

MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 12TH DAY OF JULY 2012 AT 9:00 A.M.
MEETING ROOM – DEPARTMENT OF PUBLIC SERVICES BUILDING
4230 ELKHART ROAD, GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Chairperson, Jeff Burbrink, with the following members present: Tony Campanello, Doug Miller, Dennis Sharkey, Steve Warner, Steven Edwards, Roger Miller, Blake Doriot and Mike Yoder. Staff members present were: Chris Godlewski, Plan Director; Brian Mabry, Planning Manager; Duane Burrow, Planner; and James W. Kolbus, Attorney for the Board.

2. Mr. Burbrink noted that there was no Plan Commission meeting held in June.

3. A motion was made and seconded (*Doriot/R. Miller*) that the legal advertisements, having been published on the 30th day of June 2012 in the Goshen News and the 2nd day of July 2012 in the Elkhart Truth, be approved as read. The motion was carried with a unanimous vote.

4. A motion was made and seconded (*Doriot/Sharkey*) that the Elkhart County Zoning Ordinance and Elkhart County Subdivision Control Ordinance be accepted as evidence for today's hearings. With a unanimous vote, the motion was carried.

5. The application for a Zone Map Change from A-1/ B-1 PUD to a Detailed Planned Unit Development-R-1 and Detailed Planned Unit Development-A-1 to be known as **MAPLEWOOD ESTATES DPUD**, for Marion Schrock represented by Brads-Ko Engineering & Surveying, Inc., on property located on the North side of Maplewood Drive, 315 ft. East of SR 19 in Olive Township, zoned A-1/B-1 PUD, was presented at this time.

Duane Burrow presented the Staff Report/Staff Analysis, which is attached for review as *Case #0MAPLEWOOD DRIVE-120604-1*. Mr. Burrow clarified that the R-1 portion of the DPUD will be in the Town of Wakarusa and the A-1 DPUD will remain in the County's jurisdiction.

Roger Miller asked if they thought it would be better to deny the petition and then have them come back after the annexation. Mr. Burrow explained if the petition was tabled, under the present Rules of Procedure, they would have 90 days to correct the defects. The petition would have to be resubmitted, go through the Tech Committee process, advertised in the newspapers, and set for a public hearing. If tabled, he said it could be extended beyond the 90 days for unique circumstances.

Mr. Doriot reported that he had done previous work on this parcel for the petitioner; however, he has nothing under contract at this time or within the past year. Mr. Kolbus stated that there would be no conflict.

Barry Pharis, Brads-Ko Engineering and Surveying, 1009 S. 9th St., Goshen, respectfully asked that the petition not be tabled and that he be allowed to give his presentation for a single family residence to be placed on this property. Mr. Schrock was told by Staff that they would be required to do a planned unit development for a residence on the property.

Mr. Pharis met with the Staff to find out why a planned unit development was required for a single family residence. He called and made an appointment with staff to find out why on a single family residence why they are requiring a DPUD. He was told that there is an existing B-1 PUD and there are two existing buildings within that PUD, so the only process available to them, rather than a minor subdivision, was the DPUD. Mr. Pharis had significant communication concerning this request with various Wakarusa entities such as, the town engineer, town attorney, superintendent of utilities, and the clerk treasurer.

