MINUTES

**WARRICK COUNTY AREA PLAN COMMISSION**

Regular meeting to be held in Commissioners Meeting Room,

Third Floor, Historic Court House,

Boonville, IN

Monday, January 8, 2024, 6:00 PM

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

**MEMBERS PRESENT:** Jeff Valiant, Greg Webb, Dave Goldenberg, Bob Johnson, Amanda Mosiman, Richard Reid, and Jeff Willis.

Also present were Morrie Doll, Attorney, Molly Barnhill, Director, Kim Kaiser and Carlie Render, staff

**ELECTION OF OFFICERS:**

Mrs. Barnhill stated the first item on the agenda is to elect a President of the Warrick County Area Planning Commission to serve during the 2024 year. She asked do we have any nominations.

Amanda Mosiman nominated Jeff Valiant for President of the Area Plan Commission. The nomination was seconded by Richard Reid and the motion carried unanimously.

Mrs. Barnhill called for the motion to close and Amanda Mosiman moved to accept the nomination by acclamation.

President Valiant opened the floor for nominations of a Vice President of the Area Plan Commission during 2024.

Amanda Mosiman nominated Jeff Willis for Vice President of the Area Plan Commission. Richard Reid seconded the nomination and the motion carried unanimously.

Bob Johnson moved to accept the nomination by acclamation.

**ADOPTION OF RULES AND REGULATIONS:**

Mrs. Barnhill said we have no changes from last year.

Amanda Mosiman made a motion to adopt the Rules of Procedure for 2024. The motion was seconded by Jeff Willis and carried unanimously.

**APPOINTMENT TO THE BOARD OF ZONING APPEALS:**

President Valiant said the first we would need is the Municipal Representative appointment. He asked was this last year…

Mrs. Barnhill said it was Doris Horn and the only one that qualifies this year is Dave Goldenberg.

Richard Reid stated I nominate Dave Goldenberg.

Bob Johnson seconded the motion and it carried unanimously

Jeff Valiant said now for the County Rep.

Mrs. Barnhill stated Jeff Willis served last year and he is the only one that would qualify.

Jeff Valiant made the motion to accept Jeff Willis as the County Representative. The motion was seconded by Bob Johnson and carried unanimously.

**APPOINTMENT TO PLAT REVIEW COMMITTEE:**

Mrs. Barnhill said Greg Webb was on it last year. She asked can you do it.

Greg Webb said I didn’t make very many meetings last year.

Mrs. Barnhill replied no, you did not.

Jeff Valiant asked is there anybody else. He said if anyone could have a better way to make it. He added I am too far away during the day.

Greg Webb stated I don’t care to do it. He continued it should be better off this year so that’s fine.

Jeff Valiant responded okay. He asked does somebody want to make that motion.

Amanda Mosiman made a motion to nominate Greg Webb on the plat committee, it was seconded by Bob Johnson and the motion carried unanimously.

**SET MEETING TIME AND PLACES:**

President Valiant asked are we going to stick with the second Monday’s at 6:00 p.m. here.

Mrs. Barnhill said yes, that is what I have on the agenda. She stated the only different one was in November. She added so in November Veteran’s Day is on the 11th that Monday so normally we would meet on the 12th the Tuesday after, however, the Commissioners are having their meeting on the 13th the Wednesday at 10:00 a.m. and Drainage Board is also meeting on the 13th at 9:00 a.m. She stated I didn’t know what the Board would like to do.

President Valiant asked wouldn’t you rather have it after those meetings in case anything is…

Bob Johnson said yes, it is more convenient.

President Valiant replied yeah.

Mrs. Barnhill stated usually for a subdivision they go to Drainage, Commissioners, and then Area Plan Commission so we like to have them on the same day. She said so we have a 9:00 and a 10:00 a.m. on the 13th.

President Valiant said we would stick with 6:00 p.m. I would assume wouldn’t we.

Attorney Doll stated that is up to you.

President Valiant stated I would stick with 6:00 p.m. that would just by my opinion.

Amanda Mosiman stated we have several members of the Board that have full-time jobs outside so I would say stick with 6:00 p.m.

Mrs. Barnhill asked okay, on the 13th of November so that would be Wednesday the 13th. She continued we will get the calendars made and I’ll send them out.

President Valiant asked do we want to make that in the form of a motion.

Amanda Mosiman made a motion for the APC meeting to be held on the second Monday of each month at 6:00 p.m. in the Commissioner’s meeting room except for November and it will be on November 13th at 6:00 p.m. The motion was seconded by Richard Reid and carried unanimously.

**FEE SCHEDULE:**

President Valiant asked are there no changes from last year.

Mrs. Barnhill said no changes.

President Valiant asked motion to adopt.

Bob Johnson asked Molly has anybody talked to you about changing the fee structure on the solar farms.

Mrs. Barnhill replied no.

Bob Johnson said okay. He continued we can adopt this but look for something to change probably in the near future.

Mrs. Barnhill replied okay.

Bob Johnson stated I think it is going to increase considerably.

Amanda Mosiman asked did we lay that out in the ordinance in the cost or is this the only place we lay out those costs.

Bob Johnson stated I think this is…

Mrs. Barnhill stated this is the only place we lay it out.

Amanda Mosiman said this is the only place we lay it out.

Attorney Doll stated I think we said it would be in the rules.

Amanda Mosiman asked and we can amend this at any time.

Attorney Doll replied by motion.

President Valiant responded yep.

Amanda Mosiman replied alright.

Mrs. Barnhill stated yes, we applied most of the fees to the filing.

Amanda Mosiman responded right.

Mrs. Barnhill stated because once the Special Use is checked and filed that’s where the work is.

Bob Johnson stated we can’t go back and redo what we’ve already done but going forward we can make some changes.

Amanda Mosiman asked how many did we receive in 2023.

Mrs. Barnhill asked for solar farms.

Amanda Mosiman replied yeah.

President Valiant replied one.

Mrs. Barnhill stated well yes, two applications.

Amanda Mosiman asked two applications right.

Mrs. Barnhill replied one farm.

Amanda Mosiman responded okay, we can talk about when it presents itself.

Bob Johnson said yeah, sure.

Amanda Mosiman made a motion to set the fee schedule for 2024 as it is presented. The motion was seconded by Richard Reid and carried unanimously.

**MINUTES:**

President Valiant said we need to approve the minutes from the December meeting. He asked did everyone except for Dave get a copy. He asked are there any additions or corrections, if not I will entertain a motion to approve.

Amanda Mosiman made a motion to approve the minutes from the December 11, 2023 meeting. It was seconded by Greg Webb and carried unanimously, being two abstentions by Bob Johnson and Dave Goldenberg.

President Valiant stated yeah, you weren’t at the meeting.

**ANNUAL REPORT:**

Mrs. Barnhill said I emailed it out last week and we’ve got some graphs that went along with it.

Amanda Mosiman said graphs I actually like those.

Mrs. Barnhill said so we have a decrease in overall permits but not significantly though. She said Ohio Township was still most of the permits that we issued. She continued multi-family I mean we had one Bell Road apartment and John Mattingly duplexes and fourplexes so that accounts for those.

President Valiant asked so we are down about 50 from the year before roughly. He asked are we good on that.

Attorney Doll asked so the average new home in the County is $435,000 approximately $436,000.

Amanda Mosiman responded yes, which is down.

Mrs. Barnhill replied yes, it decreased. She continued $441.

Attorney Doll stated that is still quite a bit.

Mrs. Barnhill said from the previous year of $435,000.

Amanda Mosiman asked do you want us to adopt this formally by motion.

Amanda Mosiman made a motion to accept the Annual Report and thanks to your team for compiling it. She continued it is nice to see it all laid out here. The motion was seconded by Bob Johnson and carried unanimously.

