MINUTES

**WARRICK COUNTY AREA PLAN COMMISSION**

Regular meeting to be held in Commissioners Meeting Room,

Third Floor, Historic Court House,

Boonville, IN

Monday, November 13, 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, Bob Johnson and Amanda Mosiman.

Also present were Morrie Doll, Attorney, Molly Barnhill, Executive Director, Katelyn Cron, Assistant Director, and Carlie Render, Staff.

**MINUTES:** To approve the minutes from the meetings held on October 9, 2023.

Amanda Mosiman made a motion to approve the October 9, 2023 minutes. Richard Reid seconded the motion and it carried unanimously.

President Valiant said it looks like we have one, two, three rezoning’s on the agenda tonight, these will all go to the Commissioner’s as a recommendation for or against, based on the Boards decision’s tonight. He said which the next Commissioners meeting will be…

Bob Johnson said the 27th.

President Valiant repeated the 27th…and with that note I’ll ask you to make sure everybody would silence your phones if you would.

Richard Reid chuckled.

Bob Johnson said yeah right.

Mrs. Barnhill said December 11th…

President Valiant repeated December 11th, thank you.

Mrs. Barnhill continues because they go a month later.

Doris Horn said December 11th.

President Valiant again said thank you.

Mrs. Barnhill said yes.

**REZONING:**

**PC-R-23-06:** PETITIONER: Deborah A. Boger. OWNER: Leland C. Powell. 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, 2023, and October 9, 2023.*

President Valiant asked do we have a staff report.

Mrs. Barnhill said so, Rachel Titzer from Lynnville filed a complaint, it’s in the red folder in your packet and I did scan it in and emailed it to everybody so you could see what she had filed. She said so everybody has got the email on that.

Amanda Mosiman said mhh hmm.

Mrs. Barnhill said okay, we did get notice that they have their state…that state has approved their plans, and so the building inspector Dennis Lockhart, he says he hasn’t seen the plans, but he would ask if there is any approvals to make them subject to the state approved building plans and obtaining their local building permits from the local building commission as well. She said so that is my update on this one.

President Valiant said alrighty, sir could you state your name for the record.

Benjamin Modlin, part owner came to the podium.

President Valiant asked are you representing the owner.

Benjamin Modlin said I am the current owner of the building.

President Valiant said oh alright. He asked do you have anything to add to the staff report.

Benjamin Modlin said no, um except the fact that whatever appears to need to be in compliance is being done.

Attorney Doll asked so you’ve bought the building.

Benjamin Modlin said yes.

Attorney Doll asked when did you buy the building.

Benjamin Modlin said May probably…maybe June.

Mrs. Barnhill said I did this at the last meeting I’m sorry I didn’t rehash on it. She said Benjamin Modlin has a half interest in the property, so he has updated the application. She said he is now the petitioner and part owner of the property. She said the deed…

Amanda Mosiman asked when did this first…the application come to us. She said I know we have been continuing it for a while, but when was it.

President Valiant said back in June I think.

Attorney Doll said June.

Amanda Mosiman said okay. She said yeah May 15th right there filed, okay.

Attorney Doll said well it had to come here before June 1 because it was advertised in The Standard on June the 1st.

Amanda Mosiman said yeah, so I would say it was filed the 15th of May.

Attorney Doll said yeah sometime in May.

Mrs. Barnhill said filed May 15th.

Amanda Mosiman said so the correction that you need to make… you have the state approved plans, remind me what the main correction needs to be.

Benjamin Modlin said there needs to be a fire door in the main hallway.

Amanda Mosiman said okay.

Benjamin Modlin continues and I believe at least two openings that need to be made larger.

Amanda Mosiman said okay. She asked so that’s the state approved plans that need to be done.

Benjamin Modlin said yes.

Amanda Mosiman asked so why hasn’t Dennis seen those.

Benjamin Modlin said huh.

Amanda Mosiman repeated why hasn’t Dennis, our Building Inspector seen those.

Benjamin Modlin said I am just now aware that they have just now been passed along and approved. He said last month, they hadn’t been.

President Valiant asked did we get a copy of those.

Mrs. Barnhill said of the state approved plans… no.

President Valiant said no.

