

APC MINUTES

NOVEMBER 17, 2021

Members present: Amy Alka, John Reece, Andy Fahl, Tom Kerns, Don Calhoun, Tom Chalfant, Jim Hufford, Terry Alfrey

Members absent: Adrian Moulton, Will Greer, Steve Hernly, Bob Lahey

Positions Vacant, Winchester Mayor's Appointment

Legal Representation: Jason Welch

Staff Present: Randy Abel, Executive Director, Debra Johnting, Recording Secretary

Others present: Robert Cook, Errol Klem, Mark Todd, Paul Faddis, Kevin Cook, Eric Michaels, William Keller, Ed Thornburg, Bob McCoy

President Calhoun: It's past 7:00 o'clock now, so we'll go ahead and get the meeting of the Area Planning Commission going. Has everybody seen the minutes of the October meeting? Are there in corrections or comments?

A. Fahl: I move to accept the minutes as written.

J. Hufford: I'll second.

President Calhoun: It has been moved and seconded to accept the minutes as written, all those in favor say aye. All those opposed no. Motion passes.

President Calhoun: Okay, on the agenda tonight we have the APC2021-20-SD, KKFC Distinctive Homes LLC, represented by Robert Cook. I see that he's all ready, so, go ahead.

R. Cook: Thank you Mr. President. We're here this evening to approve the, to give approval to the final plat for Willow Ridge Section 3. We have complied with the requirements of the primary plat. In discussions with Mr. Welch, we have provided the Subdivision Improvement Agreement and performance bond. And, under the performance bond, the water main cost is estimated to cost \$400,000. \$300,000 of which will be paid by the city of Winchester and the surface drainage water drainage system has an estimated cost of about \$20,000. So we are responsible for \$120,000 for those two improvements. The other improvements will be paid for either by the city of Winchester or the utilities. I provided Mr. Welch with the Pledge Agreement. We have yet to decide how we are going to obligate, the group has, but we will propagate for \$120,000, \$100,000 to be released when the water main is completed. \$20,000 to

be completed with the surface water drainage. So, what we're requesting is the approval of the secondary plat. And then the recording of that would be delayed until we would have in place the pledge for the \$120,000.

President Calhoun: Do any of the board members have any questions or comments?

J. Welch: Generally, if everything is not completed prior to the secondary approval, generally, a performance bond or letter of credit is required by the ordinance. In this particular case, since county and city are putting up \$300,000, we didn't believe it was necessary to require a specific bond for that \$300,000. For the other \$120,000, in lieu of a commercial performance bond or permitting them to pledge the funds, keep those into a separate account, give us a monthly statement to show that the funds are still there until the project is finished. That's really just to protect us in case something goes south and they can't finish it, so we don't have a mess out at the golf course. So...I think the risk is very low, not zero, but very low that would ever happen. And I think what Mr. Cook has proposed would be sufficient for us to be able to move forward. In my opinion.

President Calhoun: Is there anybody in the audience who would like to comment?

Mayor McCoy: We started this, I'll call it project, almost two years ago. And after meeting with the group, mainly Errol Klem had approached me about trying to make this happen. And I know we've discussed housing for the last probably 10 years in all the boards I've been involved in. So after going through redevelopment, borrowing money, bonding money for the sewage portion of it and contacting all utilities and getting everything set up, probably between the two groups you know the city, the county, the investors. I mean this is over \$1,000,000 project with engineering and everything else. And you know my hope is we, can get this moving forward. You know, I told Kevin, get a shovel in the ground before the end of the year. I am very pleased that it has went this far because there's been attempts in previous years that you know we never got anywhere getting housing started. So I think this is a good attempt at getting the housing started, and I think we're on our way so I, I just want to say there is a huge investment by all parties and you know, I feel really positive about the project and I would just like to see it approved and move forward.

J. Welch: Bob, were we correct that there is \$300,000 to be paid toward the water line?

Mayor McCoy: Yes, and that is in the EDIT plan, as well as in the minutes from the Commissioners meeting on December 21st that I sent to you. The pledge was, I think, \$100,000 out of EDIT, and then a \$50,000 loan to the city of out EDIT, and then \$150,000 was pledged from wind farm money. So yes total of \$300,000. And how that will work is once the work is completed I think I need to talk to Meeks a little bit further, I think it'll be basically granted to the developers to pay for the water.

President Calhoun: Is there anybody else who would who like to comment? Do the board members have anything else?

J. Hufford: I'll make a motion to have a roll call vote.

A. Fahl: Second.

President Calhoun: It's been moved and seconded to have a roll call vote, all those in favor say aye, all those opposed? Okay, go ahead, roll call vote?

D. Johnting: Andy Fahl, yes, Tom Kerns, yes, Don Calhoun, yes, Tom Chalfant, yes, Jim Hufford, yes, Terry Alfrey, yes, Amy Alka, yes, John Reece, yes. And, Adrian Moulton, Will Greer, Steve Hernly, Bob Lahey are absent and we have one position vacant. Motion approved.

Mayor McCoy: Thank you guys.

J. Welch: And that was approved dependent on the pledge.

R. Cook: Thank you. I will drop by to discuss how to handle this, but I need the President and Secretary to sign this also. And you guys can hold it.

J. Welch: Yes, we'll just sign it and hold it until we receive the pledge.

President Calhoun: Thank you guys, good luck.

R. Cook: Thank you all very much.

A. Fahl: Thank you.

R. Abel: Well, I really don't have any old business.

President Calhoun: What about the sign issue?

R. Abel: We're working on it, we've been busy. As soon as we get it written, we'll send it out so everybody can review it.

D. Johnting: There is no meeting in December, but I think we already have one in January. I think we have at least one petition. I don't have the calendar done, maybe on the 19th? Yes for the 19th of January.

A. Fahl: I move to adjourn.

J. Hufford: I second that.

President Calhoun: It's been moved and seconded to adjourn. Thank you for coming everybody.

D. Johnting: Yes, thank you for coming everyone.

President, Don Calhoun

Vice President, Andy Fahl

Recording Secretary, Debra Johnting