President Valiant said so that should wrap up all of the year, end of the year stuff. He continued it looks like we have two primary plats and one rezoning on the agenda tonight. He added primary plats get final approval here and rezoning’s will go as a recommendation for or against to the County Commissioners at their next meeting. He said as we call these if the applicant and owner will step up to the podium I would appreciate it and there should be a sign in sheet up there as well for you to sign in for us to review your stuff.

**PRIIMARY PLATS**

**PP-24-01: Libbert Lakes:** PETITIONERS/OWNERS: Libbert Lakes LLC by Chris Combs, Mngr. Approximately 35.685 acres located on the north side of Libbert Road and approximately 390’ west of the intersection formed by Libbert Road and W. Oak Grove Road. Ohio Township Section 16, Township 6 South, Range 9 West *Complete legal on file. Advertised in The Standard on December 28, 2023.*

President Valiant said gentlemen please state your names for the record.

Scott Buedel, with Cash Waggner and Associates and Chris Combs, Developer were present.

President Valiant asked for a staff report.

Mrs. Barnhill stated on the return receipts for the notice to the adjacent property owners we have all of the green cards except for twelve, but we do have the white pay receipts for those showing the property owners were notified correctly. She said the current zoning is “A” Agricultural Zoning District they also on the agenda tonight are proposing to rezone the property to R-1A” One Family Dwelling District. She continued the floodplain is the 100 Year Flood Plain just barely in the northwest corner but it doesn’t really affect this development whatsoever. She added the Street Construction Plans…were they approved.

Chris Combs stated they were approved today at 4:00 p.m. at the Commissioner’s meeting.

Mrs. Barnhill said they were approved subject to some further review with the County Engineer.

Chris Combs stated there was no subject to.

Mrs. Barnhill stated there was some work out on Libbert Road, right.

Chris Combs stated that was something the County was going to be doing but it didn’t affect the project. He continued Bobby and Steve have bids out to put a bigger pipe across Libbert but it doesn’t affect us other than we agreed we were going to work together where they are going to tie their pipe into ours as we build the development.

Mrs. Barnhill responded okay. She continued the drainage plans were approved today. She said Newburgh Sewer has capacity and Chandler Water has capacity so the plat would be in order. She stated they are also requesting a partial waiver for sidewalks to apply to the west side of the west road only and that exhibit is in your packet so you can see exactly what they are talking about.

Chris Combs stated the reason being on that waiver is because of the Marathon Pipeline goes through there and they are not allowing us to have the sidewalks so that is the only reason that we are not putting sidewalks there.

Mrs. Barnhill asked do you want to go over the rezoning also.

President Valiant responded yeah, I didn’t…that was my fault I didn’t catch it that they were tied together.

**PC-R-24-01:** PETITIONERS/OWNERS: Libbert Lakes, LLC by Chris Combs, Mngr. To rezone 35.685 acres located on the north side of Libbert Road approximately 390’ west of the intersection formed by Libbert Road and W. Oak Grove Road from “A” Agricultural to “R-1A” One-Family Dwelling Ohio Township Section 16, Township 6 South, Range 9 West *Complete legal on file. Advertised in The Standard on December 28, 2023.*

Mrs. Barnhill stated the return receipts, the notices were sent together with the primary plat. She said the total lot size is 35.685 acres and our current Comprehensive Plan projects the area to be moderate to high density residential. She continued it is currently a vacant farm field. She added the surrounding zoning and land use to the north and west is “A” Agricultural being single family dwellings and farm land, to the east is “R-1/PUD, R-1A” One Family Dwelling/ Planned Unit Development and to the south is “A” Agricultural and some “C-4” General Commercial. She said they do have access onto Libbert Road, which will continue, which is currently out and the stated use is the One Family Dwelling “R-1A” Zoning District and will be in compliance if approved.

President Valiant said thank you, Molly. He asked gentlemen do you have anything to add to the staff report or for the project overall.

Scott Buedel stated from the stand point of the zoning I think this is a good fit for this site. He said we are going to the “R-1A” not just the “R-1”. He stated the lots are going to be a little bit larger in size. He continued half of them are going to be 100’ widths and the rest of them will be 80’s. He stated the only reason we are going to the “R-1A” is some of the large lots on the corners kind of inch down to about 75’. He said so there will be large lots in here and as Molly has stated is set up for moderate to high density residential and we are sticking with larger single-family houses. He added I am sure development will continue further west. He stated it’s probably going to be a little bit more difficult due to the floodplain but once you get past the floodplain closer to Epworth Road then everything turns commercial. He said I feel like this is a good fit for the area. He added from the standpoint of the sidewalks like Chris had said, he wanted to put sidewalks on both sides of the roads for the entirety of the development and after discussions with Marathon they want to limit the amount of impacts that are going to be in that easement for their pipeline. He said that is the only reason we pulled back on that. He continued like Molly had said there the floodplain just barely touches the northwest corner of the property so that is not a concern. He stated like a lot of developments that we have been doing recently you are probably going to hear a few comments tonight for drainage purposes and to just kind of put it in to perspective, right now there is a large culvert well it is an undersized culvert that crosses Libbert Road, that comes into the property and then there is another culvert that runs in from kind of the middle on the east side. He stated both of those culverts run across that property and they run down a ditch that is pretty well straight west across the middle of the property down to the northwest corner of the site. He said there is a tremendous amount of water that runs through the site and I know some of the concern is what that development is going to do that northwest corner…or if it is going to increase that. He stated right now in a 50 year storm event there is about 191 cubic feet per second that runs through that northwest corner so it does greatly affect that corner and erosion and so forth. He said we are going to be diverting this water through this site through the four lakes that we have planned and then diverting that water more or less to the west and the south out towards Oak Grove Road and in the end in a developed situation in a 50 year event you are looking at seven cubic feet per second running out that northwest corner of the property so almost 90 percent decrease in the amount of water in that northwest corner that I believe is really a concern for some of the neighbors. He added I feel like we are going to improve that situation and then along with working with the County there are two culverts under Libbert Road that are just undersized and the reason there is flooding and issues today is because development has happened upstream and the culvert’s stayed as they were. He continued our pipes will be upsized to be able handle all of the increased flow from the correct culvert size being placed in…

President Valiant stated you mentioned earlier they are already looking at putting larger piping in there. He added the larger culverts…

Chris Combs said they have already…

Attorney Doll said box culvert.

Chris Combs stated they already have a bid out for the one and the other one they are addressing as well so, what we have done in addressing obviously there is an issue with water that has run over the road and all of that with the previous developments over…so, we have addressed it and oversized our pipes and everything to where we can accommodate everything that the County is going to do to drain that water and everybody that lives in Warrick County for the most part is familiar with Bellevue and Bellevue Estates that I developed over there as well with Donnie Denton and you can see how we put the lakes in and how we have taken that storm water controlled it and mitigated it from the stand point from what used to flood on Telephone Road out there. He added which it still does but we have eliminated so much of the water flow that went that direction. He stated we are doing the same thing here so the improvements that we are going to do on the drainage are twentyfold over what it currently is. He said I am sure if anybody has driven in a heavy rain there used to be a river that ran right through the middle of our property and went right over Libbert Road and that is why we have addressed all of that like…which was approved today at the Drainage Board meeting but typically you have a 50 year storm that’s approved that your ordinance in Warrick County and ours is a 100 year and the capacity of what our pipes are going to do so, keep in mind that at great cost to myself and my partners we are putting in the oversized pipe and addressing this issue for everyone involved. He stated we are doubling what the standard is that is required by the County. He said I just want to make sure that everybody understands what we have done and how we are doing that.

Amanda Mosiman said I have made a…this is a small print, where you mentioned the lakes and where are they planning on going, direct me to where those are at…are they the corner lots.

Scott Buedel said in the very northwest corner.

Amanda Mosiman said so they are the corners…LMSD.

Scott Buedel replied yes, and then the center of where the two… like where the roads are.

