MINUTES

**WARRICK COUNTY AREA PLAN COMMISSION**

Regular meeting to be held in Commissioners Meeting Room,

Third Floor, Historic Court House,

Boonville, IN

Monday, March 10, 2025, 6:00 PM

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Jeff Valiant, Brandon Pryor, Amanda Mosiman, Stacey Franz, Dave Goldenberg, Jeff Willis & Richard Reid

Also present were Morrie Doll, Attorney, Molly Barnhill, Executive Director, Carlie Render, Assistant Director and Julie Newton, staff.

**MINUTES:** President Valiant asked if everyone received a copy of the minutes from the January 13, 2025meeting. He asked any additions or corrections on that. He stated if not, I will entertain a motion.

Amanda Mosiman made a motion to approve the January 13, 2025 minutes. Stacey Franz seconded the motion and carried unanimously.

President Valiant asked then can someone make a motion that…reflecting that there was no meeting

Attorney Doll said no meeting.

President Valiant continues that there was no meeting in February.

Amanda Mosiman made a motion to approve that there was no February meeting. Stacey Franz seconded the motion and carried unanimously.

President Valiant stated it looks like we have one primary plat and a couple rezonings on the agenda tonight. He said primary plats get final approval here and the rezonings will go as a recommendation for or against to the next Commissioners meeting which is on the…

Mrs. Barnhill replied it will be their April 14th meeting.

President Valiant said April 14th.

**PRIMARY PLATS:**

**PP-25-02: Wren Lake No.3:** PETITIONER/OWNER: SABL Land LLC, by: Brad Cottier, Manager Approximately 9.15 acres located on the north side of Titzer Road. Approximately 1250’ west of the intersection formed by Titzer Road and N Stevenson Station Road. Being Lot 1 in Wren Lake Subdivision, Recorded in Document # 2001R-000232. Campbell Township 29/32-5-9. *Advertised in The Standard February 27, 2025.*

Scott Buedel with Cash Waggner & Associates is present.

President Valiant asked for a staff report.

Mrs. Barnhill said Scott, do we have the owner present.

Scott Buedel replied no, but I have a recorded power of attorney.

Mrs. Barnhill asked did you turn that in.

Scott responded yes. He said I’ve got a copy if you…

Mrs. Barnhill said yeah.

Scott Buedel said it was dropped off at your office.

Mrs. Barnhill said yeah, I’d like a copy please.

Attorney Doll said thank you.

Mrs. Barnhill stated notice to adjacent property owners we are missing two green cards but we have the white pay receipts and they were mailed correctly. She said it is agriculturally zoned and there is no floodplain. She continues they are proposing two residential lots 4.4 for one and 4.726 acres; The Commissioner’s approved the request for no street plans today and Drainage Board approved the request for no drainage plans. She said they have approved soil sites on the plat, there are two per lot and Chandler Water has capacity. She added the subdivision previously presented to the Plan Commission in November 2024 was denied due to the lack of approved septic site locations and concerns expressed by the neighbors. The revised plat submitted today addresses the septic issue by including two approved septic site locations per lot. All other aspects of the plat remain unchanged. She said I do have a copy of the soil report in my packet if anybody would like to see that, so the plat would be in technical conformity.

President Valiant said thank you Molly. He asked Scott anything to add to the staff report.

Scott Buedel said just based upon the history of what happened before, I just wanted to touch on a couple things…again this is a 9-acre lot…a little bit larger than that; dividing it into two tracts 4.7 acres and 4.4…they would have one shared drive that comes off of Titzer Road and we are putting an easement on the plat to continue that shared drive all the way back to where the properties open up to try and limit the disturbance of trees and so forth. He continues so there would just be one driveway getting to the back end of the property; Again, we did have Becky Lankford…I think when we were here before she was in the process of getting all the testing done…she did not get it completed when I was here the last time so we waited until she had all of her results and completed all of her testing before we filed it again with those septic locations shown on here. He added she did not have concerns from the standpoint of soils and septic being on that property. He said there was a comment last time too that the lots that are in this subdivision are meant to be the size they are or they would have been divided smaller if they could have been in the past…the neighboring property next door to us, lot 2 was replated in 2001 into Lot 2A and Lot 2B so there is history of lots in this subdivision already being subdivided…I did put together just a simple little exhibit if you want to take them and pass them around. He continues just from the standpoint of… all of the lots or a lot of the lots that are in this subdivision are basically flag lots so portions of the property are located within that flag piece that goes out to access to the main part of the property where a house would be built….so just to put it into…just to kind of compare what we’re asking for on Lot 1, I’ve outlined a portion of the property that is outside the flag coming into the property behind the building setback line and outside of the lake that’s there so we are looking at 2.2 acres on Lot 1 and same thing on Lot 2 there is 1.4 acres of land that is outside of all those areas that would basically be a buildable area. He said and then just by comparison the lot to the south, Lot 2A, that was re-platted in 2001 kind of did the same thing cut off the flag portion of that lot and showed that acreage as 1.2 acres. He added so I think we are in line with what’s been done in the past and as Molly stated the plat is in conformance with the Subdivision Standards so we are asking for your approval tonight.

President Valiant said thank you Scott. He asked are there any questions by the Board at this time.

Amanda Mosiman asked Scott what is the average acreage for basically lot 4 through 19 is that part of Wren Lake, yeah. She said on the other side of the lake what are some of the average lot sizes there.

Scott Buedel said I can…do you have the…

Amanda Mosiman said she’s pulling them up and going through them so… 2.9, 2.97,

Attorney Doll said that includes a little sliver of water.

Amanda Mosiman said right yeah, 2.76, 3.3, 3.6, 4.4…okay thanks.