Amanda Mosiman said I am not voting on this until we have those plans. She said frankly this has been going on too long and back and forth. She added we’ve got have the plans. She continues this is what we’ve been saying since May and June, we’re waiting on those plans.

Benjamin Modlin said I understand that completely. He said not that I disagree at all, but this is the first I am able to take to get into this mess. He added which will be resolved and like I said will be put in order.

Richard Reid asked Amanda is that your motion.

Amanda Mosiman said I’ll turn it into a motion if that’s what the Board wants to do, sure.

Doris Horn asked will that include if they have taken any samples for lead, any samples for asbestos or anything.

Richard Reid said we could do that

Amanda Mosiman asked is that work being done. She said because I just asked for the state approved plans. She added that’s all my motion said.

Doris Horn said yeah, because we’ve never seen any plans, we have no idea.

Richard Reid said you could have Dennis do that.

Amanda Mosiman said sure. She said which is kind of why I want the plans so Dennis could see it.

Richard Reid said yeah.

Mrs. Barnhill said have Dennis test for those things.

Attorney Doll said samples.

President Valiant asked is this something we usually do.

Amanda Mosiman said uhhh.

Mrs. Barnhill said not that I know.

President Valiant said I don’t think that’s something we’ve…

Mrs. Barnhill said I don’t think he does that…

Amanda Mosiman said yeah I don’t think that’s…

Mrs. Barnhill she said and I don’t, I know that’s in the state plans.

Bob Johnson said Dennis wouldn’t do that.

Amanda Mosiman said yeah, no Dennis wouldn’t do that.

Bob Johnson said usually on a sell between seller and buyers somebody does an inspection and does the inspection of the water and things like that.

President Valiant said so Amanda your motion is basically waiting until we get the plans correct. He said state approved plans.

Amanda Mosiman said yep.

Amanda Mosiman made a motion to table PC-R-23-06 to the December 11th meeting and Richard Reid seconded the motion and it carried unanimously.

Benjamin Modlin said thank you all.

President Valiant said thank you.

Mrs. Barnhill said thanks.

**PC-R-23-11:** PETITIONERS/OWNERS: Lemongrass Newburgh LLC by Kush Patel, owner. To rezone .457 acres located on the east side of Augusta Drive. Approximately 325’ east of the intersection formed by Richmond Drive and Augusta Drive from “R-2” Multi Family Dwelling Zoning District to “R-2B” Multi Family Dwelling Zoning District. Ohio Township 25-6-9. Being Lot 50 in Heritage Place 3rd Addition Subdivision recorded in Plat File #1, Card #258 in the office of the Warrick County Recorder*. Advertised in the Standard November 2, 2023.*

Kush Patel, Owner, Lemongrass Newburgh LLC was present

President Valiant asked do we have a staff report.

Mrs. Barnhill said on the return receipts for their notices we have six green cards and two white pay receipts showing that all adjacent property owners were notified correctly. She said the lot size is .457 acres. She added the Comprehensive Plan projects the area to be moderate to high density residential and the existing use is vacant. She said the surrounding zoning the north, east, south and west are R-2 multi-family dwellings with duplexes. She continues there is no floodplain and they access onto Augusta Drive. She added the stated use is multiple family R-2B apartment’s districts which would be in compliance.

President Valiant said thank you, Mr. Patel anything to add.

Kush Patel said no nothing to add. He said it is our understanding it is all multi-family in that general area and we are hoping to be good neighbors.

President Valiant said alright thank you, any questions for the Board at this time.

Amanda Mosiman said so why exactly do we need to go to R-2 to R-2B. She said did he say why.

Kush Patel said I believe it’s zoned for four and were trying to get six units.

Amanda Mosiman said ah, thank you.

Mrs. Barnhill said yeah more units.

Amanda Mosiman said okay.

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

John White, Newburgh Rentals LLC, adjacent property owner was present

John White said the zoning on this lot of land is questionable to begin with. He said that is a retention pond that has flooded twice in the five years that I have been there. He continues when that floods that goes all the way up to my garage doors on Lexington. He said I’m sure that the people have some severe flooding issues at the same time over at 6811 Boston, that’s back yard that’s fenced in that boarders that property. He added at the same time I was not able to get ahold of those owners to let them understand what was going on here. He said really any building there is going to flood that to the point where my garages are flooded. He said it will completely destroy my shed and everything else. He added I ask that this be re-looked at on drainage issues because this is going to be a major project. He said this is the reason we didn’t buy it and build on it.