Amanda Mosiman responded okay.

Scott Buedel said in the center of where those roads are surrounded there is a large lone lake.

Amanda Mosiman said a large lone lake in there too… okay. She asked a curiosity question like the back lots where the Marathon pipeline is going to run is there going to be restrictions on building houses and building on those lots due to you can’t build over the pipeline I would assume.

Scott Buedel stated right, we are working with Dennis Stern at Marathon and he has been very helpful but he is also very stringent on what you can and can’t do along the pipeline and we are going to abide with all of those requirements.

Chris Combs stated that was one of the issues with the sidewalk that was a huge issue with them as you can imagine.

Amanda Mosiman replied yeah.

Chris Combs stated I like sidewalks. He said I like it because all of my subdivisions I go to the families that I build the houses for the kids are on the sidewalks instead of on the streets and in this case an absolute no go on that sidewalk being built.

Amanda Mosiman said okay.

Mrs. Barnhill said we had talked about getting some sort of agreement with Marathon for this development to go over that line. She asked are you still working on that.

Chris Combs stated we have talked to them about what is being required and what is being asked and we are going to come up with some different options on what we can and cannot do with Marathon with the County and come to some sort of an agreement on what we need to do. He said it is all very positive and we are going to continue discussions with what…they are very workable but the one thing a big stickler was where we set the houses obviously and sidewalks was a huge issue. He continued if they ever had to get in there, God forbid, get in there anywhere in Warrick County to work on that the amount of room that they need to work on it.

Mrs. Barnhill asked Morrie do you think there is any sort of document that should be prepared for that purpose.

Attorney Doll asked are you going to end up with an agreement of some sort with Marathon.

Chris Combs stated yeah, we are working with Marathon to get an encroachment agreement for that…

Attorney Doll stated so you could file that agreement with APC.

Chris Combs replied oh yeah, absolutely.

Scott Buedel said no it will spell out every crossing…

Attorney Doll said subject to.

Scott Buedel continued and every feature that we are proposing to have in their easement be it a driveway, water line, gas line, everything will be addressed.

Attorney Doll asked so, just for the record you are not going to pull building permits on those back lots until you have an agreement. He said he could pull building permits maybe elsewhere but…

Chris Combs stated we will have that agreement in place long before we even move dirt in May or June.

Scott Buedel stated he is pushing for that to get…

Chris Combs said Marathon wants it done as quickly as we do actually.

Mrs. Barnhill stated usually if we make it approval subject to…

Attorney Doll said the whole thing.

Mrs. Barnhill continued we won’t record it until we have it.

Attorney Doll responded okay.

Mrs. Barnhill replied usually it is that way.

Attorney Doll asked is that a problem.

Chris Combs replied no.

Mrs. Barnhill asked we are going to secondary it as one right.

Chris Combs replied yeah, we are not going to be ready to start pulling building permits until next October or November or whatever so we have plenty of time on that.

Attorney Doll responded okay.

President Valiant asked are there any other questions form the Board at this time.

Jeff Willis asked what was the flow rate going from to at…

Scott Buedel stated right now…

Amanda Mosiman said 191 per second.

Scott Buedel replied yeah. He said so right now in a 50 year study in an undeveloped state with all of that offsite water that runs through this property and going to that northwest corner there is 191 cubic feet per second.

Amanda Mosiman asked but those numbers you gave were from a 50 year event and Chris just said…

Scott Buedel said today undeveloped.

Amanda Mosiman continued we’re measuring for a 100 year event.

Chris said yes, undeveloped but that is what it currently is today.

Amanda Mosiman replied yeah.

Scott Buedel stated and once it is developed then we divert water…

Amanda Mosiman replied yeah, but how often have we had a 100 year rain right now.

Scott Buedel continued store water (unintelligible)…

Chris Combs said and then it goes to a 100 year.

Amanda Mosiman replied right, which we have frequently now.

Chris Combs said I would like to address that flood issue. He said I think it is like four feet on the whole 35 acre site or something like that. He asked Molly isn’t it like four feet that actually touches that.

Amanda Mosiman said so we are talking about you know the fixing of the box culverts on Libbert and fixing the undersized culverts there but you still kind of mentioned that some of that drainage is looking to Oak Grove and shifting that there. She asked how are the culverts there like how is that getting shifted we aren’t going to cause a problem to the south are we.

Attorney Doll said to the west.

Amanda Mosiman corrected to the west.

Chris Combs stated we are not. He said the engineer…

Amanda Mosiman said well, but…

Chris Combs continued the County Engineers and everybody approved it at the Drainage Board our plan the whole thing…

Amanda Mosiman replied alright.

Chris Combs continued as it lies so with what…then it was going back and forth with them to where we actually upsized again from a 54’ to a 60’ pipe on the…towards Oak Grove Road.

Dave Goldenberg said you are talking possible additions somewhere down the road. He asked is the other land is it upstream or downstream.

Chris Combs responded everything flows downstream to the…

Attorney Doll asked do you have any more to develop, Chris.

Chris Combs stated we don’t have any more to develop, no.

Dave Goldenberg asked if you are going towards whatever…

Chris Combs stated I have the Villas at Oak Grove, which is on the south side of Oak Grove that I have already developed.

Scott Buedel said no, I was just kind of describing the area from the standpoint of the residential is along Libbert now and there is a large area in between Epworth and Libbert that’s going to be undevelopable, not developable, due to the floodplain and the amount of fill that would be required but then once you cross over that floodplain you start getting back up to Epworth…

Dave Goldenberg asked and that would go in the other direction anyway.

Scott Buedel said then you are looking at commercial developments over there but that’s not Chris’ property that was just me talking in general terms.

Dave Goldenberg responded okay.

Attorney Doll said for the Board verification you are building a parallel drainage ditch just north of the right-of-way of Oak Grove on your property.

Chris Combs responded correct.

Attorney Doll said so you are not relying on the County’s ditch until the southwest corner. He stated you are merging into the southwest corner.

Chris Combs replied that is correct.

Attorney Doll said and that was a big issue at the Drainage Board.

Amanda Mosiman responded okay.

Attorney Doll stated they are literally digging lots 23, 24, 25, 26, and 27 they are literally digging another drainage ditch on the north side of the County’s road ditch to take this water so…

Chris Combs said correct.

Attorney Doll stated clearly there is plenty of drainage.

President Valiant asked are there any more questions from the Board at this time. He asked are there any remonstrations for or against this project if so step up to the podium one at a time.

A lady asked do I need to sign.

President Valiant replied yes, ma’am and state your name for the record.

Sandra Brown stated I live at 2733 Libbert Road so we adjoin the proposed development. She said I know everybody is tired of talking about drainage but in light of the fact that the drainage plan was approved earlier today I would just like to request that approval be held until the two improvements are made on Libbert Road. She continued because even though the new development is compensating for how much water there is going to be…it has to get there first and Libbert still floods. She stated we would like to have that fixed first. She said the land to the north of the new development is an active farm and we are requesting a fence be placed in between or at the north edge of Libbert Lakes for safety reasons. She said we don’t want any small children getting over into the field and getting lost in the corn field where we can’t find them and likewise we don’t want anybody accessing, without approval of course, our lane back to the field and getting injured with any of the farm equipment that is coming and going in our field so we would like to have that fence put up and I realize that individuals may be putting their own fence, but I have a feeling that fence is going to be on the other side of the ditch that is going in there and so then that ditch is going to be ignored as far as maintenance and keeping it mowed and keeping it trimmed so that the water will be able to drain through there. She stated Libbert Road is already too narrow to add 140 plus cars and the speed on that road is ridiculous now it is a 30 mile per hour speed limit but by the time I pull out of my driveway somebody that is a half a mile back is right on my bumper. She continued traffic is moving too fast and to add a single entrance for Libbert Lakes that close to the corner I think it’s going to be an issue with us. She said John H. Castle Elementary is already overcrowded and the busses are already overcrowded so I don’t think we need to add 70 more homes. She stated and lastly I don’t think we have been provided any information as to the size or the value of the homes that we are going to be expecting to be our neighbors. She asked what are the rules of the subdivision, yard barns, fences, how many different builders can there be, and the dollar values any of that information I haven’t ever seen. She said that is all I have thank you.

