

MINUTES

WARRICK COUNTY AREA PLAN COMMISSION
Regular meeting to be held in Commissioners Meeting Room,
Third Floor, Historic Court House,
Boonville, IN
Monday, December 11, 2023, 6:00 PM

PLEDGE OF ALLEGIANCE: A moment of silence was held followed by the Pledge of Allegiance.

MEMBERS PRESENT: Richard Reid, Jeff Willis, Doris Horn, Jeff Valiant, Greg Webb, and Amanda Mosiman.

MEMBERS ABSENT: Bob Johnshon

Also present were Morrie Doll, Attorney, Molly Barnhill, Executive Director, Kim Kaiser, and Carlie Render, Staff.

MINUTES: To approve the minutes from the meetings held on November 13, 2023.

Amanda Mosiman made a motion to approve the November 13, 2023 minutes. Doris Horn seconded the motion and it carried unanimously.

President Valiant said it looks like we have one item on the agenda tonight, um one rezoning on the agenda tonight, sorry. He said will the owner please step up when you are called. He continued I want to go through the staff report and everything on this.

REZONING:

PC-R-23-06: PETITIONER: Benjamin Modlin. OWNER: Leland C. Powell and Benjamin Modlin. To rezone 0.877 acres located southwest of the intersection formed by Third Street and Cherry Street from “M-1” Light Industrial Zoning District to “C-4” General Commercial Zoning District. Being Lot 6 in Lynn’s Additional Enlargement of the Town of Lynnville. Recorded in Plat Book 1, Page 16 in the Office of the Warrick County Recorder, Warrick County, Indiana. Town of Lynnville. *Advertised in the Standard June 1, 2023. Continued from the June 12, July 10, August 14, September 11, October 9, and November 13, 2023.*

President Valiant said sir, please state your name for the record.

Benjamin Modlin was present.

President Valiant asked do we have a staff report.

Mrs. Barnhill said yes, the only update from the last meeting is we did receive the State approved plans and they are in your packets.

Attorney Doll stated there were three green cards missing. He asked do we have those.

Mrs. Barnhill stated I don't think we ever got the green cards but we do have the white pay receipts and they were mailed correctly. She added a refresher on this one the Comprehensive Plan does project the area to be industrial. She continued let's see and the surrounding zoning would be "R-1A", "C-1", and "C-4" and then some more "C-4" to the west.

President Valiant asked Mr. Modlin, do you have anything to add while we are reviewing the plans.

Benjamin Modlin replied no.

Mrs. Barnhill stated so your plans are 11x17 but I have a full size if anybody would like to see them.

President Valiant asked do the State plans address bringing everything up to code.

Benjamin Modlin replied yes.

Amanda Mosiman asked what type of projects are we talking about here...to bring up...what are we doing.

Benjamin Modlin responded drywall in the hallway, got to bring it up to 5/8, got to take out the heating units that are in the units that have the wall that shares the inside of the gym and close that wall back up to make it perimeter firewall. He continued two window easements and two exits.

Amanda Mosiman asked what do you have, like a...so this is the plan do we have a timeline in place or an estimated timeline in place for completion.

Benjamin Modlin stated I am trying to empty the place out right now.

Amanda Mosiman asked of residents.

Benjamin Modlin replied yes.

Amanda Mosiman said okay.

Benjamin Modlin stated but ah...probably six months or less if I can get all of the residents out. He said it won't be applicable to it it will of course push my timeline up and I'll have to fast track it because it can't be like it is now.

Doris Horn asked how many apartments are there in there.

Benjamin Modlin responded there are eight. He continued there are six on the east end and two on the west end.

Doris Horn asked so you have a total of eight.

Benjamin Modlin replied yes.

Amanda Mosiman asked so are current....

Benjamin Modlin responded two are currently empty.

Amanda Mosiman said okay, so it's a second floor. She continued okay, I've got it.

Doris Horn said um hum. She asked Molly, how would the parking be up there with having to have at least sixteen parking spots.

Mrs. Barnhill stated that was accounted for on their original site plan. She added they have just enough parking for what they are doing right now. She said we figured eight apartments that would require sixteen parking spaces and we 460 square feet of storage area for an additional ten so 26 parking spaces on the property were required and that is shown. She stated they do not have any more room to add to that though they are maxed out at that.

Amanda Modlin asked so we have eight now but we are going to 18 or 10...sorry what did you say.

Benjamin Modlin stated now of those eight it will be a lot more likely to be down to five and my goal is three because I intend on being in that place.

Amanda Mosiman responded okay.

Benjamin Modlin continued and it's...I just kind of fell in to what it is...the structure right now...I'm not looking to be a landlord. He added I am a property owner.

Attorney Doll asked so, you think it may be three apartments.

Benjamin Modlin stated three or four if I can get it down to it, yeah it just depends on what the upkeep of the place is. He said I would rather have a couple of offices in it instead of residences.

Attorney Doll said well...

Benjamin Modlin added but that is in the future.

Attorney Doll asked "C-4".

Mrs. Barnhill replied yep, "C-4" is what they are proposing.

Amanda Mosiman asked has this property always been "M" light industrial.

Attorney Doll replied no, it was a school.

Amanda Mosiman responded right.

Doris Horn said there was a gym.

Amanda Mosiman asked okay, so when did we update it to “M-1”. She asked do we know.

Doris Horn stated I can’t remember...

Amanda Mosiman said sorry, I’m just trying to get some...

Doris Horn said I can’t remember the actual year. She added I was on this Board when Mr. Powell...there was a discrepancy between the Town and Mr. Powell. She said he wanted to have a logging company back there where the gym is and we put a weight limit on Cherry Street because it cost a pretty penny to...and he wouldn’t put any bond up.

Amanda Mosiman said right, I’m just asking when the zoning...

Doris Horn stated that was done back I would say in the nineties...

Amanda Mosiman said nineties, okay.

Doris Horn continued I would say in the nineties he was...

Mrs. Barnhill stated yeah, I want to say in the nineties. She continued I was reading that the school sold it and it was zoned.

Amanda Mosiman stated that just gives me some historical context.

Doris Horn asked what are you planning on doing with the old part of the...what I consider the gym where you have the logging business and stuff. She asked are you going to put that in storage, try to make more apartments in there....

Benjamin Modlin stated no, maybe add a few extra storages like the dry storage that it has inside but more than anything just personal storage for me. He said I have that warehouse on Main Street that I would like to empty. He said I got the flower shop that I would like to...I’m just trying to consolidate and get all of my property under one roof.

Doris Horn asked do you know Mr. Modlin, did they do any testing on the building to see if there was any lead or any asbestos, do you know.

Benjamin Modlin said yeah, no there is no lead or asbestos...everything inside including the concrete was taken out back in the eighties. He added all of the plumbing is pex plastic and I don’t think there is anything probably older than maybe 92 on the construction, supply, wiring, drywall, and such.

Doris Horn said I am going to ask you a couple of other questions. She asked when you are leasing out apartments will you be doing background checks on people.

Benjamin Modlin responded oh, absolutely.

Doris Horn asked did you realize, had you seen the police report on that building in the last year.

Benjamin Modlin replied no.

Doris Horn said I didn't even get anything after I think it was June or something but actually the police report there was over 22 incidents in that area, not the old school but in those apartment buildings alone. She said I didn't know if you were aware of any of that.

Benjamin Modlin said no, that is quite unbelievable but I will uh...I am currently instituting up the property line, the fences, patching the things that lets people get in and out of the property where they shouldn't. He added I plan on putting a power gate and surveillance equipment on all four corners of the building because with the apartments in the old school being there...because there is heightened reason in need for it.

Doris Horn asked what will be the name of the actual corporation...are you in this with Mr. Powell or is this yours.

Benjamin Modlin stated it is mine.

Doris Horn asked what is the name of this corporation.

Benjamin Modlin stated I have not decided on one yet.

Doris Horn replied okay.

Amanda Mosiman asked what is the reason for the down zone...like why can he not go ahead with this construction and he needs to down zone.