President Valiant said thank you sir. He said any other remonstration for or against…no body moving. He said Mr. Patel would you please come back up to the podium.

Kush Patel said to the point of the gentlemen’s concerns about flooding, we did have an excavator look at it, shoot the grade and let us know how much dirt should be there and how the water would flow. He said there is a storm drain on the street kind of up the road, where water is meant to be diverted to. He added that was our understanding.

Amanda Mosiman said so on Augusta or Boston.

Kush Patel it’s on the street that’s perpendicular to Augusta, I don’t know the name off the top of my head.

Amanda Mosiman said Boston or Lexington… oh sorry you said perpendicular Richmond Dr.

Kush Patel said Richmond Drive, yes that sounds correct, there is a storm drain there that is meant to catch runoff. He said obviously I wouldn’t want to buy something that’s got a flooding issue.

President Valiant said so is there a retention pond there now.

Kush Patel said there’s lots of trees growing there. He said I couldn’t imagine trees would grow in a retention pond.

Mrs. Barnhill said it is a platted buildable lot.

Amanda Mosiman said yeah.

Mrs. Barnhill said the current zoning allows for a four-plex to be built on it right now.

Attorney Doll said it is buildable lot.

Kush Patel said correct. He said there needs to be dirt added in, it drops off off the curb.

Attorney Doll said if you add fill you’re going to displace the water to neighboring lots. He said maybe it’s not an intention, maybe it should have been. He said I’m just concerned about you adding fill…how much fill are you adding.

Kush Patel said 25,000 dollars’ worth whatever that equals.

Attorney Doll said good answer.

Amanda Mosiman said six cubic inches.

Bob Johnson said that was my concern. He said that if we build here it’s going to displace water and affect the other neighbors.

Amanda Mosiman said well it is a buildable lot now. She said it is only our prerogative to say four to six. She added Drainage Board already gave that approval.

Attorney Doll said I don’t remember this coming…

Bob Johnson said this has never been in front of us.

Attorney Doll said never been to the Drainage Board. He said the plat must have been.

Amanda Mosiman said the plat, that’s what I’m referring to.

President Valiant said right.

Amanda Mosiman said at one point in time it would of had to of been in front of them.

Attorney Doll said can you explain…you spoke about a drain. He said can you talk me through that again.

Kush Patel said yes sir. He said so my understanding is…can I come up there and look at that or can you guys hand a copy. He repeated so my understanding is this might be a little bit hard to see. He continues this is the lot where I want to build the six units. He said water is meant to flow down this way, and there is a storm drain in this area and that is how the water is supposed to be diverted and runs down. He said so this area is supposed to be the low area kind of like a valley to get water this way.

President Valiant said okay.

Jeff Willis said is where he is saying his fourplex was its flooding every time it rains.

Bob Johnson said Mr. Patel is that a ditch or is it…

Kush Patel said I believe it’s just a low point that kind of funnels water naturally, and that storm drain is placed to allow gravity to get water out.

Amanda Mosiman said well flooding is a problem everywhere. She said we hear it all the time and the math is there to say the higher rain events are occurring. She added I hesitate to tell somebody, this individual, that they can’t build when all these individuals built in the same plat. She said I think we would open ourself for a problem.

Bob Johnson said yeah.

President Valiant said and as it sits we know he could build on it.

Amanda Mosiman said yeah.

 President Valiant said just a matter of how many units.

Amanda Mosiman said I mean, if it’s done right it could actually maybe solve the guys’ problem.

President Valiant said that’s kind of what I was wondering myself.

Amanda Mosiman said solve the drainage problem instead of exasperate it.

Bob Johnson said I don’t have a problem with the zoning. He said what I have a problem with is sooner or later is it’s not for this Board to worry about, but the displacement of the water.

President Valiant said what are the feelings of the Board.

Amanda Mosiman said everything is R-2B…

Attorney Doll said this is 19,026 square feet. He said how much will be under roof.

Mrs. Barnhill said do you have how big that building was.

Kush Patel said yes, just how much is under roof.

Attorney Doll said yes.