President Valiant responded thank you. He said I will ask that we not repeat the same issues that other people have brought up just to save time.

Megan Klenk stated I live on the corner of Libbert and Oak Grove Roads. She said please bear with me I have my notes here in front of me on my phone. She stated I just have a generalized statement for the Board. She said I have spent an incredible amount of time the last five years growing a small business at our home. She added for those of you who don’t know we have an agritourism business where we sell sunflowers and offer photography in our field. She said this doesn’t sound like much but we usually have over 1,000 people visit us during sunflower season each summer. She stated this development will kill my small business and take away a significant portion of our income. She added I realize we alone cannot stop progress no matter how badly we want too but we are not the only ones that who will be profoundly affected by these decisions that you make. She said so from 1950 to 2007 the proportion of Indiana acreage devoted to farmland has decreased by 24 percent, meanwhile the population grew by 2.4 million. She stated my main concern is not for myself, I can relocate, I can start a new business from scratch my concern is for my children and my children’s children. She said one day we will inevitably have a global food crisis and what will my grandchildren think when faced with a food crisis and they look around and see nearly all of our prime farmland was covered in concrete and asphalt. She stated we simply cannot keep going at this rate and I am disappointed that the people before me didn’t do their part to better protect our greatest resource we have in Warrick County, our soil. She said zoning boards regulate the use, placement of structures, and other such requirements for every parcel of land as well as grant variances. She stated this land was zoned agricultural for a reason and it is up to you to decide if you want to add to the devastating number of total acres lost each year. She said I would like to wrap up with a short quote “only when the last tree has died, the last river been poisoned, and the last fish has been caught will we realize that we cannot eat money”. She said thank you.

President Valiant said Miss Klenk don’t forget to sign in up there. He added thank you.

Peggy Hardesty stated my husband Todd and I live at the corner of Shadowridge and Libbert number 45 I think is referenced on your form on here with my neighbor, Wanda Tuley, who is also on number 46 I believe across from me. She said my husband Todd and I have lived in our house for 23 years and have enjoyed Joe and Toni Hirsch’s farmland as our backyard for the last 23 years, so I agree with Megan and I love what she has been doing on the corner. She stated my concern is also that the only outlet is right at the end of my street. She continued 70 houses… I have 43 houses on my street just 43 with one entrance that circles in the back. She added Camelot is to the right of us and we have the condo’s there. She stated Westwood has four entrances going into their subdivision, Bellwood has two or three, maybe two I think, and Bellevue has two. She said traffic is horrendous just our neighbor said. She added just this morning I mean I go to work at 7:30 every morning I was in a car accident in April from Oak Grove and Libbert, totaled my car because a guy ran a stop sign because people do not obey the speed limit there and you are going to put 70 residential homes there. She stated there has to be easier access and outlets for people to get in and out especially if the homes if you are building them just as in Bellevue they are beautiful homes and they are family homes so you are going to add more children and more cars. She said half of our neighbors on Shadowridge are retires, retirees, they are elderly people that have enjoyed our neighborhoods. She stated we knew progress was coming and we knew when Toni and Joe passed away that even the way that farm ground would be going up for sale. She added we are also getting a convenience store I believe on our corner at Oak Grove and Libbert, right. She said this traffic that something has to happen with Libbert before we add more and more and more people. She stated it is awful. She added people will go 50 plus miles per hour. She said young kids, everybody leaving from the end of the subdivision that was just built maybe 10 years ago to where we have Westwood, to where we have Shadow Ridge, to Covenant Homes, and everything. She continued it is a very high traffic area so I just urge you to consider that and to consider if it is going to happen there, I know we missed the meetings earlier, but there has to be another outlet going in and out. She stated there just has to be, there are going to be so many accidents so thank you.

President Valiant responded thank you. He asked anyone else.

Linda Kerner stated I live at 2511 Libbert Road. She said so, he is talking about the types of roads that are going to be going into the subdivision about how they are moderate to high density, which sounds an awful lot like the other subdivisions that he has under construction and has been under construction for years and still has empty spots so why are we doing the same thing if we can’t fill the spots that are already open for people to purchase and build homes. She said also if they start this construction project how long is it going to last is it going to be 20 years and we are still building homes that interrupts, you know, the sereneness of my parent’s homes, Don and Sandra Brown, which I will one day inherit. She stated with all of that heavy equipment coming in and out and dust and debris, and the heavy equipment is going to ruin the road back forth constantly for who knows how much longer. She added thank you.

President Valiant said thank you, anyone else…Mr. Buedel, Mr. Combs you want to step back up to the podium…if you took any notes if you want to address any of the concerns that were brought up.

Scott Buedel said I think just from a general standpoint some of the comments that were made…Warrick County, Newburgh as a…I’ve always looked at it as a good problem. He said everybody wants to be there, it’s a growing area. He continues so from the standpoint of schools and roadways and so forth, I know that that’s part of a growing pain, but I mean that’s what Warrick County has done for the past twenty-five years that I’m familiar with it. He said and things just continue to grow and improvement keeps being made and there is more to come from the standpoint of everything that is happening out on Epworth Road right now. He continues so from the standpoint of just the comments about growth I mean…I can’t fix or change anything, I think Warrick County is a…it’s just kind of its own juggernaut that is heading in that direction and…they have growth. He added a lot of communities would love to be in the position to have growth and being able to grow. He said I can’t fix or change some of those things, but those are just my thoughts on that from the standpoint of Warrick County itself. He said the fence along the north side of the property I just feel like that is going to be a…like Mrs. Brown had said you know its potentially going to be a maintenance issue…where if you put it on the south side of the drainage easement you have to get back on the other side of the easement and take care of it. He continues if you put it right up on the property line then there is issues from the standpoint of them being able to access their entire property from the standpoint of the farm field…I just don’t know if that’s going to be a maintenance problem to make it a requirement like that…if it’s something that a property owner wanted to do on their own, and they were going to be responsible for it then…then so be it, but…I just feel like making it a requirement on this…you know there are other subdivisions that abut up to corn fields all over Vanderburgh County, Warrick County. He added there are subdivisions across the street that were developed twenty years ago with a number of lots that are right across the street that I feel would be in the same situation just because they are divided by a roadway versus a backyard line…what prevents something like that from happening. He said from the standpoint of values…I think Chris can talk on what’s being proposed in there.

Chris Combs responded yes. He added from that side of it I mean… I think probably the least expensive house that will go in there will be north of six hundred and fifty thousand you know and then on up to where you know in Bellevue some of them are over two million. He said addressing the issue of lots…we’re running out of lots in Bellevue that’s the reason were going ahead and moving forward with this. He continues we are down to sixteen lots that are available is all in that entire subdivision. He said addressing the single entrance in…off of Libbert Road the County Engineers that’s what they came up with and they told us exactly what they wanted so we designed it according to what they asked us to do. He added so taking into consideration all the rules and regulations of the county… so our engineers designed it that way and approved it… or the county approved it at the Drainage Board and roads…it’s going to do nothing but enhance the values of people’s property around it without question. He said we are pretty proud of what we’ve done in Bellevue, and over the years the values and everything we’ve added…looking forward to developing this…

Scott Buedel said and just one comment from the standpoint of like how Bellevue was developed, which is very typical in a development where you do section one, two, three…and once you get so far into it then you open up a whole ‘nother section and it’s…brand new open space for erosion issues and so forth. He added Chris has looked at this, he’s done enough of these developments to know that’s just a headache down the road…so, from the standpoint of the way they’re approaching this development is…the infrastructure itself and the dirt work…just doing that now, getting it out of the way and then there could be some lots sitting there vacant with grass, but it’s not like it’s going to be opened up over and over again throughout…over the course of the years to do another section. He added it would just be opened up for the construction of a house on a lot.