Mrs. Barnhill responded there was a complaint filed on the zoning and it is zoned light industrial, which does not allow living quarters at all.

Amanda Mosiman replied okay, so no one can live there at all. She said so we have a problem no matter what we do really.

Doris Horn asked these apartment buildings from what I heard Mr. Powell speak of were built about 8-10 years ago in an "M-1", which is illegal. She added I guess this was done before he separated the old gym from the old high school...subdivided I'm assuming...because he sold off the one part and I truly think...the Town Council found out about it because there was an incident where the fire department had to go into the old gym and rescue someone and there was a makeshift elevator and that is how we found out that they had been in there for years. She continued instead of him coming as a business person and coming to the Town Council and saying would you help us through this or even coming to the Planning Commission he does as he wants and then he wants everybody else to clean up his mess and just slap him on the hands.

President Valiant stated we are past that point so let's just...

Doris Horn replied yes, we are.

President Valiant said so, any more questions from the Board for Mr. Modlin before I open up to the floor for remonstrations.

Benjamin Modlin said if I could add...

President Valiant said yeah, go ahead.

Benjamin Modlin stated I know that Mr. Powell has done a lot of things...he is an old fashioned kind of cat and hard headed at that but you see me standing here right at the front...you will not have these problems with me at all.

President Valiant stated I believe you sir. He asked any remonstrations for or against this project if so please step forward.

Amanda Mosiman said yes, come on up...come on up.

Connie Duncan stated she lives at the corner of Church and Second Street. She added I have nothing prepared but I can tell you that I have lived there since 1985. She stated my concern is my safety. She said we already have the apartments in the high school...the former high school. She stated that is a constant issue with police, things happening and everybody knows about it. She said anybody that lives in Warrick County knows about it. She stated we do not want, I don't and my neighbors don't, some couldn't be here tonight, don't want another landfill of apartments because it is a horrible mess up there. She stated we have a horrible mess on the northwest, we are going to have a horrible mess on northeast end where the gymnasium is. She said that has always been an issue, it has always been a problem. She stated I live by myself...first of all I am concerned about my safety that is what I am concerned about. She continued second I'm concerned about my neighbor's safety and children's safety. She added third the community. She stated this has been an eyesore, this has been a pain for years. She stated this is not new this hasn't just started this has been going on since Lee Powell purchased it, which I know is nothing to do with this but there is never anything that is any good that has come out of it it has always been a problem and it's always been an issue. She said I am telling you tonight that that is how we have to live. She stated we have to live with all of the pain in the rears, and all of the issues, all of the cops going over there all of the time, and all of the disruption in our neighborhood. She said we own our homes and I am just asking that you guys understand and realize that we have enough headaches going on there now and we don't need any more headaches. She stated we don't need any more apartments. She continued the apartments are illegal and it should be gone period. She added it shouldn't even be up for discussion because it is illegal, it is wrong. She stated I have to pay my dues if I break the law so everybody else should have to too. She said I am here and I don't want it in no way, shape, or form at all across the street from me. She stated like I said I have had my property since 1985 and I have watched that whole side of that block go downhill since that day on and it just keeps getting worse and worse and worse. She said it does not get better, it has not gotten better, and it won't get better because saying is one thing but doing is

another. She stated actions and doing and what you've seen and what has happened can explain to you what will continue on because nothing is going to come of it. She said once everybody gets their permission for everything that they want they get memory lapse and it all goes out the door what they said. She continued they forget what they said...I don't remember saying that. She stated believe me I do because I live there and I have to live there because that is my home. She stated I want you to take that into consideration and understand this is not anything new and it didn't just begin it started years and years ago and it will continue on and continue to grow and get worse. She added it is just like a virus. She stated more apartments, whatever...we don't need it. She said we don't need it at all because it is a neighborhood, it is a residential area it is not an apartment area and that gym...honest to God it is not even safe for anybody. She stated you know there has to be lead stuff in there because I went to high school there. She said I went to high school at Tecumseh High School but when I started it was Lynnville. She stated I have been in that gym many times for basketball games as a kid and there is no doubt that there is lead in there and it is not right because it is old and back in the day they weren't...it wasn't the safety and health issues there is today. She said that is about all I have to say.

President Valiant said thank you.

Connie Duncan replied you're welcome.

President Valiant asked anyone else.

Melissa Wallace stated I am a homeowner in Lynnville, Indiana. She stated I think history repeats itself and unfortunately Ben does own other properties in Lynnville. She said one of his properties right now has been turned into Homeland Security and has gone past that to Homeland Security legal team because so many permits were not gotten and codes were not followed on another property that he has on Main Street. She said if that is not a total waste of tax dollars...now my husband and I own a home, a small detached building, we get permits, we pay taxes, and we do what you are supposed to do. She continued but this has gone as far as to Homeland Security because the Warrick County Building Commissioner I hear is overworked, and understaffed, and somethings went through. She added well everyone has a boss and we found him, so now it has been passed onto the legal team in Indianapolis at Homeland Security. She said that is one of his businesses and the other is right next to Town Hall and the front of it is particle board. She stated it is the biggest eyesore on Main Street. She continued that is my two cents...history is going to repeat itself, this is where we are at, and you guys have access. She said I know for a fact you can call Homeland Security and ask the legal team right now where it is at in the process and that is the men's recovery house where human beings are living that is not to code. She stated all codes...permits were not gotten and codes were bypassed so we are talking human beings there is a perfect example of what just happened. She added thank you.

President Valiant stated thank you. He asked anyone else. He said alright Mr. Modlin come back up here. He asked would you like to address any of the concerns that were brought up.

Benjamin Modlin said yeah, first and foremost I live two blocks from Ms. Duncan. He added I have been back in Lynnville since 2000 and I graduated from Tecumseh so I am one of the locals. He stated the building on Main Street in reference to the particle board on the front...I don't know

if all of you recall when the fire station, the original fire station on Main Street, collapsed. He stated it fell through the roof of my building and I took about a \$250,000.00 loss and I am still trying to recover from that but I am trying. He said I have some health concerns that have stopped me from doing certain things, which has slowed me quite a bit but I am no longer in the financial strain I was in before so now I can afford to pay for those things that I couldn't do before. He stated in reference to my property of 208 Main Street, which would be the old flower shop I don't have a business there. He said I lease that building to the local pastor of the Methodist Church in Lynnville and he put a transitional housing in there. He stated as to the zoning and such they are being real particular on that. He said they are coming after something that has nothing to do with the safety of the people they are coming after something that has to do with the safety of the building about it being up to fire code and we have had multiple complaints come in where they just keep pounding it into the ground where they had no other alternative but to take it seriously and take a spotlight on it I guess you could say. He stated that person's lease is up in the next month and if everything is not squared away and settled it will not continue to be that way. He said I am not the type of person that steps around, bend rules, and avoids laws. He stated I handle my business properly just because that is the way it is supposed to be done. He said there is a lot of emotion behind all of this but not a lot of facts. He stated there is a lot of Lee Powell and not a lot of Benjamin Modlin. He said I cannot attribute or talk for anyone else except for myself. He continued I can't help what has been done for the 30 years before I came into this. He said I really wish I could but all I can do is if we don't try to change our community from within who is going to change it. He added everybody is complaining about how bad our community is but my money is on the table on multiple properties. He stated I have 2 or 3 houses and 2 or 3 commercial properties because I intend on our town being built back up and doing something, not tearing it down...not tearing it down, not wiping it out, and not running it off. He said if it was up to Lynnville Main Street would be empty. He added that is all I have to say thank you for your time.

President Valiant said stay up there, hang on.

Amanda Mosiman said hang on...hold on...

President Valiant said we are still doing a few things...

Amanda Mosiman said we still have the petition in front of us and other issues aside this is what we are dealing with tonight.

President Valiant stated you made the comment earlier because the people that were living in those apartments they are out or leaving and you are getting all of them out so the...

Benjamin Modlin stated I am trying my best.

President Valiant continued problem should be...