Mr. Pharis stated one of the requirements for a DPUD that goes through this Staff and Plan Commission for recommendation to the Town Council is that he receives a letter stating that the petition request is in compliance with the Town of Wakarusa's requirements and ordinances *[attached to file as Petitioner Exhibit #1]*. He submitted a drawing that showed the four separate tracts of land involved *[attached to file as Petitioner Exhibit #2]* and explained that tract 1 to the far west, where the train tracks were located in close proximity to the old Come and Dine restaurant, had access to Maplewood Drive and that tract is zoned B-1 PUD. There was a separate tract where the other buildings were located and stated they were used to store equipment. Another tract is in the corporate limits and zoned A-1. The fourth tract is also zoned A-1, but is not in the corporate limits. They asked to leave tract 1 as a B-1 PUD and the property with the two buildings to be R-1, because they want to use the two buildings for their personal storage. He said they asked that the A-1 zone in the town limits be rezoned into R-1 and to leave the other parcel outside the town limits zoned A-1, which would allow Marion & Brenda Schrock to build their home. Mr. Pharis said they clearly outline why they wanted the last tract to remain A-1, so their children could raise 4-H animals. He clarified that inside the city limits they could not raise animals, unless they would go to the BZA and get special permission. The Schrocks wanted the ability to accomplish that goal.

Mr. Pharis was surprised when he got the requirements for this request to be a DPUD. Monday morning he came to the office for the Staff Report and read the request was tabled and he was shocked. He the Staff Report indicated 'due to the adoption being problematic.' Mr. Pharis believes when you write something you choose words for a reason, so he looked up problematic in the dictionary which is described as . . . 'puzzling, dubious, or questionable'. He stated that he had clearly established in every contact, in meetings with staff, all conversations and meetings with the Town of Wakarusa, and in their narrative report (Item #3, Land Use, under F) . . . enables the possibility of 4-H animal for children. Mr. Pharis did not believe that they resorted to trickery or bewildering activity and they feel that they are being punished for a straight forward and honest presentation of their desires.

Mr. Pharis had contacted Joyce Hartman last week, before he saw the Staff Report, and he suggested that she specify her intentions with tract 4. Last Friday a letter from Joyce Hartman was sent to Duane Burrow stating that the Wakarusa Town Council approved the request to keep tract 4 an A-1 zone, which he reviewed and submitted to the Board *[attached to file as Petitioner Exhibit #3]*. Mr. Pharis informed the Plan Commission that the schedule as of now would make it difficult for his client to build their residence this year. Based on all of the conversations held with the Town of Wakarusa, Mr. Pharis submitted the secondary plat on July 2nd. The Rule 5 post construction plans are all approved, the plan has been submitted to IDEM, and all of the fees have been paid. He said if they will be required to annex this property, it will take at least 60 to 90 days, and then Mr. Schrock will have to come back to the Plan Commission to complete this process. He requested that the Board reward their performance of not being dubious and forward their petition to the Wakarusa Town Council for their approval. The Plan Commission may choose to send the petition forward with a recommendation of approval, denial, or no recommendation. Mr. Pharis just wants

it sent to the Town Council so they can decide what they want to have happen in the Town of Wakarusa. He then asked for any questions from the Plan Commission.

Mr. Sharkey said it appears that half of the property would be in the city and half in the County and Mr. Pharis said that is correct. Mr. Pharis reminded them that this has happened in the past. Every subdivision in the county that has city water and sanitary sewer has a contract agreement. In this situation, part of the house is located in the county, so they can raise 4-H animals, and part is in the city, so the water and sanitary services will come from the town. He reminded the Plan Commission that this is a DPUD petition, which means a specific footprint has been provided indicating exactly where the house will be located and exactly what it is going to be. Any deviation from the DPUD would mean they must go back to the Plan Commission and Town Council for a revision, amendment or denial.

Mr. Doriot asked why this is not being done as a minor subdivision. He felt that this tract could stand alone with one simple variance. Mr. Pharis stated that they spent a great deal of time and money in order to comply with what the ordinance requires. Roger Miller asked what affect annexation would have on the building. Mr. Yoder understood that, pertaining to the County, Mr. Pharis was not asking for any change to the zoning. The only potential change would be on the city of Wakarusa side and the Town Council would decide. Mr. Pharis reiterated the changes were a B-1 PUD to R-1 and an A-1 to R-1. Mr. Yoder continued and a decision to annex is, ultimately, up to the Town, because the County cannot force them to annex. Mr. Pharis stated that they stipulated to the Town of Wakarusa that should they elect to annex he would not remonstrate.