Chris Combs said lastly on my part, addressing the ditch or the swale on to the north and everything…every one of these yards is going to have an irrigation system…it’s required in our subdivision. He added every one of them is going to get sodded ultimately and in the meantime, in these drainage swales and everything that we have going on that’s all part of the rules that we have to follow by the County…with our drainage and everything so all of these things are addressed and monitored by the County and we do it per their review.

President Valiant said one thing I never heard you really touch on the issue with the drainage and with the work on Libbert…will that be done before you’re building…I mean if everything is approved.

Chris Combs replied the County is doing that…I mean…

President Valiant said right, I mean as far as timeline will theirs be done before…

Chris Combs replied yes. He said they will have those pipes in before we’re…they’ve already got the one the main pipe out for bid already to do.

President Valiant said gotcha.

Chris Combs said and then what we’re doing in conjunction with them is we’re tying it all together as we build.

President Valiant asked any other questions from the Board.

Amanda Mosiman said so given to the fact that this is a plat and a rezone, we can make the rezoning contingent on the fact that this gets built correct.

Attorney Doll said you could approve the plat contingent upon the rezone being…

President Valiant said approved.

Amanda Mosiman said well right, but I also don’t want to rezone land if this somehow…and I wouldn’t think it would, but…things do happen. She said if this does not get built I don’t want to have zoned this amount of acres “R-1A”, I want it to revert to Ag. She asked do we have the ability to do that.

Chris Combs said I can assure you that it’s going to get built…that’s for sure.

Amanda Mosiman said yeah.

President Valiant said if approved.

Amanda Mosiman said yeah.

Board Members laughed.

Chris Combs said if approved, yes.

Amanda Mosiman said apparently our votes don’t matter tonight, Chris.

Board Members laughed.

Chris Combs said well it does. He said I’m just saying you asked that question like I wasn’t going to build it.

Amanda Mosiman said I did it just…

Attorney Doll said I don’t think we can condition it to revert.

President Valiant said I think that’s only a special use.

Amanda Mosiman said yeah. She said it’s been a little bit since we’ve did that…so I just was murky on details.

Attorney Doll said I think if it’s rezoned it’s rezoned.

Amanda Mosiman said okay.

President Valiant asked any other questions from the Board…comments.

Bob Johnson said Scott, Chris… on that north side by the farm field, is the elevation at all going to change in there as you guys are going in there and developing that, or are you going to keep it the same. He said is there going to be some type of swale there to where…

Scott Buedel said there will be…there will be a swale along that north line to just collect the rear yards of those lots to take it to the northwest corner and the basin. He said and as far as any grade change…that would be significant from what’s there now pretty well just in the very northeast corner of the site it rises quite a bit right there.

Bob Johnson said yeah I see that.

Scott Buedel said there’s going to be a little bit more grading that would happen up in that northeast corner, but probably seventy-five percent of that line it’s just going to basically…it’s not going to look much different than it does right now other than we would have a swale on the back side of our lot and then we would have a slope up to our pads on our…where the houses are so there is positive drainage from the rear yards to that back swale.

Amanda Mosiman said so I can see your point…the fence on the back and maintenance problems. She continues we’ve seen that in other subdivisions and I know where you’re coming from on that, but it kind of led to the question…you guys are putting a second ditch outside the County’s ditch, who will be maintaining that ditch…kind of just led me to that question. She said if you are building that ditch outside the County’s drainage…

Chris Combs responded it will actually be on each individual’s homeowner’s property…

Amanda Mosiman said so it will be on the home owner’s to maintain that ditch.

Chris Combs replied absolutely…because it will be a sodded. He said it’s not like it’s a ditch that’s in a farm field like you drive up Telephone Road and Oak Grove Road and see that…

Amanda Mosiman said right.

Chris Combs continues it’s not like it’s going to be this open cut ditch…it’s going to be a sodded lawn…

Amanda Mosiman said yeah.

Chris Combs continues that the water’s going to flow through. He added it’s no different than if you drive through Bellevue today and you look at the swales in there and everything in there and they are all sodded and everything except for the lots that they aren’t building on of course.

Amanda Mosiman said I guess in my mind I just don’t see a whole lot of difference between a maintenance expectation for that type of ditch and then a maintenance expectation for a fence…considering it was asked for.

President Valiant asked did you get your question answered Molly or Morrie.

Mrs. Barnhill replied I don’t see anything that says you can…

President Valiant said if we can’t make it contingent on…

Mrs. Barnhill continues put that sort of condition on it.

Amanda Mosiman said okay.

President Valiant said I didn’t think we could. He asked any other questions from the Board…if anybody is wanting to make a motion yay or nay let’s address the rezoning first.

Attorney Doll said yes. He said the rezoning recommendation to the Commissioners.

President Valiant said right.

Attorney Doll said and that’s part of the reason why we can’t really make…

Amanda Mosiman said yeah…when you brought it up I saw that I don’t know. She said I guess I forgot how the process went…spent too long on break.

President Valiant said in regards to the rezoning…does anyone have a motion.

Attorney Doll stated you will remember that the rezoning would be a recommendation to the Board of Commissioners.

President Valiant said right.

Richard Reid asked is that going to be subject to the agreement with the Marathon gas easement through there.

Mrs. Barnhill said the plat…

President Valiant said that will be on the plat.

Amanda Mosiman said the plat will be subject to.

Attorney Doll said that would be on the plat, Richard.

President Valiant said it will be on the plat.

Richard Reid said okay.

Mrs. Barnhill said that will have several things on it.

Richard Reid made a motion to approve PC-R-24-01. Jeff Willis seconded the motion and it carried six to one with Amanda Mosiman being opposed.

President Valiant said alright so on the primary plat and Molly, would you list the conditions…I know we have the Marathon agreement.

Mrs. Barnhill asked would we like to talk about the waiver first.

President Valiant said sidewalk waiver.

Mrs. Barnhill said before we do the plat.

President Valiant said it was on the west side sidewalk.

Mrs. Barnhill replied yes. She said along the west of Lake Dr. where the Ashland Pipeline easement is.

Attorney Doll said it fronts lots fourteen through twenty- two…

President Valiant said correct.

Mrs. Barnhill said correct.

Attorney Doll continues is that where the sidewalk will not be constructed.

Scott Buedel responded well partially around thirteen and twenty-three too.

Richard Ried said twenty-three.

Attorney Doll said thirteen, fourteen…thirteen through twenty-three.

Scott Buedel said yes.

Chris Combs said yeah.

Attorney Doll said so everybody else sees that.

Mrs. Barnhill replied yeah.

Attorney Doll said yeah. He continues so you’re asking for a waiver of the County Ordinance requirements to construct a sidewalk for the reason of the underlying Marathon Pipeline.

Richard Reid stated I’ll make that motion…

President Valiant asked is this on the sidewalks, sorry.

Richard Reid replied yeah, just on the sidewalk waiver.

Richard Reid made a motion to approve the sidewalk waiver. President Valiant seconded the motion and it carried unanimously.

Mrs. Barnhill said so then the plat would be subject to an encroachment agreement for the pipeline and to the rezoning being approved by the County Commissioners. She asked that was it right.

Attorney Doll said I don’t know… do you have anything else Molly.

President Valiant said I think that was it….the Marathon agreement...yeah.

Attorney Doll said that’s what we’ve talked about.

President Valiant said the Marathon agreement yeah.

Mrs. Barnhill said yeah, that’s it.

President Valiant said Marathon agreement and then obviously the rezoning.

Attorney Doll said Marathon agreement and rezone.