Benjamin Modlin said be gone.

President Valiant yes, because if you...

Amanda Mosiman asked do you have a timeline on that.

Benjamin Modlin said it would be empty as fast as the State will allow me too legally.

Amanda Mosiman replied right, which I am not familiar with so I was hoping you could educate me.

President Valiant asked you said how many are left three.

Benjamin Modlin stated I've got two empty so there's five left.

President Valiant asked five left that you're...

Benjamin Modlin replied five occupants that are left, yes.

President Valiant said and then it will be empty.

Amanda Mosiman asked and State timeline is...

Benjamin Modlin stated it might take me up to ninety days to get some of them out.

Amanda Mosiman replied okay, I was just asking.

Benjamin Modlin stated if they are compliant and they are reasonable people and they don't force it through the law...30 days. He continued with a 30 day notice most people will leave because they don't want an interdiction on there...I am still learning some of this stuff mind you but like I said the average person that is not trying to take advantage of you 30-45 days. He added but being winter time I know there are certain stipulations with the cold weather and such so warm weather maybe it may be April but I hope not.

President Valiant asked but you are currently in the process of getting rid of the other five.

Benjamin Modlin replied yes.

President Valiant continued and then start the work, I assume, after those are gone.

Benjamin Modlin replied yes.

President Valiant said on whatever you can't do now.

Benjamin Modlin replied right.

President Valiant said alright.

Benjamin Modlin stated it's like I said I will have to take out the heating units and everything in this place. He said I will completely shut everything down.

President Valiant stated your plan based upon what you said earlier was that you don't want to fill this place up...

Benjamin Modlin responded no.

President Valiant continued you don't want to be a landlord.

Benjamin Modlin replied just being near this place is a headache right now.

President Valiant said so it is more for storage. He added I can imagine. He said you will be using it more for storage than anything.

Benjamin Modlin said yes.

President Valiant continued was kind of what I gathered earlier so...any other questions from the Board.

Someone from the seats asked can I speak again.

President Valiant responded you have already had a chance ma'am. He asked any other questions from the Board.

Someone from the seats asked may I ask a question.

President Valiant said I can open it back up for more remonstrator, that's fine.

Someone from the seats speaking but unintelligible.

President Valiant stated either way you are...

Amanda Mosiman stated you still have to come up to the mic, state your name, and do all of that.

From the seats I just want clarification on one thing. He said I am Dave Goldenberg. He said if he is not going to have apartments in that building does he still have to go from "M-1" to "C-4" to have his storage in it. He said if I am understanding you right you are saying that you aren't going to have apartments. He said so now I am just asking the next question.

President Valiant stated he didn't say he wasn't he said his idea was not to have eight. He continued he mentioned 3-4 earlier with one of them being himself if I kind of understood that. He said just not as many people.

Dave Goldenberg said that was my question.

President Valiant stated so yes, he would still have to change zoning and the question was also asked about background checks on new tenants by Doris and he said yes he would. He said you can step back up Mr. Modlin.

After ascertaining there were no more questions from the Board, President Valiant said he would entertain a motion if there is one.

Mrs. Barnhill asked are there any concerns left.

President Valiant said from the Board.

Mrs. Barnhill stated there are several conditions we can place on a rezoning, limit the use with a Use and Development Commitment, and those types of things.

Jeff Willis said well the nice use of it in "C-4" he can do in "M-1" except for apartments, which would be a lower use and less of an eyesore than what he can do in "M-1".

Amanda Mosiman said in theory but I am just not convinced that the state of the property now...I'm not going to down zone it and have it still be a problem property because right now I don't...I mean if I can read these reports right...

Jeff Willis stated but if we don't zone it down why would you invest the money to make the apartments...

Amanda Mosiman stated I know I didn't say...

Jeff Willis continued legal.

Amanda Mosiman continued it was without concern I just said I had concerns because it seems like it is still...I don't see in these plans...I'm trying to put this concisely...I don't see in the plans...there is a lot of I want and what if's but I'm not seeing that reflected in these plans, in the construction plans.

Benjamin Modlin said I'm not taking...

Amanda Mosiman said to me it doesn't seem like...you're saying if we down zone it to "C-4" it is fully in compliance.

Mrs. Barnhill replied yes. She said for zoning wise for apartments and storage.

Amanda Mosiman responded for zoning. She continued so Dennis has signed off on this and the State has signed off on it.

Mrs. Barnhill stated these are the State approved plans.

Amanda Mosiman said for construction.

Mrs. Barnhill replied yes. She said this will bring it into...

President Valiant said total compliance.

Mrs. Barnhill stated building code compliance as it stands right now.

Amanda Mosiman responded as it is right now.

Mrs. Barnhill replied yes.

Attorney Doll stated so you could conditionally recommend this...this is a recommendation.

Amanda Mosiman responded right.

Attorney Doll said it goes upstairs...well it goes here to the Commissioner's...

Mrs. Barnhill stated this goes to Lynnville actually.

Attorney Doll said I'm sorry you are right it goes to Lynnville. He stated so the final approval goes to Lynnville. He said so what you are doing is you are making a recommendation, one way or the other, to the Town Board on this application. He said and you can make that recommendation, as Molly says, with conditions, preconditions. He stated I think we have never done it but I think you can do a time limitation that this has to be completed within a specific period of time. He said generally it is a precondition about bringing it to code or utilizing it for some other purpose.

Mrs. Barnhill stated my thought was limiting the number of apartments allowed.

Attorney Doll said you can do that. He asked the storage units that you envision are they for tenants.

Benjamin Modlin replied no.

Attorney Doll asked general public.

Benjamin Modlin replied yes. He added because that turns into a situation to where if you get somebody that...

Attorney Doll said yeah if you kick them out.

Benjamin Modlin continued so then you are still tied to them. He said plus if you have somebody that doesn't want to pay their way...

Attorney Doll said I know.

Benjamin Modlin continued you've got two revenues that you are not collecting.

Greg Webb stated I know the outside of the property looks pretty rough and has for years. He asked has anything been done since you took ownership to clean it up. He said you wouldn't have to wait for anything to start that.

Benjamin Modlin said there is a big old dump truck that stood with seven foot of trash in it for the last 3 ½ years and that has been emptied and cleaned up. He continued there's some...I'm getting a little as I can but there has been some improvement.

Greg Webb stated I've drove by it a couple of times within the last couple of weeks checking on it and it still looks horrible and what they said is 100% correct.

Benjamin Modlin said I need to get...it will help a lot when I get the screens for that chain link fence. He said I'm putting screens up at least around that north fence that is....

Attorney Doll said I was...

Jeff Willis said that was going to be one of my questions. He said on "C-4" outside storage has to be sight screened right, where in "C-1" it doesn't have to be. He continued if I remember correctly unless that has changed.

Attorney Doll stated I don't know about the "M-1" part but sight screen is generally required, yes for outside storage.

Jeff Willis said so that would make the neighborhood look better for the neighbors because they wouldn't be able to see the outside storage. He added maybe it would stick up above the fence but not...it has been five years since I have looked at that.

Mrs. Barnhill asked didn't these State plans show a big area for existing storage, is that all rented out. She said the big area in the middle.

Benjamin Modlin replied no, not all of it.

Mrs. Barnhill said the application only has, well what I was told when they filed was 460 square feet of storage. She added I know you didn't do that but that is what was filed but this is a large area.

Amanda Mosiman said I had that question earlier too. She asked is Mr. Powell here.

Benjamin Modlin replied no. He said he is in Texas.

Mrs. Barnhill stated it is showing at least 12,000 square feet of existing storage in the middle. She said I didn't know if all of that was rented or...

Benjamin Modlin replied no, it is not. He said there is um two 15 or 17 foot wide open spaces. He continued like there is a box in the middle of the storage units that have say a 16 foot wide

walkway all the way around it. He added and then there are storage units up the side here and across the back on the north wall.

Mrs. Barnhill asked do you know how many square feet that would be.

Benjamin Modlin replied no.

