

**THE PLAT COMMITTEE OF
THE AREA PLAN COMMISSION OF
ST. JOSEPH COUNTY, INDIANA**

MINUTES

June 3, 2021
8:30 a.m.

Council Chambers, 4th Floor
County-City Building, South Bend, IN

MEMBERS PRESENT:

John R. McNamara, P.E., L.S.
Sky Medors, P.E.
Randy James
Brett Davis
Dave Cherrone by Zoom

ALSO PRESENT:

Abby Wiles
Shawn Klein
Ryan D. Fellows by Zoom
Samantha Keultjes

SUBDIVISIONS REQUIRING A PUBLIC HEARING

1. MAJOR SUBDIVISIONS - PRIMARY APPROVAL:

A. Northbridge Valley Phase 4

7221-21-P

SHAWN KLEIN: This Major Primary subdivision is located on the west side of Beech Road approximately 1,200' south of Douglas Road, St. Joseph County. The subdivision will connect to Northbridge Valley Section 5 via Columbia Bay Drive. This subdivision will consist of 54 building lots. The total area is 29.86 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. It will be served by municipal water and municipal sewer. The County Surveyor recommends approval. The County Engineer recommends approval subject to drainage plan approval. It went through Tech Review on May 6, 2021. This subdivision was advertised in the Mishawaka Enterprise on May 20, 2021, and notification letters were sent to properties owners within 660' of the site. As of today, staff received one phone call from a property owner requesting more detailed information on the location of the proposed subdivision. The Staff has reviewed this Subdivision and finds it complies with the requirements for Primary Approval as specified by the St. Joseph County Subdivision Control Ordinance. The Staff therefore recommends that this Subdivision be granted Primary Approval, subject to the following: drainage plan approval.

John McNamara: Ryan do you have anything else?

Ryan Fellows: No, I don't have anything else, thank you.

IN FAVOR

There was one person on Zoom to speak in favor of this petition. They were:

Rob Nicholas, of Abonmarche, with offices located at 315 W Jefferson Blvd., South Bend, IN: This will be the next phase of Northbridge Valley Phase 4 served by water and

sewer from Mishawaka. I just wanted to be online to answer any questions and speak in favor. If there are any questions, please let me know.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After due consideration, the following action was taken:

Upon a motion by Dave Cherrone, being seconded by Sky Medors, P.E. and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Northbridge Valley Phase 4 Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: drainage plan approval.

SUBDIVISIONS NOT REQUIRING A PUBLIC HEARING

1. MAJOR SUBDIVISIONS - SECONDARY APPROVAL:

None for consideration at this time.

2. MINOR PLATS:

A. Needler Tyler Road Minor

7220-21-M
(Audio Position: 3:10)

After due consideration, the following action was taken:

Upon a motion by Sky Medors, P.E., being seconded by Brett Davis and unanimously carried, Needler Tyler Road Minor Subdivision is tabled to the June 17, 2021 Plat Committee meeting per the surveyor's request to provide time to resolve septic issues.

3. REPLATS:

None for consideration at this time.

4. TYPE II CORRECTIVE PLATS:

None for consideration at this time.

5. MINUTES:

A. Approval of the minutes from the May 20, 2021 Plat Committee meeting

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the minutes from the May 20, 2021 Plat Committee meeting were approved.

6. OTHER BUSINESS:

A. Approval of revised by-laws

(Audio Position: 3:45)

Abby Wiles: There was a question from John, prior to the meeting regarding if the APC or the Plat Committee adopted by-laws. I found it in the APC by-laws that you can adopt rules and procedure and by-laws to govern your own actions. So, we can move forward with the by-laws changes. The legislation was recently passed, HEA 1437, that changed the Indiana Open Door Law. Previously, pre-COVID, electronic participation by Board members was not permitted. It was allowed during COVID under Governor Holcomb's Executive Order. Post-pandemic, after the Emergency Declaration expires, the state has amended the open-door laws to allow members of governing bodies to attend electronically under certain conditions. Moving forward, Thorne Grodnik prepared an electronic meeting policy for the Board of Commissioners that was adopted back in May and we've been advised by Thorne Grodnik that each of the governing boards of the County need to adopt a similar policy. So, what we've done is taken the policy drafted by Thorne Grodnik and integrated them into our by-laws. It will allow you all to attend virtually, however, we need to have 50% of members attend in person, you can attend no more than 50% of meetings virtually, you can only attend two consecutive meetings virtually, if you want to participate virtually you must notify the Chair that you're going to attend no less than 48 hours in advance, you have to be seen and heard so even if you were to join virtually you'd need to have your cameras turned on and audio, meeting minutes have to indicate who is in person and who is virtual, we will need to take roll call votes. None of those changes were put forth by staff, it's just to be in compliance with the state law post-pandemic. If there are any questions, I'm happy to answer them but would ask for approval of the by-laws to integrate the electronic meeting policy. We had a couple other administrative changes that Ryan had made for us. He made the language gender neutral and he also revised the by-laws in the event that the Chair is absent, the secretary shall serve as the acting Chair.

John McNamara: The only question I have is, so the regular meetings will not be necessarily the first and third Thursday, but they will be dates and at times set by the Committee? From time to time, so every January we have to set.

Abby Wiles: Yes, approve the schedule. That's what you've been doing anyways.

Brett Davis: So, do we have to wait until the next meeting to approve these? It says that it has to be presented in written form at one meeting and acted upon at the next regular meeting. So, are we just looking at it today?

Abby Wiles: We've had a question about that in our office. If we want to just take this in and then do the final vote at the next meeting, no big deal. Governor Holcomb's Emergency Declaration covers us until the end of this month. I guess here is the information, you can digest it for two weeks and then we can come back and take a final vote.

John McNamara: So, we can approve them today?

Abby Wiles: As Brett pointed out, I think I have to present them and then adopt them. We had a discussion about that in regard to our APC by-laws because it has similar language. To be safe, let's just do that.

John McNamara: So, what would you like today?

Abby Wiles: No action, we'll approve it at the next meeting.

John McNamara: Ok. We've seen it and then next time we will vote on it.

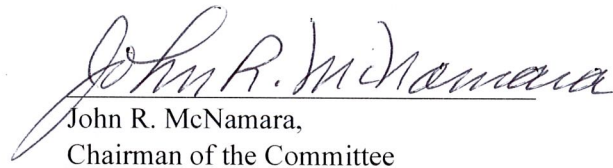
Abby Wiles: Yes.

John McNamara: Ok. If questions come up, you need to get a hold of Abby in the meantime.

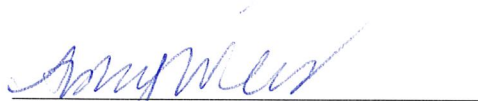
7. ADJOURNMENT:

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the June 3, 2021 Plat Committee meeting adjourned at 8:39 a.m.

RESPECTFULLY SUBMITTED,


John R. McNamara,
Chairman of the Committee

ATTEST:


Abby Wiles,
Secretary of the Committee