Richard Reid made a motion to approve PP-24-01. Dave Goldenberg seconded the motion and it carried six to one with Amanda Mosiman being opposed.

Attorney Doll said alright so it was approved…subject to the rezoning and subject to the encroachment agreement with Marathon pipeline.

President Valiant said correct.

Chris Combs said thank you very much.

Scott Buedel said thank you.

President Valiant said thank you, gentlemen. He said next item on the agenda primary plat 24-02 Saddlebrook Subdivision.

**PP-24-02: Saddlebrook Subdivision:** PETITIONER: Brian Litherland OWNER: Litherland Development LLC by Brian Litherland, Owner Approximately 32.277 acres located on the north side of Jenner Road approximately 1,980’ east of the intersection formed by Jenner Road and Castle Garden Road. Ohio Township Section 11, Township 6 South, Range 9 West *Complete legal on file. Advertised in The Standard on December 28, 2023.*

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

Brian Litherland, Lochmueller Group/ Owner was present.

President Valiant said thank you, Molly do we have a staff report.

Mrs. Barnhill said mhh hmm. She continues on the return receipts we’re missing one green card, but do have all white pay receipts and they were mailed correctly. She said the zoning is “A” Agricultural, and there is no floodplain. She added the proposed development consist of eighteen residential lots with three outlots. She said the residential lots range from 1 acre to 1.82 acres with an average lot size of 1.385 acres. She continues outlot A is designated for sign maintenance, outlot B is designated for drainage and utilities and outlot C would be designated for drainage detention, utilities and space for a park. She said all of these outlots, if approved would be maintained by the homeowners.

Brian Litherland replied yes.

Mrs. Barnhill said the street construction plans were tabled at the Commissioners meeting, they were not in order and the drainage plans were also tabled.

Attorney Doll said one meeting.

Mrs. Barnhill said yes.

Attorney Doll said yeah.

Mrs. Barnhill said yes…to the…was it the twenty second.

Brian Litherland said twenty second.

Attorney Doll said fourteen days.

Bob Johnson said the twenty second.

Brian Litherland said yeah.

Mrs. Barnhill said okay. She continues Chandler sewer has capacity and Chandler water has capacity. She added and then any additional conditions…they had to do this strip of road that gets them out to Jenner…the strip on Saddlebrook Circle proposed road goes. She continues that was part of a larger sectional piece that they cut out with a parcelization…so that would need to be recorded and it has been recorded but they need to get the deeds done to finish that up and then continue on this, so that would be a condition.

Attorney Doll asked and to whom will it be deeded.

Mrs. Barnhill said he was going to…

Attorney Doll asked is there a homeowners association.

Brian Litherland responded yes, there will be yes.

Attorney Doll asked so that will be an outlot.

Brian Litherland replied yes.

Mrs. Barnhill said it will eventually be part of the road.

Brian Litherland said it will be part of the right of way.

Attorney Doll said yep.

Mrs. Barnhill said and then there is also…any approval would be subject to an encroachment agreement from CenterPoint. She added there is a large one hundred foot transmission line that goes up through the middle of this property.

Brian Litherland said yes, east to west.

Mrs. Barnhill said so at the Commissioners meeting, since the drainage didn’t go, they didn’t really talk about streets…they decided to go ahead and table it until the drainage.

Amanda Mosiman said I think the only responsible thing is for us to table it as well until we know all that’s in order. She said a lot can change between now and then…sorry.

Brian Litherland said oaky.

Mrs. Barnhill said there are somethings that might have to be moved around.

Amanda Mosiman said right…so.

Mrs. Barnhill said I talked to the County Engineer today…that island out front…

Brian Litherland said yes.

Mrs. Barnhill continues we will have to shift it down to get twenty-five feet of right of way above it and below it.

Attorney Doll said so you have to shift it southward.

Mrs. Barnhill said shift it south.

Attorney Doll said is there a sign in the middle of the road.

Brian Litherland said yeah.

Attorney Doll said I thought we outlawed those in Warrick County.

Mrs. Barnhill said we outlawed putting them in a right of way, but they can be an outlot maintained by the homeowners.

Attorney Doll asked do you really want to put a sign in the middle of the road.

Brian Litherland said that’s my wife shaking my head if you can see it from the back…

Mrs. Barnhill said she says yes.

Board Members laugh.

Brian Litherland said it’s going to be a very nice…

Attorney Doll said a monument sign is what it is right…a monument sign.

Brian Litherland said a monument…yeah it will be a nice brick and mortar type sign.

Mrs. Barnhill said like landscaped and stuff.

Brian Litherland said yes.

Mrs. Barnhill said it’s not….not uncommon.

Attorney Doll said I know but… it’s….we’ve tried to get away from that in Warrick County.

Mrs. Barnhill said well they were just putting them in the right of way.

Holly Litherland came to the podium

Holly Litherland said we wanted to put a sign in sort of like Castle Ridge has with some lighting on it…it’s…we’re out in the country out there, and I just felt like that would be nice to have a little bit more light when people are coming and going and coming in off the street. She added and I think it just looks nice.

Brian Litherland said and the whole purpose of the subdivision, I grew up on a farm…lived in a subdivision with small lots and….uh the whole purpose of this is to have large lots where families, kids can come home and their yards are big enough they can go outside and play outside. He continues get out of that darn house, get away from the cellphones and the TVs…and live the life we all grew up having.

Holly Litherland said yeah.

Brian Litherland continues and that’s the whole purpose of this thing. He said and listening to the previous meeting we are going to have a strict restricted list of builders. He added we are going to have a nice standard for what the homes are going to be. He said the lots are intentionally large because we do encourage people to have out buildings…man caves, pole barns, but they are going to be just like all of our neighbors have. He continued it’s intended to fit in with all of our neighbors very similarly to what everybody around us has…but were not going to let the simple red and green pole barns go up, they’re going to be a higher scale nicer environment. He added so we felt like having a nice sign to present the people out at the road fit well with that.

Holly Litherland said it’s a good first impression.

Amanda Mosiman said and by all means yes, we know they look nice, but the experience of this Board we’ve just had troubles with them…ingress and egress, getting hit…

Holly Litherland said okay.

Amanda Mosiman said me being the Ag agent I get tons of calls about stuff dying all the time which I can confirm will probably happen because it’s just hard to maintain those in those places. She said it wasn’t to the fact it didn’t look nice, it’s just tried to…

Brian Litherland said oh the sign you’re talking about…

Amanda Mosiman said yeah the sign.

Brian Litherland said the sign, I was like oh what are you talking about getting hit.

Amanda Mosiman said the sign…no no…its…

Bob Johnson said pole barn.

Board Members laughed.

Amanda Mosiman said no construction guys trying to pull in there…

Holly Litherland said right.

Amanda Mosiman continues we’ve had that lots of times…

Holly Litherland said no I can see that happening.

Amanda Mosiman said so just keep that…keep that…learn from other peoples mistakes I guess.

Brian Litherland said well I design highways for a living…

Amanda Mosiman said well you’ve got a leg up on others.

Brian Litherland continues design them for the county. He said I don’t plan on putting that sign in until those builders are predominantly done coming and going.

Holly Litherland said construction traffic will be gone before we put in our final.

Amanda Mosiman said well there’s still…yeah.

Attorney Doll asked is this going to be a dedicated road.

Brian Litherland replied yes.

Mrs. Barnhill said yes.

Amanda Mosiman said maintained by the homeowners association.

Mrs. Barnhill replied no, it will be a public county road.

Amanda Mosiman said it will be a public county road.

Attorney Doll said no. He continued if it’s dedicated…it’s maintained by you and I. He added by the tax payers of Warrick County and I don’t think you can put that sign in the middle of a dedicated road.

Holly Litherland said okay…we can change it.

Attorney Doll said I think you can put it on the side of the dedicated road, the right of way, but perhaps in an outlot…okay.