Roger Miller asked what effect on the building does the annexation have. Mr. Yoder said their property taxes would go up on the half of the house that is now in the County, but will be in the Town. Mr. Sharkey said he would like to see it on one piece of property. Mr. Pharis stated it is one piece of property. Mr. Doriot said it has a jurisdictional line across it.

Sara Weirich, 66148-1 SR 19, Wakarusa, lives to the north of the Marion Schrock property and is in favor of the request. She felt they should be able to build their house and have their 4-H animals.

There were no remonstrators present.

Mr. Pharis indicated Ms. Weirich's input was an unsolicited response from a neighbor. He asked that the Plan Commission send this request to the Wakarusa Town Council with a favorable recommendation.

Mr. Sharkey asked if the Town Council can approve something that is going to be built in the county. Mr. Doriot explained that the county issues building permits for the Town of Wakarusa and is under county jurisdiction. Mr. Yoder suggested if the town would object they could move the house further east entirely into the A-1 zone. Mr. Pharis stated that they already have the documents from the Town of Wakarusa indicating that the Town supports the construction of the residence. Mr. Yoder thought it also meets their Comprehensive Plan.

Before closing the public hearing, Mr. Pharis, reiterated that if they moved the house all the way to the west and kept it in the town of Wakarusa, the building permit would still be under county jurisdiction.

A motion was made and seconded (*Doriot/Yoder*) that the public hearing be closed and the motion was carried with a unanimous vote.

Mike Yoder stated that they met all the criteria as far as use is concerned for the Comprehensive Plan. He felt that annexation is the only issue and that cannot be decided at this meeting, so he was in favor of granting the request.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Campanello/Warner*) that the Advisory Plan Commission recommend to the Wakarusa Town Council and the Board of County Commissioners that this request for a Zone Map Change be approved as presented. The motion was carried unanimously with a roll call vote.

6. The application for a Zone Map Change from M-1/A-1 to B-3, for American Petroleum, Inc., Simran, Inc. & Anahat, Inc. (Monte Singh, Owner) represented by Brads-Ko Engineering & Surveying, Inc., on property located on the Northeast corner of US 20 and SR 15 in Jefferson Township, zoned M-1/A-1, was presented at this time.

Duane Burrow presented the Staff Report/Staff Analysis, which is attached for review as *Case #0US 20-120604-1*.

Barry Pharis, Brads-Ko Engineering & Surveying, 1009 S. 9th, Goshen, was present representing American Petroleum Incorporated. This proposed travel plaza at the corner of SR 15 and US 20 is, historically, less than attractive gateway to Elkhart County. American Petroleum has multiple fueling centers and travel plazas across northern Indiana. They bring a great deal of experience in providing quality travel plazas and they are well maintained. The property is currently zoned M-1/A-1 and they are requesting that all of the properties be rezoned to B-3. He indicated that they had spent months working with INDOT providing traffic impact studies, traffic pattern studies, traffic line of site surveys, curb cut designs and they have approvals for five curb cuts from INDOT. Mr. Pharis displayed a large site plan pointing out the location of the curb cuts [attached to file as *Petitioner Exhibit #1*]. He informed them that the plaza will have convenience store with an area to serve coffee, donuts, sandwiches, and a fast food restaurant. The facility will also include a shower and restroom area for men and women. There will be gasoline and diesel fueling centers and they will incorporate idle engine technology at the site. He explained that long haul truckers must leave their engines idling when they stop to eat, sleep or shower to keep the equipment operating. This technology enables them to plug into an electrical outlet, operate the cabin and all of the facilities within the vehicle, and turn the engine off which reduces emissions and the noise associated with idling the truck all night long.

Mr. Pharis stated that the zoning to meet all these requirements is B-3 as requested. There is a positive Staff Report and there are no conditions of consequence. He asked that the Plan Commission give this request a favorable recommendation to the County Commissioners.