President Valiant asked what were those numbers.

Mrs. Barnhill replied I don't know.

Attorney Doll said 4,000.

Mrs. Barnhill said well it is from here to here.

Amanda Mosiman said 96' x 96' on the sheet one of them. She added some of that looks cut out for unit 6 on sheet two.

Mrs. Barnhill said okay, less than 12. She continued I've got about 9,000 minus unit 6.

President Valiant asked any further comments, questions, or concerns.

Amanda Mosiman said I make a motion PC-R-23-06 with an unfavorable recommendation to the Town Board. Greg Webb seconded the motion.

President Valiant stated a motion and a second for an unfavorable all in favor of the unfavorable. Several Board members said aye. President Valiant asked opposed and a couple Board members said aye.

Mrs. Barnhill asked opposed.

Attorney Doll asked you want to rezone it.

Doris Horn asked what.

Amanda Mosiman stated I said unfavorable that was my recommendation.

Doris Horn said oh, okay unfavorable yes. She said I'm sorry.

President Valiant said let's back up.

Amanda Mosiman agreed let's back up.

Attorney Doll stated maybe we should take a roll call. He said I recommend a roll call.

President Valiant said yeah, so there is a motion and a second for an unfavorable recommendation to the Lynnville Board those...well do you want to do a roll call.

Attorney Doll replied yes.

Mrs. Barnhill performed roll call

Jeff Valiant said I oppose

Greg Webb said I am for the unfavorable

Doris Horn said aye

Amanda Mosiman made the motion

Richard Reid said aye

Jeff Willis said against

Molly Barnhill said so you're opposed. So the motion would carry with five in favor and one opposed for a negative recommendation.

Richard Reid said four in favor.

Attorney Doll said wait a minute you are against.

Jeff Willis said I think it's...I mean I am against not rezoning it.

Attorney Doll stated you are against not rezoning it.

Jeff Willis said I am against the unfavorable recommendation.

Attorney Doll said okay.

Mrs. Barnhill replied yep.

Attorney Doll said so that is what you have.

Mrs. Barnhill said I've got it. She continued so this will go to the Town of Lynnville.

Attorney Doll asked next week.

Mrs. Barnhill continued that recommendation. She asked Doris do you know when their next meeting is.

Doris Horn said let's see here.

Attorney Doll stated they have final authority and can still approve it.

Benjamin Modlin said not likely.

Doris Horn said it should be the 19th.

Mrs. Barnhill asked of December.

Doris Horn replied umhum at 6:00 p.m.

Mrs. Barnhill stated December 19th at 6:00 p.m. so we will find out what they do there and then we would still have an open complaint on the property that would come back to this Board in January then.

Benjamin Modlin said I just have one question. He asked say I'll discuss the negative, which is the direction that I wouldn't think our Town would want it to go to but instead this all goes to the negative and I can't get it rezoned then it just stays "M-1" and I have to make sure that I am compliant with my "M-1" right.

Mrs. Barnhill replied yes.

Amanda Mosiman said yes.

Attorney Doll stated but you can't have a residence in it.

Amanda Mosiman said you

President Valiant said next item on the agenda.... 2045 Warrick County Comprehensive Plan.

OTHER BUSINESS:

Warrick County 2045 Comprehensive Plan. *Advertised in The Standard on November 30, 2023*

Mrs. Barnhill said we are finally at the point where we have a proposed Comprehensive Plan. She added and I've got the gals from Taylor Siefker Williams who's been working on this project throughout the year. She said Amy and Bronte are here to give a little presentation and explain what is there.

Attorney Doll asked may I ask a foundational question or two.

Amy Williams, Community Planner, Taylor Siefker Williams Design Group was present.

Amy Williams said of course, absolutely.

Attorney Doll said the approval process...

Amy Williams said yes.

Attorney Doll said walk us through that.

Amy Williams said sure thing.

Attorney Doll said maybe that's part of your...

Amy Williams said is it, to put it in the easiest comparison, same thing as a zoning or rezoning. She said so you all give a favorable, unfavorable or no recommendation, and then it goes to the legislative bodies for...

Attorney Doll asked so it will go to the Commissioners.

Amy Williams said yes.

Attorney Doll said okay, thank you.

Amy Williams said no problem.

Attorney Doll said it's an ordinance.

Amy Williams said yes, well no, they adopt it by resolution. She said so it is not adopted by an ordinance, it is adopted by resolution.

Attorney Doll said okay.

Amy Williams said and being an area...you all are Area Plan Commission right?

Board Members said yeah.

Amy Williams said it should also go to those towns as well, but I know we take it to the Commissioners sometimes as a passing off to them.

Attorney Doll said okay.

Mrs. Barnhill said okay.

Attorney Doll asked does tonight constitute a public hearing on this.

Amy Williams said yes, just it was advertised I believe as that.

Mrs. Barnhill said yeah.

Attorney Doll asked and this will be replacing the Comprehensive Zoning Plan if it's adopted. He said it will replace the Comprehensive Zoning Plan we now have in place, which is way out of date. He added the legislature has a requirement that the County have a Comprehensive Plan and as long as I've been the attorney I think it's been expired beyond the time limit of the state legislature on these. He said so that's the reason why you are hearing this.

Amy Williams said super, great questions. She said well I think most of you guys look familiar, so that's great news at this point in the process...

Amanda Mosiman said sorry.

Amy Williams continued but I am Amy Williams with Taylor Siefker Williams Design Group. She added Amanda has been with us a long time too here. She said we have walked through this process over almost the last year and I will let Bronte introduce herself as well.

Bronte Murrell, Community Planner, Taylor Siefker Williams Design Group was present.

Bronte Murrell said yeah and I am Bronte Murrell and I am a community planner as well with Taylor Siefker Williams Design Group.

Amy Williams said so as I mentioned we started back about a year ago going through this process, and Lochmueller is a sub who worked on the transportation component of the plan as well. She said but we as a steering committee have worked through that group over a course of five meetings and then we've had numerous public events throughout this process as well that we will kind of walk through a little bit of...

Attorney Doll asked can we turn off these lights and leave those lights on.

Amanda Mosiman said they are the ones by the door.

Amy Williams said it's locked.

Jeff Valiant asked it's locked.

Amanda Mosiman laughed.

Mrs. Barnhill asked do you have a screwdriver.

Amanda Mosiman said they have the autos on you can't shut...

Amy Williams said it's like a plastic cap.

Jeff Valiant said childproof.

Amanda Mosiman laughed and said it's childproof.

Amy Williams said it is childproof.

Board Members laughed.

Amy Williams said I know we've... the TVs aren't working either so... I guess you guys can't see this either way. She said so we will run through... so we just did kind of our introductions,

we will run a little bit of the plan overviews. She said you guys have all had this for a number of weeks I think. She added so hopefully you've been able to read through that. She continued to touch on the plan overview on what are the visions, goals and kind of those big ideas that are in the plan. She added, but we also wanted to spend a little bit of time on future plan as well. She said that's the component that this entity or this Board will really be using the most throughout the course of this plans life. She said I will talk about other resources after this plan is adopted and kind of other things you guys can look into...and questions obviously, then public hearing portion of it, as your attorney kind of mentioned is a public hearing afterwards as well. She said but again we did go through numerous public involvement. She said we did have a broad steering committee and so that was a good sounding board that we were able to hear from. She continued all of the towns were invited to participate on that... a number of you all, schools, County Engineer was invited to participate and numerous other departments as well as some of those local residence that were kind of throughout the various communities. She said we will run through and feel free to interrupt as we go through if you have question....Bronte is going to...

Bronte Murrell said oh I think you're this section.