Holly Litherland said okay.

Attorney Doll said but I don’t think you can put in the middle of a public dedicated roadway.

President Valiant stated well being that this is going to be tabled that will give them time to review that.

Amanda Mosiman said yeah well I did make that…

Attorney Doll said that’s the reason we’re having this conversation.

President Valiant said and I figured you kind of expected that with the drainage and the…

Attorney Doll said yes.

President Valiant continues the plans not being approved.

Holly Litherland asked so this comes back in two weeks.

Brian Litherland said nope, they’re once a month.

Attorney Doll said no it will be a month. He said I’m sorry, this Board meets once a month.

President Valiant said correct yes.

Holly Litherland said okay.

Attorney Doll said but that will give you…if necessary two cycles with the Commissioners on the roads and two cycles with the Drainage Board on drainage.

Brian Litherland said sure…yeah.

Attorney Doll said but you’re meeting with Phil and working out drainage.

Brian Litherland replied yeah, we’re supposed to meet this week. He added we had one remonstrator show up. He said he was representing two people across the street….

Attorney Doll said that’s right.

Brian Litherland continues he was talking about flooding. He said and the actuality is the flooding occurs because the two driveways to the east of us are plugged up with debris from the woods. He continues and when it does have a big rain, it does flow over and flows over onto their side of the road….so were going to meet with Phil and clear that up.

Attorney Doll said so the appropriate thing to do with this would be to continue this until the February meeting….which would be February….

Brian Litherland said twelfth.

Bob Johnson said twelfth.

Brian Litherland said it comes from a little birdie in the front row.

Attorney Doll said twelfth.

Mrs. Barnhill said twelfth okay, yes.

Richard Reid said it takes a motion.

Attorney Doll said it takes a motion.

President Valiant said I think Amanda made that motion a while ago.

Amanda Mosiman said I don’t think I actually said…so moved.

Amanda Mosiman made a motion to table PP-24-02 until the February 12th APC meeting. Richard Reid seconded it and it carried unanimously.

Attorney Doll said consider that sign.

President Valiant said hopefully you can get your other issues squared away before then.

Brian Litherland said so we’ll get with you…the twenty-five foot either…is there with the sign or it’s a new issue if the sign goes away.

Mrs. Barnhill said let’s talk to the County Engineer.

Brian Litherland replied okay.

Mrs. Barnhill said because that was…

Brian Litherland said because I mean that whole entrance will change if the sign goes away.

Mrs. Barnhill said okay.

Attorney Doll said well if it moves to the side. He said it doesn’t have to go away.

Brian Litherland said right, no I’m just saying that median in there will probably go away.

Holly Litherland said be gone.

Attorney Doll said yeah, you would just move it to the side and landscape around it.

Bob Johnson said you could put a billboard right here Brian.

Brian Litherland laughed.

Mrs. Barnhill said if you want to sit and talk…we meet on the…on Wednesday this week.

Brian Litherland said say that again.

Mrs. Barnhill said we meet Wednesday, if you’d like to come in for a site review to just go over that.

Brian Litherland said oh, okay.

Mrs. Barnhill said if you want.

Attorney Doll said nine o’clock.

Mrs. Barnhill said no. She said you’ll have to call and get on the schedule we’ve got a couple…

Brian Litherland said get on the schedule.

Mrs. Barnhill continues but if you want to call us tomorrow we can set that up.

Brian Litherland said yep.

Mrs. Barnhill said okay, thanks.

Brian Litherland said alright, thank you.

President Valiant said thank you.

Richard Reid said thanks, Brian.

Brian Litherland said thanks.

President Valiant said alright, let’s go to other business first.

**COMP-23-03:** Harley & Paula Walker. 3284 E SR 62. Possible zoning violation. *Continued from August 14, 2023 & November 13, 2023 meetings.*

President Valiant said we’ll go ahead and do 04.

**COMP-23-04:** Harley & Paula Walker. 3294 E SR 62. Possible zoning violation. *Continued from August 14, 2023 & November 13, 2023 meetings.*

President Valiant said still doing some cleanup work out there.

Mrs. Barnhill said the reason these came in as two different complaints is because the property owner legal…legal property owner was two different, but they are the same person. She added so that’s why you see the two filings.

Attorney Doll said what do you mean they are the same person.

Harley and Paula Walker came to the podium.

Harley Walker said we own 3294 and 3284.

Mrs. Barnhill said yeah. She said one is under the Walkers RV & Detailing LLC and the other property is under Harley Walker and Paula.

Harley Walker said the 3284 is under the LLC and…it’s a zoning thing and so there has not been any business since August. He added and it’s real heartbreaking to have to turn people away and say nope can’t work on your stuff…sorry.

President Valiant said it looks like maybe our cleanup slowed up a little over the holidays.

Harley Walker said ahh…a little bit.

Paula Walker said he got COVID.

President Valiant said oh, goodness gracious.

Harley Walker said I was laid up two weeks with that. He said and that stuff ain’t no fun.

Mrs. Barnhill said no it’s not.

Harley Walker said but away yep. He asked so what does the cleanup have to do with the zoning issue. He said because the paper just always shows up zoning issue. He said and I get it…it needs cleaned up absolutely…but, and we’re working on it.

President Valiant replied I think that was originally with the business, correct. He said that was with the business, so that’s….

Harley Walker said yes.

President Valiant continues that part…

Attorney Doll said it’s not zoned proper.

President Valiant said yeah, for a business.

Amanda Mosiman said for a business.

Harley Walker said were starting at 3294 on the…north end and were working south.

Amanda Mosiman said okay.

Harley Walker laughed.

Mrs. Barnhill said the compliant says abandoned inoperable vehicles, RV campers, it appears to be business may be car repair or RV repair.

Harley Walker said the campers that are there do not belong…part of them belong to me and they are junk and were trashing them…or parting them out.

Mrs. Barnhill said so that’s…

Amanda Mosiman asked do we have a timeline of when those will get removed.

Harley Walker replied one of them is gone now.

Amanda Mosiman said okay.

Harley Walker said the…two others I’m trying…

Amanda Mosiman said well the pictures I have are taken today…so.

Paula Walker said pardon.

Amanda Mosiman said the pictures we have…we’re staring at today.

Harley Walker said were taken this morning.

Mrs. Barnhill said yes.

Amanda Mosiman asked so one’s already gone today.

Mrs. Barnhill said the inspector, Jeff Daily went out there…I believe did Jeff talk to you today when he went out there.

Harley Walker said mhh hmm yep.

Mrs. Barnhill said okay.

President Valiant said that’s why I made the comment I did. He added I know the first month or two you could tell a big difference when we saw our pictures and then this one…it kind of slowed down.

Harley Walker said the holidays put a damper on things.

Attorney Doll said holidays and COVID.

President Valiant said yes.

Harley Walker said huh.

President Valiant said holidays and COVID that’s all you had to say.

Harley Walker said yep, so. He said so we’ve hauled three loads off between Friday and…I got another one almost ready to go.

Paula Walker said one camper isn’t ours and we can’t get him to come pick it up. She added and we don’t have a way to haul it.

Harley Walker said well…we got a way to haul it…it’s not safe to haul.

Attorney Doll asked how much time are you asking for.

Harley Walker replied I’d like to have until spring.

President Valiant asked what did we originally say…ninety days.

Amanda Mosiman responded yeah…I think at the November meeting I made the suggestion for ninety days.

Harley Walker said that’s when I fell and was laid up for…

Amanda Mosiman said because we seen it in August and November.

President Valiant said well the nineties would still take him until February.

Amanda Mosiman said which is what I thought…the original. She said I was kind of surprised to see they were back up, so I thought there may have been a change but it doesn’t look…looks like progress but...

President Valiant asked do we want to stick with that and then reevaluate in February.

Amanda Mosiman said at this point I would say March.