Attorney Doll stated Scott your power of attorney is not signed.

Scott Buedel said huh.

Attorney Doll stated the power of attorney you provided to the Board is not signed.

Scott Buedel said it’s a recorded document I guess I just printed the front page off.

Mrs. Barnhill said okay, I guess just…

Attorney Doll said your testimony under oath would be that it’s signed and recorded.

Scott Buedel replied it is signed and recorded, yes.

Mrs. Barnhill said okay.

Scott Buedel said and if need be, to make it contingent upon that.

Attorney Doll said thank you.

Amanda Mosiman stated I was going to say… is that something we are going to have to do is make it contingent based that we see that document.

President Valiant asked you said you turned one in didn’t you.

Scott Buedel replied mh hmm, yeah.

President Valiant said so the office should have one signed then.

Mrs. Barnhill said we should.

Attorney Doll said it should be in your file.

President Valiant asked any other questions from the Board at this time. He said seeing none is there any remonstration for or against this project, if so please step forward.

Charles Murphy stated the reason we’re here is because we don’t feel like the septic’s would pass if they tried to put two septics…and if I could put rubber boots on all of you back about a few days ago when we had all the rain and took you back there…I’d think you’d see on the back half what I’m talking about. He added I just have a paper here that on my soil report…the bottom line is all you have to read.

Attorney Doll said that won’t be returned…

Charles Murphy responded that’s fine.

Attorney Doll said thank you, I just wanted you to understand that.

Charles Murphy said that’s the issue I had and mine failed the first time so we had Aigner come out and I’m not telling you what I spent to get one to pass, but it wasn’t cheap. He added and I still have to have a tank truck come out twice a year and pump it out, because when the rain starts you have to have a tank truck come out and pump it out. He continues basically on acreage wise I really don’t feel like they have enough acreage back there to do what they are going to do…that’s basically what I have to say.

President Valiant said thank you sir.

Jim Maurer asked do you guys have the percolation results that we could see.

Amanda Mosiman replied no, I mean that’s not purview of this Board…

Jim Maurer responded oh, okay.

Amanda Mosiman continues I mean Becky Lankford with…as hired as an Environmental Consultant that’s…

Jim Maurer said oh okay.

Amanda Mosiman continues I mean soil test and percolation and all this, I can read this as an Ag professional, but it’s outside the purview of this Board. She added so septics whether they filed or sites…it’s her job to go in and say a site can be maintained and there are a lot of different septic standards now than there were when these were first put in, and anybody with a septic can always have a problem for any number of factors it can fail.

Jim Maurer said sure. He said so you could approve the splitting of the lot to two lots, but the one lot could theoretically never pass the percolation test.

Amanda Mosiman replied no. She said per what Scott told us is there are two sites, so two sites on each one of these lots…

Jim Maurer said right.

Amanda Mosiman continues have passed…

Jim Maurer said okay that’s all I wanted to make sure…

Amanda Mosiman continues the Environmental Standards to be potential septics…

Jim Maurer said okay.

Amanda Mosiman said so however they want to orient their house or whatever, there are two sites per lot that could have a septic.

Jim Maurer said okay. He asked so the size…what is going to be the size of lot 1 of the actual land outside of the lake.

Attorney Doll responded 2.2 acres.

Jim Maurer said and then lot 2 is going to be the one that’s 1 acre and..

Board Members replied 1.4.

Attorney Doll said of soil, of land, not water.

Jim Maurer stated but they are going to have to have a driveway that goes all the way through there back to lot…

Amanda Mosiman responded no…he cut that part off. She said so literally he cut the box out where property could be for us for the exhibit, he gave us.

Attorney Doll asked do you want to see this.

Amanda Mosiman said yeah, we can give you a copy of this.

Attorney Doll asked you want to see the exhibit.

Jim Maurer said yeah.

Amanda Mosiman said yeah, so he cut that out. She stated he cut the driveway out and he cut the lake out.

Jim Maurer said okay. He continues my biggest contention is uh…I think the lot I know it’s 1.4 and they passed new rules now…supposedly they’ve got someway to circumvent the 2.5 acreage requirement that we all had to live by. He said and that’s the thing, it’s jeopardizing our lake because of some new septic system technology; Where septic systems have been around for ages, you would have thought that scientifically it’s kind of hard to redo the spreading of waste through a pipe system and some how come up with someway in 2025 to do it with less land. He added I just don’t see how it’s possible and its jeopardizing everybody in here’s lake not just these two. He said I’m not against these guys making money that’s great, but at the same time their jeopardizing the lake in an area that we know is under water probably right now.

Amanda Mosiman stated I’m going to pose this question back to you.

Jim Maurer said yeah.

Amanda Mosiman asked how would splitting it…and I’m not saying I’m for or against this I’m just hypothetical question. She continues if splitting this lot and the risk of this septic system failing how is that any different from the risk posed by all the septic’s already on the lake.

Jim Maurer replied okay I’ll tell ya. He said my septic system is pumped 300’ out to the front of my lot.

Amanda Mosiman responded ok…

Jim Maurer continues so my uh…I can’t remember how deep my lot is, but it’s probably 450’ away from the lake; so mine is a raised mound system.

Amanda Mosiman said mh hmm.

Jim Maurer said so I just had to have work done on my septic system several times over the years because my system pumps it all the way out to almost the edge of the street.

Amanda Mosiman asked and how can we say that this system would not be similar to yours and pose the least amount of risk possible.

Jim Maurer replied he doesn’t have the distance; he can’t have the distance. He said if my lot is over 2.5 acres and mines narrow and goes straight out, I’ve got the distance for my septic system to pump it all the way out to the mound system, so his lot is more of a square than mine. He added I am lot 9 I think…so you’ve got all that distance from the lake to the road; he doesn’t have that luxury; he can’t get the distance even if he put in a mound system to have it far enough away that it won’t leach back into the lake.