Mr. Sharkey asked about INDOT and their plans for the US 20 intersection. Mr. Pharis stated that the INDOT project has been completed, but they asked American Petroleum, Inc. to do a few things on US 20 with regard to the entrance in terms of a left turn lane and a barrier. He said the two most west entrances on the south side of the property would be a right-in/right-out only because of the island barrier and they have a left-in/left-out also. He said it would be sufficient for vehicles to make the left turn. The future construction he was aware of will be west of SR 15 going to the existing bypass. He reiterated they have addressed all of the INDOT requests and have been given approval for five curb cuts.

There were no remonstrators present.

A motion was made and seconded (*Sharkey/Doriot*) that the public hearing be closed and the motion was carried with a unanimous vote.

Mr. Doriot stated that Mr. Pharis had been working with his staff on the drainage and they were pleased that he researched it. Mr. Yoder felt it was a nice improvement for the intersection. Mr. Warner's concern was the multiple curb cuts, because when the curb cuts are close to an intersection there is a possibility for more accidents. Mr. Yoder stated that INDOT is comfortable

with the plans. Mr. Campanello felt it was a well planned intersection. Roger Miller had concerns with vehicles pulling out of buildings on the south side, but with four lanes there would be an improvement.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Doriot/D. Miller*) that the Elkhart County Advisory Plan Commission recommend to the Board of County Commissioners that the petition for a Zone Map Change be approved as presented. The motion carried with a unanimous roll call vote.

7. The application for a Zone Map Change from A-1/B-2 to B-2, for Northern Lakes Investments Inc. (Seller) and New Paris Partners, LLC (Buyer) represented by Seven Generations A&E, LLC, on property located on the Southwest corner of SR 15 and CR 46, common address of 68533 SR 15 in Jackson Township, zoned A-1/B-2, was presented at this time.

Duane Burrow presented the Staff Report/Staff Analysis, which is attached for review as *Case #68533SR 15-120604-1*.

Andrew Rossell, Seven Generations Architecture & Engineering, 88 W. Main St, Benton Harbor, MI, represents both New Paris Partners LLC, as well as Northern Lakes Investments Inc. He felt the staff report was very thorough and stated that the sole purpose for that area is to utilize it for storm water management. Their commercial development will take place in the B-2 zoning district.

There were no remonstrators present.

A motion was made and seconded (*Doriot/R.Miller*) that the public hearing be closed and the motion was carried with a unanimous vote.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Doriot/Burbrink*) that the Advisory Plan Commission recommend to the Board of County Commissioners that this request be approved in accordance with the Staff Analysis. With a unanimous roll call vote, the motion was approved.

8. ***Major/Minor Change to Wings Etc. North Goshen DPUD B-3***

Mr. Burrow submitted a letter from Wings Etc. Restaurant and Pub requesting a minor change to their parking by removing eight parking spaces and to reduce the building footprint [*attached to file as Staff Exhibit #1*].

Wings Etc. is located on the southwest side of US 33. It is in Elkhart County, but it will be using city services. Wings Etc. applied for a building permit, but there are some issues they have to address. The Plan Commission must determine if the change is minor enough that it doesn't need a public hearing.

Mr. Burrow submitted an 11 x 17 site plan [*attached to file as Staff Exhibit #2*] and indicated that site plan complies with the original planned unit development support drawing excluding the additional parking. He said it appeared that there were issues with the overlapping of the utility easement that the city of Goshen requested the developer to establish. He asked if the Plan Commission thought the change warrants a public hearing or should they continue with the process of securing the documentation from the city of Goshen to allow for the parcel to be developed.

Mr. Burbrink asked how the Board felt about them removing a few parking spaces and making the building smaller. Mr. Burrow added that Wings, Etc. does have a high traffic count and there is no additional parking or secondary access to the site. Roger Miller considered the changes to be very minor.