Kush Patel said 4,700 square feet.

Attorney Doll said that’s a fraction of the square footage of the lot, that’s not huge. He said I don’t know about driveways…

Kush Patel said there is driveway, garages, but… this is just the building footprint.

Attorney Doll said I would guess you could have a fourplex there now that’s that big, and not have a zoning question. He said it’s not like they are building a 10,000 square foot building there.

Bob Johnson said I think as far as zoning goes there is no issue with the zoning. He said I think it’s something probably Bobby and Steve want to take a look at.

Attorney Doll said there might need to be grading on site to catch that water a little better and run it to street.

President Valiant said it almost sounds like maybe it wasn’t handled right the first time.

Attorney Doll said yeah, or it’s been there for so long and it’s overgrown and silted up.

President Valiant said true.

Mrs. Barnhill said he did come in for a site review and sat down with Steve Sherwood and Bobby Howard.

Bob Johnson said and they didn’t have an issue with it.

Mrs. Barnhill said no.

Bob Johnson said okay.

Amanda Mosiman made a motion to approve PC-R-23-11 and Doris Horn seconded the motion and it carried unanimously.

President Valiant said keep an eye on that drainage.

Kush Patel said I will.

Mrs. Barnhill said this will go to the Commissioners in December for final approval.

Attorney Doll said for recommendation.

Kush Patel said thank you.

**PC-R-23-12:** PETITIONER/OWNER: Stephen A. & Phyllis A. Wolf. To rezone 2.601 acres located on the east side of St. Johns Road. Approximately 900’ south of the intersection formed by St. Johns Road and Ditney Hill Road from “M-2” General Industrial Zoning District to “R-2” Multi Family Dwelling Zoning District, Campbell Township 32-4-9. *Complete legal on file. Advertised in the Standard November 2, 2023.*

Donnie Gries, Project Engineer, Andy Easley Engineering, Inc. and owner’s Stephen A & Phyllis A Wolf were present.

President Valiant asked do we have a staff report.

Mrs. Barnhill said we have all white pay receipts showing adjacent property owners were notified correctly. She said the lot size is 2.601 acres and the Comprehensive Plan has no projection for the area. She added the existing land use is a duplex. She continues surrounding zoning and land use to the north, east and west is “A” Agricultural being vacant and single family dwellings and to the south is “M-2” General Industrial being industrial buildings. She said there is no floodplain and they have access onto St. Johns Rd. and the stated residential use would be in compliance.

President Valiant said thank you, Donnie anything to add to the staff report.

Donnie Gries said no essentially this building is to be set out on its own parcel, 2.5- 2.6 acers which ever it may be. He said it’s just being removed from the M-1 and placed into what it should be…down zoning.

Richard Reid said just one duplex.

Donnie Gries said yeah, it’s been there for 40-50 years… I don’t know how long.

Attorney Doll said so the duplex is already there.

Donnie Gries said it’s there, there are no new building sites being created.

Mrs. Barnhill said it’s been there. She said really they are cleaning it up…zoning and platting wise.

Donnie Gries said right.

Amanda Mosiman said didn’t we just downzone something here to.

Donnie Gries said yes, same property.

Amanda Mosiman said same property.

Mrs. Barnhill said they had to do it in two separate applications, they are different parcels.

Donnie Gries said yeah, we had to have two different petitions we weren’t aware of that initially…so were doing this again.

Amanda Mosiman said I was like man this looks really familiar….we just did this.

Donnie Gries said so we will see you at the Commissioners meeting next time.

Amanda Moisman said alright.

President Valiant said any remonstration for or against this project.

Richard Reid made a motion to approve PC-R-23-12. Greg Webb second the motion and it carried unanimously.

Donnie Gries said thank you.

President Valiant said thank you.

Mrs. Barnhill said thank you.

President Valiant said next item on the agenda… looks like we have a couple complaints to tackle.

 **OTHER BUSINESS:**

**COMP-23-03:** Harley & Paula Walker. 3284 E SR 62. Possible zoning violation. Continued

from August 14, 2023.

**COMP-23-04:** Harley & Paula Walker. 3294 E SR 62. Possible zoning violation. Continued

from August 14, 2023.

Harley & Paula Walker, Property Owner’s, were present.