Amy Williams said oh okay, I'll run through this. She continues so you again, you guys being the Planning Commission I know you probably understand this, but it's always a good refresher of what is a comp plan. She said it is not our ordinance, it's not our laws and our teeth as our guide and so really this whole process looked about a collaborative process that was really trying to figure out what the vision was for the community in the future. She said as we went through this process we really started to say okay well where is Warrick County today, where are we heading, where do we want to go...because we might be going one direction and go a little bit of a different direction, and then really how will Warrick County get there in the future. She said Indiana Code has very minimal requirements what we actually have to adopt here. She continued really just statement, goals and objectives for future development. She said our policies for land use development and then some polices or again objectives on the public realm. She said so we kind of lumped that into more of your utilities or public...community facilities and then your transportation...a lot of those get lumped into there. She added but then again the great thing is we can put a lot more in that, and so we were able to coordinate with a lot of different things like your parks plan going on now, I-69 that's happening and a lot of different elements that can kind of get brought into your plan to make your community unique. She said so again this is a legislative document, it does get adopted by resolution by your legislative body and it is a vision for the future and again it should be that basis...I heard somebody reference it...good job whoever referenced the comp plan in the rezoning tonight. She continues it is a basis for those land use decisions, but again it's not the end all be all... it's not the sole deciding factor right. She added, there are a lot of different factors especially when you go through rezoning's there's five criteria about Indiana Code that you should pay reasonable regards too right... this is one of those five things. She said so again it's not that legally binding document, it's not that thou shall... it is our guide, it's not going to solve all our problems. She said again we like to think it can solve a lot of things, but it's not going to solve all our problems...and it does not rezone properties so that's something that sometimes the public gets confused on. She said and then again it is going to be a certain... it's not one direction, it's going to have a lot of different objectives that are in that plan as we go through it. She continued so that process as we did go through, we went through three phases in getting started about a year ago. She said we went

through that visioning phase and kind of figuring out where do we want to go, that strategic planning phase of what are the big ideas... I always say what are your three big ideas and what are your big issues and that's what we're going to solve in the comp plan with strategies and objectives. She continued and then finally we got into our implementation strategies which we know what our big ideas are and our big issues are...well what the heck do we do next. She added what are those steps we need to take and that's where implementation comes in.

Bronte Murrell said so part of this process...a huge part of it was really working with the community and getting input that way. She said throughout this process in total we talked to about seven hundred and sixty people (760) who provided input on this process. She added a big chunk of that about four hundred and eighty (480) of those people or four fifty (450) actually came through an online and mailed survey. She continued another group was about two hundred and eighty (280) high school students...some middle school and high school students who provided input as well and then we had people come out to public meetings and provide input in other ways. She said in all that we just put up a brief summary here, in the plan itself we have a section that gets into the community engagement and then an appendix that really gets into the community engagement. She added so you guys can dig through that on your own, but just a few key things we want to call out here is one of the question we asked on the surveys is what types of development would you like to see more of in Warrick County. She said big things that come up in this part of the process are parks and recreation, retail and dining and open spaces. She said and we asked people about housing options, knowing that senior housing and assisted living is a big deal, as well as single family housing and really seeing an interest in mix of different multi-family options, but townhomes being one of the bigger ones there. She said we asked people about the best ways to improve quality of life in Warrick County...again parks and recs is coming up, road way conditions, reliable infrastructure, better entertainment options and of course a strong school system which everyone here is very proud of Warrick County Schools. She said and then lastly, I wanted to touch a little bit on some of that youth engagement and what we heard from our middle school and high school students. She continued one of the big things we heard when we asked them is when you grow up do you want to live in Warrick County, or do you want to live somewhere else. She said eighty-one (81) percent said they want to move away...now we know that changes as people get older right, you go to college and you go oh I miss mom and dad and I come back home right that totally happens. She said it does give us a pulse on where do they want to go, what do they want to see in their lives, and how can some of that be in Warrick County. She added a lot of what we are hearing from them are quality public spaces. She continues we heard a lot about parks and recreation and places to spend time outside. She said we heard a lot about how much they love downtown Newburgh right, that's a really great space for them. She said so some of these youth engagement responses help us keep a really good look on what we should be thinking about twenty years down the line because they are the people that are going to be leading the community in years to come. She said so that is just a quick look at public engagement. She said what I want to walk you all through is just a general organization...

Amanda Mosiman said we did...I remember during one of our discussions we talked about the statistical number we had to hit... did we hit it.

Amy Williams said yes.

Bronte Murrell said yes.

Amanda Mosiman said hah yes.

Amy Williams said and we did get to be and I have it, I can't remember if it was ninety-five percent confidence... you know what I mean...

Amanda Mosiman said yeah.

Amy Williams said Amanda was a big push, especially with getting the kids involved. She added she was a big push on the steering committee, she wanted the survey to be statistically significant or valid.

Bronte Murrell said yeah.

Amy Williams said so again we ran the numbers through the calculation of that...yes we did hit it Amanda.

Bronte Murrell said yeah, I want to say often times in developing comprehensive plans, community engagement does not hit that number. She said statistically valid or significant for a community that doesn't happen. She added and that did happen with this plan which is a huge deal. She said so that has been really exciting through this process and then kind of taking all of that as Amy was saying, we went through a visioning process and that's what a lot of this input helped us get to is what is the big vision for Warrick County. She said and so with the structure of this plan what we ultimately have is a big vision statement. She said it is pretty succinct it's just a couple of sentences saying, here is the big picture of what we want to accomplish. She added and through that process we also identified what we consider to be guiding themes. She continued so we have three of these that just say these are the big things we saw come out of this plan and want to make sure we are really paying attention to, but also we have used them as guide post throughout this plan. She said you can see you have your little implementation sheets, and we will walk through those here in a minute. She said we have three themes and each of the strategies in this plan relate to at least one these themes. She said they really help us you know keep in mind what's really important to the community and everything we're recommending is coming back to the values that are important for Warrick County. She said then we come into goals, so as we get through the visioning and themes process, were also identifying the main topics that the plan needs to address. She said whether that's land use and housing, economic development, the plan is then kind of organized into those sections. She continued under each goal statement, we have a series of strategies, so what are those big ideas that we want to accomplish and then action steps which are the detailed steps that we get to accomplish each of the strategies. She said so that is ultimately the hierarchy of the plan and I want to walk through the vision statement and themes with you all very quickly. She continued the vision statement that the group came up with is that "Warrick County is a safe and welcoming community that is growing and thriving offering diverse outdoor spaces, high quality education, a flourishing economy, and vibrant towns and neighborhoods." She said and this vision statement is then supposed by three guiding themes...again the first one is enhancing sense of place, the second is

supporting plan growth so being strategic about where that growth is happening because Warrick County is growing we know that, but where do we want to see that happen and where do we want to see some more of that conservation happening. She added and then connecting communities. She said really thinking about both the physical side of transportation, but also thinking about broadband connection and really helping people engage with both their community and the larger world. She continued so these are really the big three themes that came out of this process and then we ended up having five goals. She said the first one is land use and housing, so really just to support future growth and development in key areas...again that planned and strategic growth theme is coming back out. She said in goal two we have transportation, so this is really to maintain and expand the counties current transportation network, while creating more opportunities for more travel choices. She continues and we have goal three on utilities...so really especially utility service in rural areas and supporting future growth there. She said goal four is quality of life, and then our goal five here is economic development. She said so those are our really big umbrellas of topics, and then the plan breaks it out into strategies. She added we are not going to dig into the strategies tonight, because you would be here for a very very long time....

Amy Williams said we do have a training session for planning commission, BZA...

Bronte Murrell said yes.

Amy Williams continues and any of your elected officials from the towns or the county. She said we did do that and it is recorded. She asked correct it did record that day.

Bronte Murrell said we recorded it through the county Commissioners YouTube.

Mrs. Barnhill said it was YouTubed.

Amy Williams said so it is on YouTube.

Bronte Murrell said and I don't know... yeah... I don't know if it been published.

Amy Williams said I know a lot of people were not able to attend I know, so I know that's one thing Molly said "lets record it so that people can go back and watch that great session." She said we went through the whole comp plan in like much more fine detail. She said so let's like get it to twelve (12) views on Youtube.

Mrs. Barnhill said twelve (12) views.

Amy Williams said yeah.