Amanda Mosiman said okay. She stated I feel like we’re splitting hairs on something that’s not over the purview of the Board.

Jim Maurer responded it’s not, it’s a big hair, it’s a big hair.

Amanda Mosiman said for me as Water Quality & Soil, yes it would be. She said for the purview of this Board arguing lengths of septic system it’s not something we can look at.

Jim Maurer asked if the system gets flooded…

Amanda Mosiman said mh hmm.

Jim Maurer continues where does the excess run off end up going.

Amanda Mosiman asked where does your excess run off end up going.

Jim Maurer replied mine doesn’t get flooded. He stated mine doesn’t get flooded because it’s too far away from the system…and I don’t know it doesn’t show the elevation of my lot, but over here you have a topographic…

Amanda Mosiman said mh hmm I see it.

Jim Maurer continues a topographic map that shows the elevations.

Amanda Mosiman stated and we talked a little bit about that in November.

Jim Maurer said right right.

Amanda Mosiman continues and that’s a big reason as why we tabled it, to make sure those septic sites were…

Jim Maurer stated I still think it’s jeopardizing the entire lake. He said you know it’s people swimming, we fish in it, it’s a recreational area for us and I hate to jeopardize the quality of my lake and my part of the lake, and then ultimately the value of my house if the thing is… He asked what are we going to do if they do fail and we get E. coli in our lake. He added that’s the real worry that I have is that it’s not…

Attorney Doll said but it’s a speculation.

Jim Maurer said yeah, but they are speculating too.

Attorney Doll responded no, they have had a scientific test done and the scientific test says there are two approved sites on each of these lots…that would be soil samples that accept the percolation that works with a septic system.

Jim Maurer stated well I haven’t had the opportunity to review their scientific studies.

Attorney Doll asked well are you a scientist.

Jim Maurer responded yeah, I kind of am. He said I’m retired; I got all the time.

Attorney Doll said no. He asked are you trained in soil sample testing.

Jim Maurer replied no I’m not.

Attorney Doll said ahh okay. He said so your objection is speculation yet.

Jim Maurer said I’m just saying I’ve had a septic system on my last two houses…I kind of understand how septic systems work.

Attorney Doll said wait a minute. He said okay, they were not at this location your prior septic systems.

Jim Maurer said let me think….no it wasn’t.

Attorney Doll said okay.

Jim Maurer stated but I’m just saying that the septic system is going to get flooded in that location.

Attorney Doll replied and that’s speculation. He said that’s your opinion.

Jim Maurer said no, no I can see it right now. He said I can go back there right now and see where the lot is and…

Attorney Doll responded but that’s your opinion.

Jim Maurer said no that’s my observation.

Attorney Doll said that’s your opinion.

Jim Maurer said no it’s an observation it’s not an opinion.

Amanda Mosiman said I think we can all appreciate that septic sites do run certain risk and water quality being one of those high risk; I think we can all accept that as fact.

Jim Maurer asked wouldn’t it be better to be on the conservative side and not risk the whole lake.

Attorney Doll stated they have property rights. He said they can use their property…

Amanda Mosiman said and that’s where we have to weigh that.

Jim Maurer said they have the property right, right now of having one lot. He added we are giving them the right of two lots…and what I’m saying is…

Attorney Doll said you think one septic system would be acceptable, but two is too many.

Jim Maurer replied yeah. He said that’s true, that’s exactly what I’m saying.

Amanda Mosiman said okay.

Jim Maurer said okay.

President Valiant said any other remonstration I’m going to ask that we’ve talked about the septic system enough; so any other issues that we have beyond septic.

Greg Patterson said my wife Billie and I live at lot 8 across the lake from here. He said we were here the last meeting and we… I just want to appear tonight to voice our opposition as well. He continues, two points; one I’m sorry to waste your time again on this I know that this owner of this property is not from here he’s from New York; they paid 200,000 dollars for this lot, tried to sell it for almost double what they’d paid and have lowered their selling price several times. He added now it’s down to 299,000 I think…at one time it was as much at 366,00 for the full lot, and apparently, they couldn’t get that, so now they want to try and divide it to make more money. He continues it seems disingenuous to…go against the neighbors of which we’ve all appeared both times just for profit. He said I know, I have known for 54 years the developer of this property and he personally told me that, that lot was plotted at that acreage because it is so low. He added the usable land of that lot is minimal; my wife and I kayak down at that end of the lake and once you get to the end of the Murphy’s it is literally inches deep of water, it’s muddy and swampy. He said I wish I had taken some pictures but I just didn’t have time, but I kind of think you guys would want a better reason than scientific to not approve this. He stated the best reason I can think of to not approve this is you have neighbors that have been there, we’re all law abiding, honest people…just appeal to your humanity that we could not want something to happen to a place that is idyllic and beautiful and we would like to keep it that way. He said thank you for your time and I’m sorry you have to do this again.

President Valiant said thank you.

Matt Ayers said I have the exact same concerns as everybody here, as Greg was saying before all the water around this lot, lake water is max 18’’ in depth and I am just extremely concerned about the waste water of this lot. He continues like I said I have been there for 18 years…we have all been in this area for about the same amount of time and we know what we are talking about on this situation…that’s all I really have.

Timothy Craig stated my issue is similar to everyone else’s. He said in addition to the lot sizes…to me I think we said 1.34 acres was the small one…I just find it unfortunate for the rest of us that we spent x amount of dollars to purchase x amount of land based on a rule that now the lots are going to be smaller on that side of the lake. He asked how does that effect resale value when you’ve got smaller lots…I don’t know, but the size of that small lot in addition to all the other issues that have been mentioned that’s probably my big one. He said that’s all I got.

