

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

Members Present: Wesley Likens, Paul Wilson, Phil Isom, Mark Gary, Pat Manship and John Orick.

Members Absent: John Simmermon, Larry Crenshaw

Also Present: Bill Maxwell, Interim Director, Judy King, Plan Review, and Elizabeth Bruns, Secretary

**Current Business**

1. Roll call taken with two members, John Simmermon and Larry Crenshaw, being absent.
2. The minutes of the September meeting were distributed to each member prior to the meeting. Member Wilson made a motion to approve the minutes. Member Orick seconded the motion. The vote was unanimous in favor of the motion.

**New Business**

1. Petition: 2010-W-013 Zoned: AG  
Address: W side of 450 East, approximately ¼ mile south of 400 South  
Location: W side of 450 East, approximately ¼ mile south of 400 South  
Petitioner: Brank DeBruhl  
Request: Waiver for relief of width to depth ratio.

Bill Maxwell briefed the Board on this petition and read the Staff Report.

Richard Ward, Surveyor is representing the petitioners.

Discussion held between the Board Members and Mr. Ward on the driveway positioning and flooding in this area. Mr. Ward said he does not believe that this will be a problem as the driveway will be at least 50' from the top of the bank.

Member Manship indicated that he and Gene Best met on this site. This is a private tributary that goes into the Sly Fork Legal Drain also known as the Otis Copp, which is on the plat.

Member Wilson made a motion to approve Petition 2010-W-013 per findings of fact. Member Orick seconded the motion.

Don Cooper – I live at 4363 South 450 East, and I have concerns with the drainage issue and the retention pond. When they build the driveway, I am concerned that if they build up for the drive it will back up the water.

Board Attorney Shine stated that no further splits on this land in the future would be allowed, unless they filed for a major subdivision and that would require a storm water plan. Under our current ordinance, they could not split the 10 acres in the back to make any more lots.

Motion on the floor remains. Vote was unanimous in favor of the motion. **Petition 2010-W-013 Approved.**

2. Petition: 2010-W-014 Zoned: AG  
Address: 4235 South 450 East  
Location: W side of 450 East, approximately ¼ mile south of 400 South  
Petitioner: Brank DeBruhl  
Request: Waiver for relief of width to depth ratio on lot 3.

Bill Maxwell briefed the Board on this petition and read the Staff Report.

Richard Ward, Surveyor is representing the petitioners. Asks for any questions that the Board may have.

Board Attorney Shine stated that on this lot as well, there would be no further splits allowed in the future.

Member Gary made a motion to Approve Petition 2010-W-014 per Staff Findings of Facts. Member Manship seconded the motion. Vote unanimous in favor of the motion. **Petition 2010-W-014 Approved.**

#### MISCELLANEOUS

1. Bill Maxwell presented a letter dated September 23, 2010, from Richard Ward to withdraw Petition 2010-W-011. Member Wilson made a motion to accept letter of withdraw. Member Orick seconded the motion. Vote was unanimous in favor of the motion. **Petition 2010-W-011 Withdrawn.**
2. The proposed calendars have been passed out for your review before the December meeting.
3. Board Attorney, Gerald Shine updated the Board on the search for the new Planning Director. The Committee has narrowed down the search to six individuals. We are having a Committee Meeting today after this meeting. A list of the applicants is on file in the Planning Office.
4. Mr. Shine had a conversation with Mr. Crenshaw regarding our budget, and it was passed. Mr. Crenshaw indicated that the salary levels were approved as initially requested and the range for the Planning Director was approved but he thought there was a stipulation and I will have to get with the Auditor's Office to see what that stipulation was. We have some funds that are left in the budget this year, and the department is updating the Building Permit program in the areas needed. We advised The Council that we have a Chevy truck that is not being used that has 130,000 miles on it and it is in need of repairs. Bill has recommended, and with your approval, we are not going to look into those repairs and we are planning on turning it into The County for excess property and let them give it to some other group that may be in need of it because we don't have any need for it at this point and time. Thirdly, as you know with Bev retiring, the office got together and rewrote the job descriptions to include Bev's duties. Based upon that reassignment of duties, after discussions with Bill, Judy and Liz we requested the County Council to give an increase to Liz in her position for the additional duties, which she has acquired. Bev's salary was \$27,000 which we turned that back in for a portion of 2010 and all of 2011. There is a \$9,000 difference between Judy's and Liz's salaries, so we requested the

Council to increase Liz's salary \$4,500 to bring her a little closer to Judy's salary. That was not approved and the reason why is because they are not granting any increases at this time for anyone's salary however they requested it go before the personnel board. Our Personnel Board has not met for several years, so I am assuming by Council's action that they are going to request that the Personnel Board be reactivated. I just wanted to report what we requested of the Council and where we currently stand.

Member Wilson asked if they were leaving Beverly's position in the line or has the line been eliminated? Mr. Shine stated that we kept the position as approved with a zero salary for 2011. Mr. Wilson said that you would then have to acquire additional funds to increase the salary? Mr. Shine said yes that is correct.

The wind energy company has advised us that they want to proceed and want to do this in a two-step process Madison County and Tipton County being the first step, and then expanding into Howard County and Grant County as their second step. They plan to have 70-120 towers all located in the area north of Elwood to the County line. They are going to get approval and proceed with construction in 2012. They will be appearing before the Drainage Board tomorrow morning.

Mr. Shine brought up the question about how the taxing on these towers will be figured. Towers are now taxed as personal property.

Mr. Shine updated the Board on the Landfill issue and indicated that no decision has been made. The Clerk of the Supreme Court resides in Anderson. We have had some discussions with Mr. Smith and he has advised us that it would probably be somewhere around 9-12 months. Now this does not have anything to do with the litigation going on in Noblesville in regards to the Landfill. I think that everybody has that on hold waiting for the Supreme Court to make their decision. Maybe we will get a decision in 2011, it started in 1977.

Member Orick made a motion to adjourn, seconded by Member Gary.

ADJOURNMENT: 9:36:46

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Wesley Likens, Acting President

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Elizabeth Bruns, Board Secretary