**BOARD OF COMMISSIONERS MINUTES**

**SPECIAL CALLED MEETING**

**2524 CORYDON PIKE SUITE 104**

**NEW ALBANY IN 47150**

December 12, 2018

6:00 P.M.

Mr. Seabrook opened the meeting and led the Pledge of Allegiance. He also thanked everyone for coming out.

**ROLL CALL:**

**Present:** John Schellenberger, Billy Stewart, & Mark Seabrook.

**Also Present:** Rick Fox, Attorney; Scott Clark, Auditor.

**New Business:**

1. Approval of FCO 2018-14 approved at last meeting should be FCO 2018-17

***Motion:*** *Approve with unanimous consent.* **Moved by** John Schellenberger **and Seconded by** Billy Stewart. ***Motion passed unanimously***

1. Approval of FCO 2018-19 Load Limits on Spickert Knob, Fairview Knob, & Mosier Knob

***Discussion***: 6 ton per axle, 1st violation $100, 2nd Violation $500 & 3rd or more violation $1,000; enforced by the sheriff, collected by the county clerk. Notices will be sent to the commercial traffic users in the Knobs area.

***Motion:*** *Approve with unanimous consent 2018-19.* **Moved by** John Schellenberger **and Seconded by** Billy Stewart. ***Motion passed unanimously***

1. PUD FCO 2018-14

***Motion:*** *Allow a majority vote to pass the PUD.* **Moved by** Billy Stewart **and Seconded by** John Schellenberger. ***Motion passed unanimously***

***Discussion***: Mr. Stewart's biggest objection is there is a subdivision to be built. It is already zoned for a subdivision. 1st issue is stormwater, areas flooding in the area. The developer has agreed to design 125% of the 100 year flood. 2nd issue, traffic, developer has agreed to work with the county to possibly move entrance and exits to alleviate the traffic. Thanks to the developer for going above and beyond to solve the issues asked of the county.

***Motion:*** *Approve Westfield Springs FCO 2018-14 and also the 125% for the 100 year flood to include in the final PUD for stormwater purposes.* **Moved by** John Schellenberger **and Seconded by** Mark Seabrook. ***Motion passed unanimously.***

**Public-**

*Carol Webb- 1156 Copperfield Dr. -* Feels that the people were not heard. The creation of a conservation zoning.

*Blake Howell*- did a lot of research and conservation subdivisions do not allow more lots from what current zoning allows.

*George Mouser-* 1st only allowed 54 lots, now we have 79 lots per zoning. Feels that it should have died in the 1st meeting instead of tabling and moving the issue down the road.

*Jeff Eastridge-* President of Planning of Commission- felt the PUD was the best for the community, looks forward to working with the commissioners and correcting the ordinances in the near future.

*Cheryl Hopper-*Agreed with the 54 houses, now you have set a precedence for changing zoning and allowed more houses. Why could he not build the 54 houses? You cannot change the zoning if it impacts someone business. Parks didn’t want the park, and if was still approved.

*Dale Mann*- You all had a chance to not approve the changing the law. Two commissioners did not listen and still changed the law. 39 acres next door just sold and it will become houses.

*John Schellenberger*- Feels that the statement “it is not in his backyard” is bull and he has Heritage Springs that exits on 150 and Arthur Coffman, very close to his home.

*Clara Hopper-*Has there been aquaforce study on this property? This will effect a well and spring-fed pond on her property. Has there been a geo-technical study done? This area is known for sink holes. When will these studies be done? 3 major subdivisions? She counts 5 or more.

*Charlie Smith*- feels PUD should be used on a limited basis. The ordnances need to be looked and and updated on a regular basis.

***Motion***: *Adjourn @ 7:06 p.m.,* **Moved** **by** Billy Stewart, **Seconded** **by** John Schellenberger. ***Motion passed unanimously.***

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MARK SEABROOK, ***PRESIDENT***

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JOHN SCHELLENBERGER, ***MEMBER***

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BILLY STEWART, ***MEMBER***

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***ATTEST:*** SCOTT CLARK*,* ***AUDITOR, FLOYD COUNTY***