Mr. Doriot wanted to ask Chris Marbach a question, because his staff designed the site plan, but Mr. Marbach was not aware of the letter and could not comment.

Mr. Burrow has been in contact with Marbach, Brady & Weaver securing erosion control information and with a site plan that complies closer to what the Plan Commission approved. Mr. Burrow has three different site plans and he has not been able to get them to identify which one they will be building. Mike Yoder asked what their square footage reduction would be, but Mr. Burrow could not evaluate that without them submitting the interior of the building. Mr. Yoder asked what they planned to do in the area where they are removing the parking spaces. Mr. Burrow thought it would be a grassy area.

Mr. Doriot pointed out on the site plan south by the retention area there are eight parking places that are hatched out and some pavement is hatched out. Mr. Burrow asked that if the Plan Commission approved this request that they reiterate the fact that the plan he submitted is the correct plan and they must build to this plan.

Mr. Yoder moved that the Advisory Plan Commission consider this request for a minor change and to adopt the revised Site Plan / Support Drawing (#A-31389) as submitted on July 12, 2012. Mr. Campanello seconded the motion. The motion was carried unanimously.

9. ***“Planning in America: Perceptions and Priorities” - Brian Mabry***

Mr. Mabry stated that in March of 2012 the American Planning Association commissioned a poll to try to gauge American attitudes on planning; such as, how much it is valued, what focus there should be on planning in the United States in the future. They produced a report and infographic type document, which he submitted to the Board *[attached as Staff Exhibit #1]*. They surveyed 1,300 U.S. residents, asked a few questions and sent them graphic information. He has the actual report, which is titled, “Planning in America: Perceptions and Priorities”, but he did not make copies. If anyone is interested, he said it is available on the www.planning.org website.

The perceptions are that the planning is needed to make better communities. There are around five or six priorities that the respondent said the commission and planners should focus on and they are: job creation, safety, neighborhood preservation, education and water quality. Mr. Mabry stated that those priorities and the fact that planning is a needed activity held steady across political parties, race, ethnicity, and urban/suburban rule.

One of the interesting things was the definition of planning. The respondents were given a definition of planning as part of the questionnaire, so they would know what they were responding to. The definition that the survey provided is, community planning is a process that seeks to engage all members of the community to create more prosperous, convenient, healthy and attractive places for present and future generations.

He touched on a few of the items on the graphic and allowed for discussion or comments. The first item on the graphic indicated that 2/3 of Americans believe that their community needs more planning and he continued to review points of interest on the graphic.

Mr. Mabry felt the question that deserved thought for the future is what can we do to encourage those five areas that the public seems to be most concerned about. He felt the better response would be, what can be proactively done to make sure that we are encouraging and creating places that people want to live, and create higher employment levels and increase neighborhood preservation.

Mr. Doriot asked Mr. Mabry to run him a copy of the questionnaire. Mr. Mabry said yes and explained in the summary they address each questions a couple of pages at a time. Mr. Doriot asked if that was how the question was worded and Mr. Mabry gave an example, Question - Agree

or Disagree: 'My community is doing enough to address the economic situation.' He said there were some things that were not on the graphic. For instance, they talked about the infamous Agenda 21 and if people knew what it was and agreed with it or not. Mr. Doriot asked Mr. Mabry to run him a copy.

Mr. Campanello asked what Agenda 21 represented. Mr. Mabry explained that there are schools of thought that the United Nations has a program that is sustainable growth and the planning profession that believes in forms of sustainability that there is a scheme to impose un-American controls over private property.

10. **2013 Budget** - *Chris Godlewski*

Mr. Godlewski distributed copies of the proposed 2013 Planning Budget to the Plan Commission board members (see attached). He stated that the budget had already been submitted last Friday in order to meet the deadline with the Auditor. Council hearings will be held September 11th and modifications can be made at that time. He pointed out pages, 2, 4, 6, 8 and 10 have the final tallies. Page 2 shows a 2% increase from \$515,742 to \$524,554. He said \$6,000 of that \$8,700 increase is in fuel. He said they are not driving more, but there has been an increase in cost.