Debbie Murphy said they said you could put two septic systems…it’s passed, they’ve done the perk test and all that. She said we had all that done too, Jerry Aigner looked at it, he put our septic in…she said this is the perfect spot for it, it wasn’t two years and we had green going down to the lake and I told Charlie, “I said somethings wrong with that septic”. She continues the grass was green and we called Jerry up and he said “it’s failed”; the guy came out with the backhoe and dug through it and sure enough it was going into the lake…it’s a good thing we caught it. She said say you get somebody over there…it’s doing it, who’s going to make them fix it…that’s my question. She said we all follow the rules out there.

President Valiant asked well did you fix yours when it failed.

Debbie Murphy replied oh yeah.

President Valiant said so you’re…

Debbie Murphy said right away.

President Valiant continues so you’re assuming that the new homeowner would not fix their’s if they failed.

Debbie Murphy said I’ve seen it.

President Valiant asked do we have anything that’s not septic related. He said I believe I asked…we’ve already heard the septic issue; we knew that was an issue and they will address it. He asked again do we have anything non septic related.

Debbie Murphy replied I guess not. She said I guess if you look at those lots, the plot plans they were plotted out to be sold as these many acres. She continues we…I know we bought our lot, 5 acres and then Nancy Callahan and them they bought their lot of 5 acres, it was supposed to be a 10-acre lot; the guy came in and split it…it wasn’t us. She said we thought he split it and made a bunch of money…you only have to have 2.5 acres for a septic; we tried to split ours…we hired Krista Lockyear to come in here with this Board to split our lot. She continues the attorney for your Board went to Indianapolis and talked to a judge there; you can look at the minutes, I’m not sure of the date…he sat right there and said “they meet every legal criteria for splitting this lot, you cannot deny them” …guess what, we got denied; we are glad now we kept the 5 acres we were just looking at the future and the mowing of all the grass. She goes on and they turned us down... and now somebody comes in from New York…it just does not seem right, this is just wrong in a lot of ways, and its not just the septic. She said that lot was supposed to have just one house on it, as was ours and Nancy’s. She added if you can put…I said this last time, if he can put a house on an acre and fourth with a septic…well we’re going to have at it. She said we can all sell an acre of our land a put a house on it…we will have 30 houses back there, 30 septic systems…if he can do it why can’t we. She said I am sorry it’s just not right and I am not angry I’m just perturbed…thank you.

President Valiant said thank you.

Attorney Doll stated for the record as the attorney for the Board I did not go to Indianapolis and talk to a judge so I don’t know who she was talking about but it wasn’t me.

President Valiant said thank you.

Debbie Murphy said I don’t know; he was sitting right there when he said it.

Attorney Doll replied wasn’t me.

Debbie Murphy said you would have to look up the minutes.

Attorney Doll said again wasn’t me and I have been here for a decade.

Debbie Murphy said we’ve been on our lot…

Attorney Doll said well for the record, as the attorney for the Board, I did not go to Indianapolis and talk to a judge. He continued so I don’t know who she was talking about but it wasn’t me.

President Valiant said thank you.

Debbie Murphy said I don’t know he was sitting right there when he said it.

Attorney Doll said wasn’t me.

Debbie Murphy said you have to look up the minutes.

Attorney Doll said it wasn’t me. He continued I’ve been here for a decade.

President Valiant said ma’am this is being recorded so if you’re going to talk from out there we need to come back up to the microphone.

Debbie Murphy said we’ve been in our house 16 years. She added we’ve had the lot 8 years before we built…so 16 years ago.

Attorney Doll said wasn’t me.

Debbie Murphy said we tried to split it.

Attorney Doll said wasn’t me.

Debbie Murphy said well I don’t know who it was. She said I mean I guess I could call Krista Lockyear and she can dig in her a…

Attorney Doll said I recommend it, but it wasn’t me. He said trust me I know where I have been and I wasn’t in Indianapolis, and I don’t know you, and I didn’t talk to a judge.

Debbie Murphy said well I don’t know who said it, but I’m a Christian, I don’t lie.

Attorney Doll said well it wasn’t me.

Debbie Murphy said and I’m telling ya someone set right here and said that and they denied us. She added and we spent five-thousand dollars on an attorney to have that lot split.

Attorney Doll said that I don’t doubt.

Debbie Murphy said and you denied us.

Attorney Doll said I didn’t deny anybody anything.

Debbie Murphy said the Board did.

Amanda Mosiman said the Board did. She said Board members come and go, attorneys have come and gone…

Debbie Murphy said yes.

Amanda Mosiman continued I don’t think any of us think that you’re misrepresenting that, but it was a while ago is the point.

Debbie Murphy said it, it was, it was, but if you do it one person can’t do it and they have 10 acres but yet somebody that has 3 or 4 acres and wants to stick two houses on it.

President Valiant said thank you ma’am.

Matt Ayers said so it was 2009 what she is talking about and I fought it, we all fought, and we won so.

Attorney Doll said it wasn’t me.

Board Members laughed.

President Valiant asked anyone else. He said Mr. Buedel.

Scott Buedel said so based upon the discussion I understand the concerns with the septic…uh but Becky Langford we hire her to do soil analysis on every subdivision we do where septic is involved. He added she’s a reputable soil scientist that looked at this site…she looked at this site originally when it was just one lot and had different locations on it. He said but it passed at that point in time for the one lot and coming back and looking at it for the two lots. He added she was out there digging test pits doing everything she had to do to make sure this was a suitable site. He said and her report indicates that it is and she provided two sites for each lot that are suitable. He said as far as the…one of the last arguments as far as dividing the property…again our lot is over a 9 acre lot…it’s just a long flag lot. He said they’re just looking to put basically the one driveway back to the back end of the property for two houses. He added the lot next door, lot 2, was subdivided in 2001 uh so…

Amanda Mosiman asked when was this originally platted, Wren Lake.