President Valiant asked Molly, do you have a report on these.

Mrs. Barnhill said well there should be updated photos.

Attorney Doll asked in the back.

Mrs. Barnhill said yes, our new inspector, Jeff Daily, went out there and he has reported that some things have been moved around and it looks like he has done some clean up and some mowing but I guess Mr. Walker had a fall or something that prevented him from getting more done.

Harley Walker said I had a major fall.

Mrs. Barnhill said okay, so here we are.

Harley Walker said six (6) weeks ago Wednesday I came off of a ladder and fractured my foot, fell on the left side and fractured my shoulder, my hip, my pelvis, my lower back and my tail bone so I have been laid up. He said so yeah, we have been able to make some progress with the clean up and stuff today and I was able to get over there today when the inspector was there and we had a long chit-chat about what the game plan is and as of… there is no RV’s being worked on there anymore, I made some customer’s mad and told them I cannot work on them there anymore. He added there is only one trailer left that belongs to another customer who is a local doctor and I told him you either need to get it out of here or I need to scrap it. He said there are several there that are still going to get scrapped, I took them on because I wanted the parts out of them. He said the rest of it is going to get disposed of, as for the cars, there are no automobiles being worked on there other than our own and yes we do have some projects and the conversation that I had with the inspector today those are my collectables but the game plan is to get everything cleaned up and move all of it back out of the way in order to clean it up. He said we have done what we can, being hurt and there has been a lot of stuff hauled out of there. He added that is on 3294 and 3284.

President Valiant said questions of the Board.

Doris Horn asked do you have anyone helping you or are you doing all this by yourself.

Harley Walker said just family, when they can and when I got hurt the guy that I had been working with for the past 6 (six) or 7 (seven) years took it upon himself to leave some jobs open and he is now in jail but I have another guy hired that helps me some when we aren’t trying to get other people’s work done. He added I still have to make a living.

Bob Johnson asked sir how much time do you need.

Harley Walker said my thought is, give me til spring.

Bob Johnson restated spring.

Harley Walker said it is coming into winter, my work is slowing down and it will give me more time to get this stuff done. He said we have a lot of stuff to get done, my hired help even said well there is a fence back there and I said I told ya there was. He laughed. He said things got out of hand the last several years, I have no complaint about that. He restated things got out of hand.

President Valiant said we can definetly tell there have been changes in the photos from the last month and everything. He asked so what are the feelings of the Board, I would still like to review this, you know we could extend it a month and then come back to review it.

Harley Walker said we would be a lot farther along if I hadn’t gotten hurt.

President Valiant said right and like I said, we understand that but we can tell by the pictures you are making progress.

Harley Walker said my doctor said, “you should be better healed by now”, and I said well I had to get back on my feet quicker than I should have.

Amanda Mosiman asked so do you want to put it on the January meeting, after the holidays. She said you know, give them some time and get a progress report after the holidays.

Doris Horn said 60 days sound good.

President Valiant asked is that a motion Amanda.

Amanda Mosiman said yeah, I will make that motion.

Amanda Moisman made a motion for a progress report on COMP-23-03 and COMP-23-04 at the January 8, 2024 meeting. Richard Reid seconded the motion.

Harley Walker said I just want to make this clear we are not conducting business at either of those addresses anymore.

President Valiant said right, now we are just working on the clean up.

Attorney Doll asked and you will continue to not do customers work at the property, right, while we are passing time here.

Harley Walker said right.

Paula Walker added you haven’t done any since the last time we were here.

Harley Walker said I haven’t done… no, right, no.

President Valiant said so motion to put another 60 days on this and come back with a progress report, hopefully it will all be cleaned up by then. He said I have a motion and a second. The motion carried unanimously.

Richard Reid said good luck on it.

President Valiant said hopefully you will come back in January and you will have this all cleaned up.

Harley walker said we will try.

President Valiant said thank you sir, I appreciate it.

**COMP-23-07:** James Sinnott. 5811 Anderson Rd. Possible zoning violation.

Mrs. Barnhill said we were able to resolve this in the office and I closed the complaint on the eighth so I ask that this be removed from the agenda.

Attorney Doll said and there are pictures to show it. He asked so you are asking for it to be removed from the agenda because it is no longer in violation.