Mrs. Barnhill said March.

Harley Walker said it all depends on what weather does.

President Valiant said true.

Amanda Mosiman said the extended forecast is not favorable….according to the state climatologist.

President Valiant said another ninety…what I was saying is we haven’t reached the end of the first ninety days.

Attorney Doll said I know that.

Mrs. Barnhill said he wasn’t given ninety days. She said we just gave them until this meeting.

Amanda Mosiman said I originally gave them until February.

Mrs. Barnhill said they didn’t have to have it done but to check on progress.

Attorney Doll said progress report.

President Valiant said yes, ma’am.

Mrs. Barnhill said yes.

Amanda Mosiman said okay, yeah I’m good with that.

President Valiant said so…

Attorney Doll said I think you ought to give them until…

President Valiant said April.

Attorney Doll continues April or May.

Amanda Mosiman said okay.

Harley Walker said well I appreciate that.

Attorney Doll said well only because…why just have them come back and come back and come back.

Amanda Mosiman said yeah, exactly. She said I was kind of surprised to see them…

Attorney Doll said I’d rather see him have that opportunity to work on cleaning it up.

President Valiant said Amanda.

Amanda Mosiman said I’m totally good with that….like I said I was surprised he was on the January agenda because I thought I’d given them until February in November.

Attorney Doll said no.

President Valiant said according to Molly we didn’t do that.

Amanda Mosiman said oh, okay, my bad.

Attorney Doll said it was a progress report.

Amanda Mosiman said okay.

Dave Goldenberg asked so what happens if it’s not done.

Amanda Mosiman said we can take legal action.

Attorney Doll said we can take legal action, but why. He said the purpose is achieving cleanup.

Mrs. Barnhill said the Commissioners also have their complaint on this property.

President Valiant said right.

Bob Johnson said Jeff’s working with him.

Mrs. Barnhill said Jeff said he’s kind of waiting to see what we do, that there’s no point in both of them going.

President Valiant asked so, do we want to reevaluate this in April.

Amanda Mosiman asked how are the remonstrators…or the complainants.

Attorney Doll said the complainants.

Mrs. Barnhill said I’ve not heard anything.

Amanda Mosiman said please tell me they’re understanding that type of thing takes time. She said I am fine with that time frame.

President Valiant said I don’t see that they’re here so…

Amanda Mosiman said alright, well yeah, good point…April.

Bob Johnson said I’d be good with giving them another ninety days.

Amanda Mosiman said okay.

President Valiant said and that’s when we will reevaluate…not month to month.

Bob Johnson said that’d be April.

Bob Johnson made the motion to continue COMP 23-03 and COMP 23-04 until the April 8th APC meeting. Amanda Mosiman seconded it and it carried unanimously.

Jeff Willis asked is it ninety days or end of April meeting.

President Valiant said yes.

Mrs. Barnhill said first meeting in April…hows that.

President Valiant said yes.

Mrs. Barnhill said April meeting.

Harley Walker said April what.

Amanda Mosiman said eighth.

Attorney Doll said eighth.

Amanda Mosiman said oh…we don’t. She said well that day is going to be crazy.

Jeff Willis said oh, that’s the eclipse day.

Mrs. Barnhill said yeah it is April 8th.

Bob Johnson said it’s what.

Amanda Mosiman said the eclipse day….a couple other thousand people in town.

Bob Johnson said oh, oh.

Amanda Mosiman said hopefully they will be out of here by six o’clock.

President Valiant said it will be long over by six o’clock.

Mrs. Barnhill said they closed school that day.

Harley Walker said oh, that election day huh.

Amanda Mosiman replied no, it’s the day of the eclipse. She said we are expecting huge travel numbers in town.

Harley Walker said oh, the eclipse.

Bob Johnson said can you work in the dark.

Board Members laughed.

Amanda Mosiman said yeah.

President Valiant said it will be a little dark by noon on that day.

Amanda Mosiman said those of us that…it’s just day that were not going to be able to do anything.

President Valiant said so, we will see you April 8th.

Amanda Mosiman said April 8th.

Attorney Doll said April 8th… 6:00 pm.

President Valiant said post eclipse.

Amanda Mosiman said after the eclipse.

Mrs. Barnhill said the inspector will be back out there before that meeting and we will send you another agenda before that happens.

Harley Walker said alright thank you all.

Board Members said thank you.

Richard Reid said good luck.

**ATTORNEY BUSINESS:**

President Valiant said Attorney business.

Attorney Doll replied nothing.

President Valiant said what.

Attorney Doll asked do you want something.

**EXECUTIVE DIRECTOR BUSINESS:**

President Valiant said Executive Director.

Mrs. Barnhill said the Leland Powell rezoning that was…

President Valiant said recommended to Lynnville.

Mrs. Barnhill said recommended denying to Lynnville. She said Lynnville has not taken any action on it yet, which is why we don’t see the complaint on the agenda. She added we are waiting on Lynnville to make their decision.

President Valiant said okay.

Mrs. Barnhill said so, just an update on that.

Amanda Mosiman said Lynnville…have you just not met or…

Dave Goldenberg said we met, but the person didn’t come into meet with the Board.

Mrs. Barnhill said oh.

Dave Goldenberg said so, we’re going to extend to them another Board meeting to tell them to come in and have them tell us what they’re thinking and what they’re wanting us to do.

Amanda Mosiman said okay.

Dave Goldenberg said we’re trying to be…reasonable.

Amanda Mosiman said reasonable yeah.

Dave Goldenberg said it was kind of surprising that they didn’t come though.

Amanda Mosiman said yeah, they probably thought it was a done deal.

Jeff Willis said ah, yeah, they mentioned that in the minutes.

Amanda Mosiman said he did your right…that’s probably why I recall it.

Mrs. Barnhill said also I have another position available in the office, Jenn Hollander…

Bob Johnson asked what’s it pay.

Mrs. Barnhill said yes.

Board Members laughed.

Bob Johnson asked does it pay better than a commissioner.

Mrs. Barnhill replied yes, yes it does.

President Valiant said a lot of things do buddy.

Bob Johnson asked will you hire me.

Mrs. Barnhill said sure Bob.

President Valiant said you got to get with HR and turn in your application.

Mrs. Barnhill said yeah, talk to HR.

Dave Goldenberg said pass a background check.

Board Members laughed.

Bob Johnson said probably not.

Richard Reid asked what does it pay.

Mrs. Barnhill said forty-one is what we’re up to.

Bob Johnson said oh my god.

Mrs. Barnhill said yeah. She said I do have a meeting with HR tomorrow afternoon to discuss it. She added we have a person coming in on the twenty second to fulfil one of our vacant spots…uh Julie Newton…she used to own Gloria’s on the square. She said she is very nice, very sweet, good with people and she aced our assessment test so I am really excited.

Amanda Mosiman said oh wow.

President Valiant said well good.

Mrs. Barnhill said we’ve got one more spot to fill.

Attorney Doll said what is it…planner two, planner three…planner one.

Mrs. Barnhill said we have three planner positions.

Attorney Doll said okay.

Mrs. Barnhill said I plan to move Kim Kaiser up to assistant position since Katelyn left.

President Valiant asked anything else.

Mrs. Barnhill said that’s all I’ve got.

President Valiant said you guys don’t forget to sign the papers in the back of your folders.

Bob Johnson said what.

Mrs. Barnhill said everyone sign their papers.

President Valiant said your pay sheet.

Amanda Mosiman said I don’t have any I’m here for free.

Attorney Doll said Bob I don’t think you’ve got papers.

Richard Reid said I didn’t have one of those.

President Valiant said you don’t.

Mrs. Barnhill said you don’t.

Richard Reid made a motion to adjourn at 7:13 PM. Greg Webb seconded and the motion

carried unanimously.

ATTEST:

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Molly Barnhill, Executive Director Jeff Valiant, President