Scott Buedel said umm…

Amanda Mosiman said I’ve looked around and I can’t find…

Scott Buedel said 2001.

Amanda Mosiman said okay so 2001 we had an unsuccessful split…

Attorney Doll said 2005…2005 filed in the Warrick County Area Planning Commission up in the top right-hand corner.

Amanda Mosiman said thank you. She said lots of little numbers up there. She said umm 2005 it was originally platted they had an unsuccessful split. She said one owner had an unsuccessful split in ’09 and then this was split in ’11…is that what you just said, sorry. She asked when was 2 split.

Scott Buedel said when was…

Amanda Mosiman asked when was lot 2 split.

Scott Buedel replied the recording information is 2001.

Amanda Mosiman said 2001.

Scott Buedel said uh-huh.

Amanda Mosiman said okay.

Mrs. Barnhill said yeah, they did both of these, Wren Lake, and then the Wren Lake Minor, back-to-back in 2001.

Amanda Mosiman said so they basically split 2 immediately when they platted it.

Mrs. Barnhill said yes, yes.

Amanda Mosiman asked and then we had an unsuccessful split in ’09. She said okay, thank you.

Scott Buedel said but the latest one that they are talking about splitting, I believe it was near the Murphy’s right. He added so they own Lot 2A and you can see that’s on my exhibit I put together. He said where on Lot 2A there’s an acre of ground or 1.2 acres at the end of the flag portion of the lot over to the water…

Amanda Mosiman said okay…alright…

Scott Buedel continued so even if you did have 2 lots that were 2 ½ acres…

Amanda Mosiman said right, thank you.

Scott Buedel continued the land there would have been ½ acre, I’m sorry.

Amanda Mosiman said thanks, okay.

Scott Buedel said but other than that, I mean it, the subdivision is in compliance with the Warrick County code and we’re hoping to get your positive vote to divide this into 2 lots.

President Valiant asked any further questions from the Board.

Attorney Doll asked do you have a soil sample…

Amanda Mosiman said I think it ended up down here. She asked can you pass the soil…

Mrs. Barnhill said the ones from this project, yes.

Amanda Mosiman said oh that one, oh does she have them, okay.

Mrs. Barnhill said yes.

Scott Buedel said I’ve got a copy too.

Attorney Doll said that’s what I wanted to see. He said it shows where the sites are. He added you might want to show the Board.

Amanda Mosiman said thank you.

Mrs. Barnhill said they’re located on the plat as well. She added all four of them are on the western property line of the lot that they are on.

Brandon Pryor said looks like the driveway would go over one.

Amanda Mosiman said yeah.

President Valiant asked any further questions.

Scott Buedel said and I guess just to comment on the driveway, as far as on lot 2 those are both up in the northwest corner on the lot where there wouldn’t be a driveway. He said and then on lot 1 we just need the, you just need to get around the corner to get onto the lot as far as where a house would be. He said so one of them is 52 feet away from the corner and the other one’s 113 feet so you just need enough room to put in a 12-foot driveway to turn that corner.

President Valiant said no further questions I’ll entertain a motion.

Amanda Mosiman said I make a motion we do not approve PP-25-02. Stacey Franz seconded the motion.

Attorney Doll said we need a roll call.

Mrs. Barnhill: Jeff Valiant.

Jeff Valiant: No.

Mrs. Barnhill: Brandon Pryor.

Brandon Pryor: Yes.

Mrs. Barnhill: Amanda Mosiman.

Amanda Mosiman: Yes.

Mrs. Barnhill: Stacey Franz.

Stacey Franz Yes.

Mrs. Barnhill: Dave Goldenberg.

Dave Goldenberg: No.

Mrs. Barnhill: Jeff Willis.

Jeff Willis: Yes.

Mrs. Barnhill: Richard Reid.

Richard Reid: No.

Attorney Doll said so it fails.

The motion to deny PP-25-02 carried 4-3 with Jeff Valiant, Dave Goldenberg and Richard Reid being opposed.

**REZONINGS:**

**PC-R-25-04:** PETITIONER /OWNER: Homeplace Farms LLC, by: Ray Allen, Managing Member. To rezone approximately 243.86 acres. Located on the south side of Oak Grove Road approximately 1285’ east of the intersection formed by Epworth Road and Oak Grove Road from “A” Agricultural to “C-4” General Commercial. Ohio Twp. 20/21-6-9. *Complete legal on file. Advertised in The Standard February 27, 2025.*

Jim Morley, Jr. and Jordan Aigner came to the podium.

Jim Morley, Jr. said we’re bringing all smiles.

Amanda Mosiman said I know, I like it, let’s do it.

Jim Morley, Jr. said Jim Morley, Jr. project engineer.

President Valiant said good evening, sir, pleasure to meet you.

Board Members laughed.

President Valiant asked for a staff report.