Bronte Murrell said alright, and the next kind of part of this is I just want to show you all these implementation tables that we've put out in front of you. She continued this is towards the end of the comprehensive plan. She said earlier on under each goal we have a chapter and we explain each strategy and each action step in more detail. She said these implementation tables are intended to be a snapshot and a tool for you, so if you say "hey what are we doing with land use

and housing”, we can pull this out and say “right this was strategy 1.2, this is what we want to accomplish, here are the steps we can take, here’s the organization so our partners and resources and our champions that are really helping us get this done.” She added here are the funding forces that we can look at to help accomplish these and we can also see the priority levels for each of these. She said and so later in the implementation section we also break down time lines as far as things that should be done immediately versus things that can be done in the next five (5) years and the next ten (10) years. She said so it helps break it down a little bit more strategically. She said we have just passed these all out tonight for you all, so if you want to review them you can, but they are a part of the larger plan that was sent to you earlier. She said so those are the implementation tables, and then along with that in that section we also have a list of other funding resources, so other tools that you can use to help implement some of these projects. She said so these are state wide and national resources that you guys can use as well.

Amy Williams no you’re good.

Bronte Murrell said okay you’re just coughing....

Amy Williams said no I’m good.

Bronte Murell said okay...cool cool cool. She continues so what I’m going to do is I’m going to hand it over to Amy and she’s going to walk you all through the future land use plan.

Amy Williams said so again...you have big broad goals, objectives, strategies and actions. She said you will notice that the Area Plan Commission assigned next to numerous ones. She said those are the ones you guys started to pick out too. She continued there are...as a spoiler alert, a number of zoning amendments or subdivision amendments in there as well that would be needed to help implement the vision and direction of the community. She said so that would again be an example of where’d you guys could really start to play an actionable role in some of this. She said the other one is future land use plan right. She added it’s the thing that you guys do reference very frequently...hopefully every time something like a rezoning is coming before you guys. She said I want to talk about what your future land use plan includes...again, it’s not necessarily just yellow, red, and purple on a map that you might traditionally have. She added it really does include a couple of different things and it is a chapter in your part so your future land use plan we call it...it’s not a map, it is a plan... it includes a map so that’s great. She added but it also includes character areas and we are going to talk through those here in second it also talks about growth areas, because being a county planning commission versus a city or town municipal plan commission you’re not looking at build out scenarios. She said you’re not...and the market will play a little bit of a role in terms of does growth go here or does it go here you know what I mean within the county to a certain extent, so we do have these growth areas as well as we talk about those. She said and I know this group is...probably we left this in there from the training, but it’s always good to remember especially folks calling and talk to Molly. She said future land use isn’t necessarily our zoning, but we did take your zoning and use that as a basis for creating this future land use right. She added if we have an industrial park we don’t want to put it as a neighborhood right on your future land use map, so that was used as a basis as well. She continues and really what we have started to come up with are seven (7) different character areas, so it’s not just single family, multi-family, commercial, industrial, ag. She said it is much

more...it's the recognition that a lot of times...the vision and input that we got...it wasn't just that I want to be a single family residence. She said it might be that I want to be a neighborhood right. She added it's more about the sense of place and character, but my neighborhood on the intersection of these two county roads could completely have a small restaurant or a small coffee shop or a small scaled neighborhood scale... not inside of the plat maybe but on the exterior of the plat. She said so we have come up with these...again rural communities so these are all defined with pictures and much more text in your actual plan. She added rural communities that are agricultural, that is open space and rural residential so it's not just ag. She continued because you probably have more houses in ag, than ag. She said but it is rural residential right...I feel like I'm in the county and in the country. She continued reclaimed mine, you guys have a lot of reclaimed mine in your county so that is a big influencer, so some of the desired uses there would be the same as ag your open space right. She said it could also look at some of the large scale solar, we have talked a lot about that with the public in terms of...they weren't necessarily opposed to the idea of it, but they thought we didn't want to take up our prime ag. She said this is great place for it, and that was vetted through a number of the public meetings and got some positive feedback as well as recreation. She said then you have your major recreational areas and that is pretty self-explanatory. She continued then we have neighborhood centers...so again it's your low to medium density residential, it could be your single family quarter acre lots that might transition to some townhomes or something of that nature, but it could have those neighborhood commercial appropriately intergraded into these. She added again, not in the middle of an actual subdivision, but it could be at your crossroads with proper access. She said we don't just want to make everybody drive all the way over to you know what I mean...the big commercial corridor to do that. She said town centers, those are like Lynnville it is...your towns within the county, and then our activity corridors these are really your big commercial corridors, but it also could include your appropriately mixed in mixed use... like we were talking about tonight but not in Lynnville. She said it could be mixed use, it could be apartments so that higher density residential is appropriate there too because a lot of the access in the utilities that they need are on that corridor. She added then our industry hubs, so again it's not just industrial uses, it could incorporate some of those commercial uses or business campus that would be integrated into it as well. She said so I kind of walk you through some of that...and so this resulted in your future land use map. She continued the other is a gray area...I just realized that probably is really good oxymoron there...the gray area is gray intentionally. She added so these are the areas that would have been green on our map right...except there where logically growth is going to start to occur over the next twenty (20) years. She said some of them might be a little more market driven and some of them will definitely be utility driven, but it's where utilities are starting to expand or going to expand. She added and then it's also anticipating the kind of western you know piece there with what's going to happen with I-69 and if Elberfeld industrial area ever takes off, there's going to need to be some growth up there. She continues so you'll notice that kind of gray area is kind of intended and is marked as a growth area. She said so again in my mind we start to say okay that gives you some flexibility to interpret...it's intended for growth...a subdivision would be more appropriate there than it would be out on the eastern portion of the county, correct. She said its intended that we intend growth to occur at some point in the future...and it gives you guys a little more guidance and kind of where we might want to see that growth based on transportation and utilities and access and those types of things. She said and during...we left this one on here too, during the little training that we did we said well okay how will we use this. She continues you know we would zoom into just kind of this

area...and again if it is in that gray area where you have a rezoning especially come in that's when you guys start to look at what is happening on the adjacent sites, what's happening in that area...because otherwise it would have been green on our map. She said it was trying to respond to some of that natural growth that is going to happen, and some of it will be annexed. She said it's adjacent to Boonville contiguous it's probably going to be annexed...so it's not going to be under your jurisdiction anyway.

Bronte Murrell said this is just a close up on what's happening on the north eastern side.

Amy Williams said yep, like next to Tennyson and all of that.

Bronte Murrell said yeah.

Amy Williams said so not as much different land use is changing necessarily on this side of the county...like utilities and a few things like that. She added Lynnville has some residential growth north of the town especially and then also west. She continued and then Elberfeld has some industrial growth identified, as well as residential. She said and so really it starts to say okay well how do we...it's much more about how do we transition between uses right. She added how do we go from an activity corridor where you have a Lowes right, and how do we transition back out to our rural residential. She continues it's really about that transition which becomes the key thing for this body to consider as you guys make recommendations to the legislative bodies on decisions that really influence that. She said and so we did go through a couple examples and I will go through this pretty quickly during the training session, but again when are we going to use it the most...rezoning's, development plans or other polices related to this as you guys go through and amend your zoning possibly. She said as I mentioned the five (5) criteria by Indiana Code that you guys have to pay reasonable regard to, this is one (1) of the five (5) items during rezoning's you and again those legislative bodies should be paying that reasonable regard to. She said so if we had a proposal going from "Ag" to "R-1A" for example and its right on the edge there and it is in the yellow...that makes sense right, that's one (1) of those five (5) criteria I think you could check off. She added if it was in that gray area right next to the yellow...again considering the site's around it...you can go out and visit those sites and see what's out there...if it does...again that would be one (1) of the items you could check off, it does play reasonable regard...you can pay reasonable regard then saying it is complying with our comp plan. She said again it might be a little different if you're between industrial and ag. She added those site conditions could dictate weather or not residential is appropriate or commercial...or excuse me industrial would be appropriate. She said and then there are some additional resources we always just like to point out...American Planning Association has some great resources...the Indiana chapter has some great resources too locally if you ever want to...we used to call it nitty gritty probably fifteen (15) years ago, but...

