Morgan	Summerlake L 536	Green
D06-67	Ryan Webster	Jefferson Place L 24	Fall Cr.
D06-68	CP Morgan	Summerlake L 831	Green

IN THE MATTER OF UTILITY PERMITS

Commissioners approved the following Utility Permits upon recommendation of the Highway Engineer. Motion made by Patricia Dillon and seconded by Paul Wilson. Motion carried unanimously.

U06-6	Cattail Estate	From S D St to 1100 N on W sd	Pipe Cr
U06-7	Cattail Estate	From 1000S to New Devel E on S sd	Pipe Cr
U06-26	Vectren Energy	4587 Clifty Dr	Union
U06-27	Vectren Energy	7094 S Trillium Trail	Fall Cr
U06-30	Vectren	320 Timber Ln	Union

There being no further business brought before the Commissioners the meeting was adjourned upon motions made by Paul Wilson and seconded by Patricia Dillon. Motion carried unanimously.

BOARD OF COMMISSIONERS