Mrs. Barnhill stated we are missing 4 green cards but we do have all the white pay receipts being mailed correctly. She stated it is approximately 243.86 acres. She said the comprehensive plan projects the area to be neighborhood centers with low to medium density residential, community amenities, and neighborhood commercial. She said the existing use is vacant. She said it is currently farmed fields. She stated surrounding zoning and land use to the north Agricultural with farm fields; east is “PUD/R-2B” planned unit development with multi-family dwellings being The Villas of Oak Grove and some “A” Agricultural with Southern Indiana Sub Station and fields; south is “C-4” General Commercial & “A” Agricultural being Arbor Pointe Subdivision, Allen Medical Subdivision, and farm fields; to the west “C-4” General Commercial which is currently farm ground but is the proposed location for a golf facility and a sports complex. She added the property is all in the AE floodplain with floodway along the eastern end along Edwards Ditch. She stated they have existing access onto Oak Grove Road. She said the stated use is commercial which would be in compliance. She added and under general information we have listed there are 2 legal drains Sprengle Ditch and Edwards Ditch that they’ll have to be aware of with this development.

President Valiant said thank you. He said Mr. Morley anything to add to the staff report.

Jim Morley, Jr. said yeah so this is an area that’s right in the sweet spot of that part of Warrick County and Vanderburgh County kind of grow together. He said this is a big chunk of ground in the middle of it so it’s kind of waiting for a project. He said we are seeking a “C-4” zoning because this will be a mixed-use development so there will be some commercial in there and some residential in there. He added and the way Warrick County zoning works we can have housing in a “C-4” district but we can’t have commercial in a residential district. He said and so we are seeking commercial zoning to allow the flexibility to have both commercial and residential coexist.

President Valiant said thank you. He said Mr. Aigner do you have anything to add.

Jordan Aigner said thank you, Jim. He said Jordan Aigner, representing the developer, I don’t think Jim said necessarily yet but Mr. Ray Allen is here and he is property owner. He said so I’ve been working with Ray and really also with County Redevelopment Commission. He said this Board, okay, has already seen some of the things we’ve planned out there and did approve some things so thank you for that. He added so this is just kind of moving in the right direction to continue this as we get a little further along with the process and trying to find the right people. He continued so as we work with both Jim and Steve Roelle…umm we’ve changed our plan to really fit more of what the county wants in there okay. He said we had a vision and then we saw what the County Redevelopment Commission was doing and we adjusted it okay umm we actually had a little bit more residential than what we had previously umm and did more of a City Center so you know…you guys travel to a lot of places I’m sure and you see these mixed use real cool developments. He said where you have walkable retail and people living…umm parks, people playing…all connected with some meaningful parks and trails umm that’s what we are going for. He added but we do, as a developer and as a development team, we’ve got to have that flexibility to figure out you know “C-4” just can’t go here right or maybe even a town home so it’s better to start with what we are requesting now and then we can come back to you maybe with other uh even PUD stuff that would be lower I think you know. He said and I do think that will happen, we’ll probably come back to you for some more residential stuff. He added and I’ve got some visual aids I can show you but those are just things I wanted to add that this kind of builds on what you’ve already seen last year sometime…so that’s all I have for now.

President Valiant said thank you sir. He asked any questions from the Board at this time.

Richard Reid asked how are you going to have to elevate the land in there.

Jim Morley, Jr. said so it varies…umm the western end is higher than the eastern end. He added so the western end I think there are some places where it may be like 2 feet.

Richard Reid asked and this is going to go into the lakes.

Jim Morley, Jr. said yeah, and so there is…so part of the vision for this project is to have large bodies of water which is something also that he worked with Warrick Economic Development instead of having 50 little one-acre lakes have one 50-acre lake. He said and that number is not exact but you know to have large bodies of water so they’re big enough that they can be an amenity. He said and so they’ll be lakes that will double as detention basins which will double as borrow pits to raise the ground up.

Richard Reid said yeah. He asked and where’s your golf course at, the driving range, where’s that at.

Jordan Aigner replied it’s, well, you guys as the Board approved it…

Richard Reid said yeah, yeah.

Jordan Aigner continued up there in that far corner. He said you know we are still working on it.

Amanda Mosiman asked the Dominion is south right.

Jordan Aigner said pardon.

Amanda Mosiman asked the Dominion is going south.

Jordan Aigner said that’s right.

Amanda Mosiman said I’m just making sure I’m remembering…

Jim Morley, Jr. said yeah the Dominion is about here on this page.

Amanda Mosiman continued and the sports complex is going directly off Epworth, okay.

Jordan Aigner said that would be contiguous to this.

Amanda Mosiman said contiguous to all this.

Richard Reed said all those great additions though.

Jordan Aigner said yeah.

Jim Morley, Jr. said I think it’s a great project so.

Amanda Mosiman asked any renderings or anything…I see you brought boards.

Jordan Aigner said yes, but do you have to keep them or can I just show them to you.

Board Members said just hold them up.

Amanda Mosiman said I was going to say you brought visual aids.

Jordan Aigner said so far, we have no septic sites planned just so you know.

Board Members laughed.

Amanda Mosiman said yeah, thanks.

Board Members laughed.

Jordan Aigner said so you had asked about umm you know maybe kind of a family entertainment venue here, walk over retail, and then the sports complexes here. He said this is already “C-4…

Amanda Mosiman said uh-huh.

Jordan Aigner continued okay, so we are talking about from this location all the way past the creek, okay. He added so you can see this step down of hustle and bustle right, but what we would like to see you know kind of very attractive retail restaurants, okay. He said and then it steps down to maybe some park and you know even some office space and civic use you know maybe future museum if we can. He said something like that, but then it all goes into residential here. He said so it kind of has a blend as you go from west to east to something a little bit more traditional and that flexibility has to happen in between there you know. He added and you guys all know this, I don’t have to tell you this, but we’ll be back before your Board many times with subdivisions…the next thing is up…and you know how we are actually doing it so we’re working on this now but it all starts with “C-4”. He said if we don’t get “C-4” with this project it is not going to happen like this at all so that’s why we had to start first here you know. He said but there is a vision, we have worked on this project, I think we came to your Board last year sometime probably now approaching almost two years on it. He said so that’s kind of the plan you there and then very typical you know these are just some conceptional images that we want. He said we work with Steve Roelle as well, umm so we’re looking for corridor that are going to be nice street scapes something different umm where you can have some monument space, pocket parks, umm canal town homes things like that. He said so this is kind of the inspiration we’re using…

Amanda Mosiman said on a kayak down Edwards Ditch now.