Amanda Mosiman said yeah they just recently changed that name. She said I can't remember...

Amy Williams said I know. She said I never know the new name, I still call it nitty gritty. She said it is training on for planning commission, BZAs staff. She added it is a great resource and it's very cheap too...so I know they make that cheap, but if you guys ever wanted to go through that. She said if not the Citizen Planner Guide is something that you all should download, you

should all have a copy of that...it's free, Indiana chapter puts that out and again it answers a lot of those simple questions on wait how does a variance work versus how does a rezoning work. She said it explains a lot of those things that you might have questions about...and it explains it in English not Indiana Code language. She added so that's a great resource too. She said we don't want to take up too much of your time, but I know Molly said don't just take five (5) minutes...tell them some stuff too so they can really start to have...you know think about it. She said but again I can answer any questions...and then ultimately it is a public hearing so you can open it for public comment. She said then we would love to have it, and I think Molly would too...love to have a recommendation so that it can go forward.

President Valiant said alright.

Amy Williams said questions for me.

President Valiant asked any questions for the Board....no.

Jeff Willis said is there a... it's all in goal three of utilities. He said well one of the problems we have in Southern Indiana...Vanderburgh and Warrick County is electric rates are just ridiculous. He asked is there any goals to address those?

Amy Williams asked the electric?

Jeff Willis said the electric...

Amy Williams asked just the rates that are increasing?

Jeff Willis said whether the county starts purchasing the easements and leasing them back or...

Richard Reid said we need competition.

Amy Williams said we did not, we did have conversations about electrical service in terms of capacity or some of those things. She added but we did not get into the rates of those.

Jeff Willis said right, well it doesn't matter how much capacity we have we can't afford it.

Amy Williams said and I was looking to make sure I don't think we got into any of the rates.

Bronte Murrell said no, we had public comments about the rates, but...

Mrs. Barnhill said lots.

Bronte Murrell continues ultimately I think it comes down to competition and whether there is going to be another person in your market to help.

Jeff Willis said well we can't because...

Bronte Murrell said it's all regulated by OCR.

Jeff Willis continues but as long as...when Sigeco owned it, nobody cared because it was produced locally, worked locally, owned locally...

Bronte Murrell said right.

Jeff Willis said they own all the easements.

Bronte Murrell said yeah.

Jeff Willis said well as we build a new road...should the county buy the easements and then lease them to the utilities.

Amy Williams said right or having a...

Jeff Willis said because as long as they own those...

Amanda Mosiman said yeah that's got some counties in trouble.

Amy Williams said well yeah there's a lot of different ways to do that, and I know...

Amanda Mosiman said in the buying.

Amy Williams continues again this is probably out of...zoning and comp plan is my expertise, but when you get into redevelopment questions they have more powers and duties than Planning Commission, Commissioners, Town Councils all those folks. She said there are ways to if you do want to do the leasing it back, a lot of times...I do know it works better through a redevelopment commission on some of that stuff.

Attorney Doll said let me jump in here for just a second.

Amy Williams said yeah of course.

Attorney Doll said in Warrick County when we approve a plat, the plat has on it a public utility easement. He said this is not hypothetical...the developer lays the drainage pipe...

Amy Williams said right.

Attorney Doll continues in that easement, then along comes cable and anybody else, including the electric utility service and they lay their lines in that easement. He added and what we are finding is they've laid their lines on top of the drainage pipe. He said well the drainage pipe rots over time and the sewer...the storm water, sewer and drainage Board has to publicly repair them because they are an accepted improvement like roads. He added and so we say to Center Point "hey you need to move your lines in three (3) locations on this drainage line because you're on top of our pipe...", and Center Point says "yeah, you're right...we will move them, by the way

you have to reimburse Center Point one hundred and twenty five thousand (125,000) dollars to move our line that we laid on top of your pipe.”

Amanda Mosiman ask so how could they do that?

Attorney Doll said well they didn't do it.

Richard Reid said they did it.

Amanda Mosiman said well wait wait wait...Indiana Regulatory Commission.

Attorney Doll said well they didn't do that, but they've said that to Warrick County and then we've engaged in all kinds of bickering and fights. He said now...think about that in the context of what we do here. He said some communities have a separate utility easement and a separate drainage easement. He added now developers don't like that...they don't like that because they have two easements and they don't like that at all. He said when we look at approving a plat in the context of what we're doing here, trying to improve the future we need to be conscious about some way to fix this problem because the Drainage Board and Storm Water that sits at this same table currently has been trying to figure out how in the hell we are going to pay for the replacement of the utility pipes and pay the power company to move the line and put it back. He said so there is a prime example of a problem we need to be able to fix in the context of the future when we look at plats.

Amy Williams said include that in your subdivision regs. standards.

Attorney Doll said I know...but what do you include. He added because... if you say like some counties have in the past well we're going to separate these easements, were going to have a separate drainage easement and a separate public utility easement. He continued then every builder in the county is going to come in here screaming...because Molly has to listen to that. He said when they see the plat, they say “wait a minute, wait a minute, wait a minute...we can't build over those easements that's not fair we don't like that. He added put them all back together again in a single easement. He added well...it's good for twenty years (20) or twenty five (25) years, but at some point in time sewers have to be replaced.

Mrs. Barnhill said even with all the shared easements we have lots that have a house and the rest of that lot are easements, they can't build anything with these smaller...

Amy Williams said and I don't know your subdivision regs. and zoning, I've glanced at them but don't know them. She added to making your right of way width wide enough for your sewer in particular...water and sewer are in your right of way. She said usually in a fifty (50) foot right of way we can still fit those in. She said getting your drainage utilities off of it...but what we've done with some communities is looking...say you do a seven and a half (7.5), ten (10) foot easement for one or the other that we adjust some of the front yard setbacks, so that were not setting back off that easement so you're not building on it.

Attorney Doll said would you just...for a little bit of background. He said this board hears request after request after request from builders in plats not to require sidewalks.

Amy Williams asked a waiver.

Mrs. Barnhill said mhm.

Attorney Doll said they want a waiver because they don't want to even give up the width of a sidewalk. He added and even more importantly they don't want to pay the cost of the cement...

Amy Williams said they don't want to sell it.

Attorney Doll continues to install that sidewalk. He said so very often they come in here and say "well we really don't need sidewalks" and the school representative says "well wait a minute....the kids are going to be standing in the street, that's not where we want them standing."

Amy Williams said welcome to a bus stop in a subdivision.

Attorney Doll said or they are coming in here saying "okay we want you to waive sidewalks on the east side of the street, but we will agree to put them on the west side of the street." He said it is a lot of confirmation, a lot of different opinions about it. He said Molly here is a gatekeeper, she sees all it first. He said this board has final authority to say we approve the plat or we don't. He said a lot of this has bearing on the future, where are we going and if you want to think about that look at Hilton Head Island. He said if you go to Hilton Head Island and all the signage is what waist high?

Amy Williams said I mean yeah. She added its low signage.

Mrs. Barnhill said it's really nice.

Richard Reid said it is but...

Jeff Willis said my wife and I drove through town one time and I was looking for a restaurant and I couldn't find it because... it said on Google maps you know and I'm driving so my wife was trying to tell me where it's at. He said I never saw...I passed the restaurant like four (4) times because you couldn't see the sign. He added so there is also a problem to having signs that you know...

Amy Williams said maybe.

Jeff Willis continues that are lower than your car.

Amy Williams said there's always a balance right.

Jeff Willis said and there should be a balance.

Attorney Doll said but it's beautiful.

Jeff Willis said and I understand you are along a coastline where they have hurricanes...yeah you want low signs.

Attorney Doll said well they didn't do it for the hurricanes.

Amy Williams said yeah, it was defiantly for the aesthetics.

Attorney Doll said they did it for the aesthetics.