Mr. Doriot asked if Mr. Godlewski was going to hire someone for the open Code position. Mr. Godlewski said they would go to the Commissioner's Council Personnel Committee with that position being open, but budgeted for.

Mr. Godlewski continued with the 4th page of the Planning Budget, which reflected an increase of around \$1,800. He stated that increase was due to incidental costs, but that other items were lowered where money was not spent. According to Mr. Godlewski approximately 2% to 3% of the budget is unused and returned at the end of the year.

Mr. Doriot noted the budget indicates a 1% increase, but he wanted to know what items increased. Mr. Godlewski stated they do not have the comparison from 2012 to 2013; they just have the total amount. The items that increased were things such as office supplies and advertising. In discussing the increase in fuel for the Code budget, Mr. Godlewski explained that because of the two positions being combined, Code Enforcement Manager and Zoning Administrator, there will actually be an overall decrease in the budget; but he said our process does not allow that to be reflected in this budget. There was no increase in salaries, but if the Commissioners allow a 2% increase that would not be reflected in this budget.

Mr. Sharkey asked about the income this year compared to last year. Mr. Godlewski thought over the 6 month period it had increased around 10%. Mr. Godlewski stated the \$7,000 cost in the MS4/GIS budget is for maintenance, which has stayed the same the last two years. The MS4 budget went from \$48,000 to \$64,000 and of that \$16,000 increase, \$15,000 was for benefits; however, those benefits will not be used, so realistically there is no increase. He anticipated what they will expend out of that budget for next year will probably be close to \$48,000, which was approved for this year. The GIS budget remains exactly the same.

Mr. Godlewski explained that he and Kathy Wilson, Office Manager, determined where they were deficient and increased the amount where needed; however, he said that increase was offset by other areas where it was decreased. There may be marginal increases in the total, the code and planning of \$1,800, but that is just based on the Planning needs. He said this budget is reflective of what the Planning Department's needs are. He anticipated at the end of next year 2% of what was approved will be returned.

Mr. Sharkey asked about capital items and Mr. Godlewski stated there were three submitted: \$2,500 for a lap top, a replacement car for 2014, and \$15,000 for a copier replacement in 2015. He

noted Planning was to have a car replaced this year, but they did not exercise that because he did not feel it was needed.

Mr. Doriot said he would like to see the current year for comparison. Mr. Godlewski said next month he could bring the Budget back because they have until September.

Mr. Yoder moved to approve the 2013 Budgets as presented (see attached). Mr. Campanello seconded the motion which carried unanimously. Mr. Godlewski said he would email the comparisons they requested.

11. ***Zoning Ordinance - Chris Godlewski***

Mr. Godlewski distributed copies of an outline, the makeup of the Policy & Technical committees, and the original notes from the Plan Commission discussion on June 14, 2012. From that discussion, they came up with a goal which is: ease of use; update uses and definitions; and address conflicts, such as, pyramid zoning, airport overlay, etc.

Mr. Godlewski said the Technical Committee is made up of staff, including multiple County departments. They will be used as a resource to see if what we currently have vs. what is proposed works. The Policy Committee is made up of a wide variety of people from the public and is an advisory committee, which takes formal action. The Policy Committee asks the Technical Committee questions and lays out scenarios. The Technical Committee serves the Plan Commission and the Policy Committee. Mr. Godlewski thought there would be monthly updates to the Plan Commission. He believed at the end of next year the work would be concluded and the Ordinance adopted. The action taken will be between the Policy Committee, Technical Committee and the Plan Commission.

Mr. Burbrink asks if two Plan Commission members need to be appointed to committees. Mr. Godlewski agreed that Plan Commission members need to be appointed and he planned to create a formal outline to issue with the steps and the process to the committees, the Board, the public, and the press within the next week or so. First they needed to establish who would be participating.