Board Members laughed.

Jordan Aigner said there you go.

Amanda Mosiman said some days you could, some days you really could.

Jordan Aigner said we want to have this type of view where you’ve got some you know canal water just like what Jim’s talking about. He continued and there’s really quite a bit of engineering thought that he’s put into this and going to continue with getting drainage closer to your development so you have less infrastructure and gets straight to the retention area…

Amanda Mosiman said uh-huh.

Jordan Aigner said but you pull that amenity into the development which is closer to people and what they want to see and be on the water you know. He said so that’s kind of the thought process so far.

President Valiant asked do we have any questions from the Board at this time.

Richard Reid said great concept.

Jordan Aigner said thank you.

Brandon Pryor asked where’s the school go.

Board Members laughed.

Jordan Aigner said I said civic in there. He said didn’t I say civic somewhere.

Amanda Mosiman said your new office is going right there.

Brandon Pryor said I like it.

Jordan Aigner said every street, a bus can get on right.

Brandon Pryor said there you go.

Jordan Aigner said okay.

Brandon Pryor laughed.

Amanda Mosiman said you heard that, it’s on record.

Jordan Aigner said I didn’t say alleys, I said streets.

Board Members laughed.

President Valiant asked any remonstration for or against this project. He said if so please step forward. He said I don’t see anyone hopping up so we will bring it back to the Board. He asked any further questions if not…

Richard Reid made a favorable recommendation to the Commissioners for PC-R-25-04. Dave Goldenberg seconded the motion and it carried unanimously.

Jim Morley, Jr. said thank you y’all.

Jordan Aigner said thank you very much.

President Valiant asked Jordan, have you ever been to Disney Springs.

Jordan Aigner said pardon.

President Valiant asked have you ever been to Disney Springs.

Jordan Aigner said I have not, my dad has though.

President Valiant asked Jim, have you been there.

Jim Morley, Jr. said no, but there is part of Disney celebration in there.

President Valiant said if you could do something like that, that would save me a lot of money with my wife.

Board Members laughed.

President Valiant said I would say something along that line.

Brandon Pryor said actually if you did google it, there’s a lot of that there.

President Valiant said yeah, and I’ll be honest…like the first glance at it that’s the vibe I was getting.

Amanda Mosiman said it looks like the San Antonio Riverfront…the one…

President Valiant said yeah, that’s another one.

Amanda Mosiman said the riverfront, yeah.

Jim Morley, Jr. said then Disney celebration there’s a canal with roads on both sides…

Jeff Willis said yeah, the medium lake up front.

President Valiant said thank you gentlemen.

Amanda Mosiman said you again.

Jim Morley, Jr. said it’s me again.

Amanda Mosiman said okay.

Jim Morley, Jr. said look how easy that last one was I did all that heavy lift all on my own.

Board Members laughed.

**PC-R-25-05:** PETITIONER: Deaconess Hospital Inc., by: Bradley Scheu, D.O, President. OWNER: Deaconess Hospital Inc. To rezone approximately 1 acre. Located on the west side of Epworth Road approximately 36’ west of the intersection formed by Epworth Road and Schnapf Lane. from “A” Agricultural to “M-1” Light Industrial. Being parcel 1 Epworth Road Minor Subdivision, Recorded in Document # 2010R-005235. Ohio 29-6-9. *Advertised in The Standard February 27, 2025.*

Jim Morley, Jr. said project engineer.

President Valiant said thank you, Jim. He asked for a staff report.

Mrs. Barnhill stated we are missing 2 green cards, but we have the white pay receipts so they are all mailed correctly. She stated it is approximately 1 acre. She added comprehensive plan projects area to be an Activity Corridor consisting of regional commercial, mixed-use, high-density residential and community amenities. She said existing lot…is it vacant now. She asked did they demo what was there.

Jim Morley, Jr. replied yeah, the house is the old Crossroads Counseling Center so the house has been demoed. He said or the Counseling Center has been demoed.

Mrs. Barnhill continued the surrounding zoning to the north and west is “M-1” Light Industrial with Deaconess Gateway Hospital and related facilities; to the east “R-1D” One-Family Dwelling with Schnapf’s Sub; to the south “C-4” General Commercial and “C-1” Community Commercial with Crossroads Christian Church and the Evansville Christian School. She stated there is no floodplain and they have access onto Epworth Road. She said the stated use is an Ambulatory Surgical Center which would be in compliance.

President Valiant said thank you, Molly. He said Jim, anything to add.

Jim Morley, Jr. said just on this exhibit that the red square kind of represents the whole project site. He said the zoning is technically the half…the bottom half of that red square. He added but this is umm…half of the spot is the old Ohio Township Fire Building. He said that will come down and the other half is where the old umm Crossroads Counseling building was and it has already come down. He said and so just seeking to rezone for a new medical building.

Richard Reid asked so you’re going to tear down that old fire station huh.

Jim Morley, Jr. said yeah.

Richard Reid said wow.

Amanda Mosiman said I can’t see it being much use outside of a fire station so…

Jim Morley, Jr. said they do have a shinny new one over there on Libbert though.

Richard Reid said that’s pretty nice.

Board Members laughed.

Amanda Mosiman said shinny is an act…

Richard Reid said I think they got an upgrade. He said they made a deal they couldn’t refuse.