Amy Williams said there are a number of things that again from the public input and the strategies that we have in the plan are reflected in the action tables saying there needs to be considerations you can consider. She said it doesn't mean you have to consider a number of amendments to your zoning and or subdivision. She added and again as you go through that process it's not a band aid, band aid, band aid. She said if you're going to do it and you know what I mean. She continues a number of these are a section at time and vetting that through a committee that's not a two (2) month process...

Attorney Doll said no.

Amy Williams continues either, but really what needs to be done and your Drainage Board needs to be on that committee those two (2) documents have to work hand and hand too what they require.

Attorney Doll said and you would use this as an outline, a guide, pattern, a goal...

Amy Williams said absolutely.

Attorney Doll continues and what you want to do is think about if there amendments to the zoning or subdivision ordinance that need to be implemented to fulfill division. He said and if there is can we agree on what they should be and recommend to the Commissioners.

Amy Williams said and there is a...if you look at the timeline, she's going to pull the plan up.

Bronte Murrell said I'm going to see if I can.

Amy Williams said the timeline page of the action steps there is one that's like really long and it's all of these amendments that were recommend in order to implement this plan.

Attorney Doll asked and you've recommend them

Amy Williams said plus more...yeah our group did, yeah, and there is probably even more. She said again that's probably when you sit down and you start vetting those a committee and you get your Drainage Board to actually sit in on that, they didn't necessarily sit in on all our

committee meetings. She said there is other underlying...that need to be addressed too, plus domino effect, needle in the a haystack all together... you know when you do those things. She said but ultimately that probably does need...I didn't and we went the other direction.

Bronte Murrell said yeah.

Amy Williams said there is an action step in your...and it does summarize all of the you know...throughout this section there is a lot of amendments to this, consider amendments to that and it puts it all in one place.

Bronte Murrell asked where you wanting to go to the timeline.

Amy Williams said yeah, the one that has all the zoning subdivision reg stuff.

Bronte Murrell said yeah...I'm getting there.

Amy Williams said it's in the immediate or short term...we talked about that with you guys on wanting to do that.

Bronte Murrell said yeah.

Amy Williams said and I think we...

Bronte Murrell said it's just yeah.

Amy Williams said it's like but it's...

Bronte Murrell said I think it's the short term.

Amy Williams said keep going.

Bronte Murrell said yeah.

Amy Williams said so pretty much when we looked at...we did the training I can't remember there is like twenty four (24) short term or I mean short range action steps, but don't be too overwhelmed because like eighteen (18) of these relate your zonings and subdivision regs.

Attorney Doll said so we should be overwhelmed.

Amy Williams said that's one project across the...

Amanda Mosiman said how do you eat an elephant...one ordinance at a time.

Board Members laughed.

Amy Williams said that's one...they are kind of consolidated to one place too. She added but it is a guidance, it is your next launching point to kind of move forward as a county.

Amanda Mosiman said it's exciting.

President Valiant said yep very.

Amy Williams said yeah and our committee was really involved and I do appreciate everybody who helped with that. She said even Amanda's push to make it statistically significant.

Attorney Doll said what you got to remember the goal here is to have a road map for Warrick County development for the next twenty (20) years.

Amanda Mosiman said it's 2045.

President Valiant asked so it's...we need to open it for public comment correct?

Attorney Doll said yes.

President Valiant said if you two are good I will open it for public comment...see if we've got anybody that wants to speak on the proposed 2045 Comprehensive Plan.

Mrs. Barnhill said Sherrie helped with it too.

President Valiant said yes, yes I don't see anybody moving so...close the public...

Amy Williams said this last one I had adopted it was like two weeks ago and the Plan Commission...they brought the beginning agenda. She said there was like two hundred fifty (250) people all hot to trot on...

Amanda Mosiman said I bet.

Amy Williams continues and I turned around as was like surely somebody's interested...come on this is the fun part of what we're doing here people...

Board Members laugh.

Amy Williams continues can someone give me a comment.

Attorney Doll said give you an amen.

Amy Williams said one person gave me a comment, they were all just ready to battle...pitchforks.

Attorney Doll asked so you need a recommendation to approve this to the Commissioners.

Amy Williams said yes...favorable, unfavorable or no. She said just like you would for a rezoning.

President Valiant asked what's the wishes of the Board... I'll make the motion.

President Valiant made a favorable recommendation for the Comprehensive Plan to the Commissioners and Richard Reid seconded the motion and it continued unanimously.

President Valiant said there you go.

Attorney Doll said there you go.

Mrs. Barnhill said sweet.

Amy Williams said thank you guys.

Bronte Murrell said thank you guys.

President Valiant said I would like to thank Molly for kicking off this deal and Amy and Bronte for all the time and hours. He said I started out on that committee and then my work job got in the way so...I know Amanda helped out and I think Doris was involved. He said thank all of you, I appreciate it.

Amy Williams said your staff were phenomenal, so they were great very well informed and helpful...new community for sure we appreciate that committee.

President Valiant said well you guys did a great job we appreciate it.

Mrs. Barnhill said yeah.

ATTORNEY BUSINESS:

President Valiant asked attorney business?

Attorney Doll said nothing.

President Valiant said nothing.

Attorney Doll said you always sound disappointed.

President Valiant said I know, it's like...

Attorney Doll said a good lawyer keeps you out of trouble not in it.

Jeff Willis said well sometimes you like tell us about lawsuits that happened in the state or something.

President Valiant said I know...

Attorney Doll asked do you want to know that.

Amanda Mosiman said yeah we do.

Jeff Willis said well only if they are relevant to us.

EXECUTIVE DIRECTOR BUSINESS:

President Valiant asked executive director business.

Mrs. Barnhill said nothing.

President Valiant said nothing. He said I do have one thing I want to bring up. He said so I was approached by the Commissioners in regards to a claim involving Alpha....was it Alpha...

Mrs. Barnhill said Alpha Laser.

Amanda Mosiman said Alpha Laser.

President Valiant continues Alpha Laser on moving the printer off site during the whole...I'm going to say the whole radon ordeal and bringing it back. He said well the Commissioners did not want to pay that out of what they call tax payer money...which is what our budget comes from. He added they had actually requested that we actually pay it out of our fees, which go back into the general fund which they would have control of anyway...anyway they asked me to bring that up and they were looking for a motion to get it paid out of I guess general funds, however I'm not sure if that's good with the Auditor or not. He said based on some other conversation...so.

Amanda Mosiman asked do we have authority to spend general funds.

President Valiant said and that's why I was confused...

Mrs. Barnhill said no.

President Valiant said and I tried to explain that...

Attorney Doll said we don't.

President Valiant said and I wasn't getting anywhere.

Richard Reid said she did that for her health reasons, you know to move everything out of here so.

President Valiant said you see they don't want to pay it out of...

Richard Reid said well they should.

Amanda Mosiman said well they denied two of our claims as well...the Extension Office. She said one being the radon meter and so we just paid it out of a different account so it came out of Purdue money. She added and then a laptop...our laptops that was just the lease renewal, but they were convinced that that was because we had moved out of the offices and needed laptops. She said we've had these laptops forever it was just renewal. She said so they did the same thing for us.

President Valiant said nice. He said now I believe it was three hundred (300) dollars both ways right.

Mrs. Barnhill said yes.

President Valiant said three hundred dollar to move it and three hundred dollar to bring it back and setting it up and connecting and all that kind of stuff so....

Attorney Doll said so you could make a motion to approve the payment of the fee...and the Auditor's discretion out of which ever account is appropriate and you've got it covered.

Amanda Mosiman made a motion to approve the payment of the fee and leave it up to the Auditor's discretion as to which account is appropriate and Richard Reid seconded the motion and it continued unanimously.

President Valiant said let them figure it out.

Doris Horn made a motion to adjourn and Amanda Mosiman seconded the motion and it continued unanimously.

Meeting was adjourned at 7:22pm.

ATTEST:

Molly Barnhill, Executive Director

Jeff Valiant, President