Mike Yoder thought the Technical Committee made sense, but he was not familiar with all of the members of the Policy Committee, so Mr. Godlewski explained their positions.

Mr. Warner said he has a problem with placing someone on the Policy Committee who belongs to a group and has threatened to file suit against the Plan Commission regarding the Zoning Ordinance. He stated that the majority of people in Elkhart County were not represented and he felt those people should be involved in the committees. He did not want anyone represented from Farm Bureau, and from the hearing in April, he noted there were no positive comments from them. Mr. Sharkey thought Tim Miller had some excellent comments about including everyone, but Mr. Warner felt there was only representation with a certain group. Mr. Burbrink did not think Farm Bureau would have been as active against the ordinance if the Plan Commission would have included them in the process in the beginning. He thinks the group probably would have been better informed had they been involved in the process at the beginning instead of finding out about things along the way, and perhaps not accurately.

Mr. Doriot agreed the group should find out accurately. He gave everyone of the individuals he talked to a copy of the ordinance. Farm Bureau passed it on to the other people. They had the ordinance and made their own opinion of it. Mr. Doriot said when someone asked him for his opinion he would tell them, but he would also give them a copy of the ordinance and he put it on the website so everyone could see it. He stated that Farm Bureau tried to be involved and

he heard they were not involved, but he knows they tried to be involved. Mr. Warner recalled they were attending some of the early steering committee meetings at times.

Mr. Yoder stated he learned that there is a variety of opinions on how the farm community was involved and not involved. His perception is that there was adequate input from that, but others disagree. He is not as concerned with Dwight being on the committee representing Farm Bureau as he thought they need to recognize that group as they go forward. He felt it would be beneficial to have a different representative for the school board because he felt Dave Thwaits was a little too biased. Mr. Yoder acknowledged that everyone else on the list represents people that could bring some value to move forward.

Mr. Godlewski stated that when they go through the process they will divide the changes into sections and bring them back to the board. The changes will not be done all at once, so people will be involved during the process.

Mr. Warner stated that communication would be important from the beginning. He asked if they were leaving any room for additional members on the committees. Mr. Godlewski said there could be, but the larger it gets the more difficult it gets. He suggested 15 members. Mr. Warner said he had a couple of people who have expressed a strong interest in participating in the committee. He suggested Andy Meyers of Meyers Trust and Randy Wilson, an Elkhart businessman. Mr. Godlewski stated he would ask them, but he wanted the decision with the members to be done by tonight or next month. Mr. Sharkey recalled that Randy Wilson spoke up at the April meeting.

Mr. Sharkey felt they needed to be careful, because they need balance. Mr. Yoder felt his statement about bias must have been unclear. He did not expect everyone to agree and wanted people to bring a variety of viewpoints for discussion and hoped to reach a compromise. Mr. Sharkey felt Dave Thwaits would be good and is an intelligent person. Mr. Miller agreed that Mr. Thwaits was one of the people that spoke at the ordinance meeting that had nothing positive to offer. He recalled that his response was to throw everything out. The board discussed Farm Bureau's perspective and they had some negative, but also had positive input. They all agreed they needed people like that on a policy board that could see both sides and had good thought processes. However, Mr. Doriot totally disagreed with Mr. Miller.

Mr. Burbrink stated that he would rather have the disagreements and discussion within the committee now, rather than 1 ½ years later at a public meeting. If he is one of the people that could come to the public meeting 18 months later and start complaining about what the policy committee has written, he thought it would be better to deal with the issues at the policy committee meeting. Attorney Kolbus stated there is nothing that says you cannot change the committee later, if it is not workable and you are not making progress.