Amanda Mosiman asked you said Surgical…Ambulatory Surgical…sorry is that what you said.

Mrs. Barnhill said yes.

Attorney Doll said out-patient surgery.

Amanda Mosiman said oh, out-patient surgery.

Jeff Willis said it sounds fancier when you say Ambulatory Surgical.

Jim Morley, Jr. said I said medical building because I’m not very smart, but…

Board Members laughed.

Jim Morley, Jr. said but all those fancy words yeah, it’s that too, I’m sure.

President Valiant asked any remonstrators for or against this project if so please step forward.

Attorney Doll asked is the owner present.

Jim Morley, Jr. said you just have to pick somebody out of the audience.

Board Members laughed.

Richard Reid said Shari.

Jim Morely, Jr. said you’ve got a 50/50 shot.

Shari Sherman said no, you’ve got a 100% shot.

Board Members laughed.

President Valiant said seeing no remonstrators we will bring it back to the Board. He asked any further questions. He said did you have something.

Mrs. Barnhill said no.

President Valiant said okay.

Stacey Franz made a favorable recommendation to the Commissioners for PC-R-25-05. Richard Reid seconded the motion and it carried unanimously.

Jim Morley, Jr. said thank y’all I appreciate it.

President Valiant said thank you, Jim.

**OTHER BUSINESS:**

**COMP 25-01:** Rachel N. Fisher. 8721 N SR 161. Running commercial trucking & storing heavy equipment.

President Valiant asked why does this address sound familiar.

Mrs. Barnhill said yeah.

Richard Reid said yeah, we’ve seen it before.

Mrs. Barnhill said it is very familiar. She said and it was a woman with the church who filed the complaint. She said I called her today though and she said it’s fine…she said that the trucking company…the truck she was worried about is gone. She said there was a semi-trailer…it’s gone…she says it’s been gone for…for right after she filed. She said so I’d ask to just close this file and remove it from the agenda.

Amanda Mosiman made a motion to remove COMP 25-01. Richard Reid seconded the motion and it carried unanimously.

**ATTORNEY BUSINESS:**

Attorney Doll said nothing.

Amanda Mosiman asked when are we going to start…do we have to start live streaming these meetings come July.

Attorney Doll said yes.

Mrs. Barnhill said yes…

Amanda Mosiman said they are actually going to make me wear make-up and do my hair.

Board Members laughed.

Mrs. Barnhill said yep. She said you can’t really see.

Richard Reid said you’re in trouble now.

Dave Goldenberg said I’m going to wear a mask.

Mrs. Barnhill said I think it becomes law in June or July…

Stacey Franz said June…I thought it was June.

Mrs. Barnhill continued the goal umm…

Amanda Mosiman said typically state laws go July 1 but it could be June.

Mrs. Barnhill said Commissioners…Seaton said she wanted everybody to use it by May 1st just to make sure…

Amanda Mosiman said oh, okay, alright. She said to get the bugs worked out.

Mrs. Barnhill continued they’re going to be setting up training for all the offices that do it and that’s not been set up yet but will be coming.

Amanda Mosiman said have fun with that.

Mrs. Barnhill said yeah…I don’t think it’s going to be too bad.

Amanda Mosiman said kudos to the iPads man…still loving it, thank you.

President Valiant said yes, it is nice.

Mrs. Barnhill said good. She said they’re not fun to set up either.

Amanda Mosiman said no, I know, and that’s why I’m going to say thank you every time cause they’re answering questions in real time and thought so thank you. She said you’re Johnny on the spot.

**EXECUTIVE DIRECTOR BUSINESS**

Mrs. Barnhill said I guess I have a question on the one that was denied should…

Attorney Doll said well it’s a closed issue. He said it’s been decided.

Mrs. Barnhill said it’s closed…yes. She said so when they call me tomorrow…what, I mean, I didn’t have anyway to say they couldn’t refile once they had new septic or anything.

Attorney Doll said I don’t think they can…you can.

Mrs. Barnhill said so…

Jeff Willis said you have to wait a certain amount of time before you can refile.

Mrs. Barnhill said well I don’t have anything like that on a subdivision.

Jeff Willis said oh.

Mrs. Barnhill said it’s just on zonings.

Jeff Willis said oh, cool.

Board Members laughed.

Mrs. Barnhill said I just don’t know what to tell them tomorrow…should I…

President Valiant said the Board did not vote in favor of the…

Attorney Doll said if they want to refile, I guess they can.

Amanda Mosiman said I mean, it’s, it’s definitely not your responsibility, it’s ours to make the decisions and I don’t…I would trust you to make that explanation but it’s not your job to make explanations for the reasoning for every member of the Board. She said so I mean if you need that excuse going forward and you’ll have to talk to members of the Board but I guarantee they will drop it at that point.

President Valiant said the Board voted you know against it so…

Amanda Mosiman said period.

President Valiant continued that’s your answer.

Amanda Mosiman said that’s your answer.

President Valiant said if they have questions, they can come to the next meeting.

Mrs. Barnhill said okay. She said that’s what I’ll tell them.

Amanda Mosiman said I’m sorry. She said I don’t mean to put you in a weird spot but sometimes it’s just…that’s all you can tell people.

Mrs. Barnhill said yeah that’s fine. She said we don’t have…

President Valiant said yeah, you’re not making the decisions.

Mrs. Barnhill continued this doesn’t come up very often so…thank you.

Richard Reid made a motion to adjourn the meeting. Dave Goldenberg seconded the motion and carried unanimously. The meeting adjourned at 6:58 pm.

ATTEST:

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Molly Barnhill, Executive Director Jeff Valiant, President