Mr. Yoder stated he thought there was a consensus that, generally, the majority would like to move forward with him (Mr. Thwaits) on the policy committee. Mr. Burbrink noted one of the members suggested some names to add to the committee and asked if there were additional names. At this time they had 12 members, but need another member for majority voting purposes. Mr. Burbrink stated that the committee should be a reflection of the community. He stated there needed to be BZA or Plan Commission appointments to this committee as well. He asked who wanted to be on the committee and Mr. Doriot said he would be there all the time. Mr. Kolbus and Mr. Yoder suggested that Doug Miller would be a good representative. Roger Miller thought they had talked about Gaylin Miller, because he represented the agricultural perspective. Mr. Yoder recalled that Gaylin Miller focused on setbacks and that was the only area. He also did not think he would have enough time to attend meetings. Mr. Sharkey pointed out that he represents a lot of people. Mr.

Yoder stated that the issue Gaylin Miller brought up was a key agricultural livestock issue and should be able to be handled by the Farm Bureau representative. He mentioned Culver Duck had a great deal of interest, so he thought there were ways to involve that industry without getting the Policy Committee too large. They came to the conclusion that Andy Meyers, Randy Wilson and Doug Miller should be added as Policy Committee members.

Mr. Warner asked if they wanted better coverage geographically from the county on this committee. Mr. Sharkey agreed that was important, for instance, if there would be Elkhart city people they would be more concerned with the city. Mr. Yoder suggested perhaps it is not so much the area of the county, but the area of their expertise and experience on the issues. He felt that was covered very well. He felt they did a good job of getting a cross section of people involved with land use issues. Mr. Warner pointed out that the Nappanee area is lacking and mentioned Ed Pippenger may be a good representative. Mr. Yoder said he agreed with adding his name to the list.

Mr. Godlewski said he had asked the people on his Policy Committee list and they all agreed to participate. Attorney Kolbus reiterated they would have three other people to talk to: Andy Meyers, Randy Wilson, Ed Pippenger and BZA may appoint another member.

Mr. Sharkey suggested that Barry Pharis would be good on the Technical Committee. Tony Campanello volunteered to represent the Plan Commission. The BZA representative is to be determined later.

Mr. Yoder moved to approve the potential Policy Committee and Technical Committee members. Mr. Doriot seconded the motion and the motion carried unanimously.

Mr. Godlewski said he would send a draft memo to the Commissioners and Council to let them know that the Plan Commission is initiating this process. He also felt they should be made aware of the added cost. Mr. Godlewski stated the thought is that the staff would work through this draft to be reviewed by everyone, but in the end they will use Ground Rules template. He felt their template and format was appropriate, but there will be a marginal cost which he estimates to be \$5,000 to \$15,000. He planned to come up with a formal outline of the anticipated timeline to give to the Plan Commission and the public.

13. ***Review of Zoning Ordinance Amendments - Duane Burrow***

Duane Burrow distributed packets to the Board of the most current amendments to the Elkhart County Zoning Ordinance. He said if they did not have the September 15, 2006 version of the zoning ordinance they should call Kathy Wilson and they will be given a complete printout. He clarified that he was submitting the inserts to the 2006 ordinance and he provided a cover sheet with a reference guide. It is noted at the bottom of the page that they are amendments as of June 2012. It includes the kennel ordinance, the digital sign ordinance and the flood plain ordinance.

14. Mr. Burbrink recognized Ann Prough for all of her hard work for Elkhart County. Her knowledge and expertise will be missed and the Board praised her approach to challenging situations.

15. Although there was no Plan Commission meeting in June, Mr. Burbrink noted they should have approved the minutes for the meeting in May. A motion was then made and seconded (*Doriot/Sharkey*) that the minutes of the regular meeting of the Elkhart County Plan Commission held on the 10th day of May 2012 be approved as submitted and the motion was carried unanimously.

16. The meeting was adjourned at 10:52 a.m.

Respectfully submitted,

Sandra Herrli, Recording Secretary

Jeff Burbrink, Chairman