Mrs. Barnhill said correct. She added the property owner sent in pictures, the inspector went out there, and then I called the complaintent and they were happy.

President Valiant said okay, feelings of the Board.

Bob Johnson made a motion to remove COMP-23-07 from the agenda. Richard Reid seconded the motion and it carried unanimously.

**Resolution No. 2023-1**

Resolution of the Town of Lynnville Redevelopment Commission Designating and Declaring the

Lynnville Downtown Redevelopment Area to be a Redevelopment Project Area, and Approving

a Redevelopment Plan for said Area. (APC Resolution No.\_\_\_\_\_\_\_\_\_\_\_)

Chris Wischer, Stoll Keen & Ogden, representing the Town of Lynnville, was present.

Chris Wischer asked so would you like me to just explain what we are doing here.

Mrs. Barnhill said yes, please.

Chris Wischer said this came from us, it is not something that comes from your office but we are working with the Town of Lynnville on some financing for improvements to the downtown street lights, building improvements, lighting to the trail, things like that so the mechanism that we are going to look at doing that financing is through a bond that needs to be issued through the Redevelopment Commission as a lease financing. He said so we had Lynnville Town Council approve to create a Redevelopment Commission and the Redevelopment Authority then approved a Redevelopment Area and the next process in the statute is for the Planning Body for the town, which is this Planning Commission, to get their approval of the Redevelopment Area and then following this Boards approval, then the Town Council will review and approve it and then the Redevelopment Commission of Lynnville will hold a public hearing and we will go from there. He said so this is really putting in a mechanism to put in some improvements to the Town of Lynnville. He added it is not something they have done before so it is an exciting project for them I think to do some much needed things in the town. He said the map of the area, it is really just an area of the downtown that would be the Redevelopment Area.

Attorney Doll said Chris, for our record, you are not acquiring any… the Commission is not acquiring title to any real estate.

Chris Wischer said no.

Attorney Doll asked this is the only way you can fund these improvements, is that correct.

Chris Wischer said that is correct. He said Indiana has a Constitutional Debt limit for municipalities so the way that municipalities can do financing is to create a lease financing which is not considered by the courts to be debt and so it is a common, other municipalities in Warrick County have done it, Newburgh, Boonville, and so it is a common way to not get tied up in that debt limit. He said so we have had all the numbers ran, we have met with the Town Council and Redevelopment Commission and they’re fully aware what is next and what the impact would be so it is a good way to get this accomplished.

Attorney Doll asked and the project is going to benefit the health, safety, and morals… I guess morals, of the Town of Lynnville.

Chris Wischer said right, the big projects are to add lighting to their current trail, Tecumseh Trail, and to bring street lights to the downtown, on Main Street.

Attorney Doll asked so what are the improvements to the public buildings.

Chris Wischer said well we described that generally, there are some possibilities if there is some money left over that there could be some improvements to Town Hall or improvements to well Doris, you will know more about the other improvements.

Doris Horn said it was the old Town Hall and church.

Chris Wischer said yes, the old Town Hall and church so we could use those funds for those improvements.

Attorney Doll said okay.

Bob Johnson said I think it is wonderful that Lynnville takes such pride in everything they do, my question is what is changed to where we can pay back that bond.

Chris Wischer said so it is going to be all paid back by the citizens of Lynnville in their taxes so only the folks in Lynnville will be responsible for the bond.

Attorney Doll asked the taxpayers within the district.

Chris Wischer said within the Town.

Attorney Doll asked within the whole Town.

Chris Wischer reiterated within the Town, right, but Lynnville has by far the lowest municipal tax rate in the County and a large part because they haven’t done these kinds of things. He said so even with the projects they intend to do, the Lynnville tax rate will still be under most of the County as far as the Towns. He said and really that is an issue for the Council and the Redevelopment Commission as far as the taxes go, this is really about the area.

Bob Johnson said right, I was just curious.

Chris Wischer said no, you are fine.

Attorney Doll said and you are attempting to raise what a million, a million and a quarter.

Amanda Mosiman said mhm.

Bob Johnson said that is not a lot of money.

Chris Wischer said right and all of that will come in as we get closer to… probably next summer to sell the bonds and so depending on rates and depending on a lot of things will decide on that number.

Attorney Doll said higher interest rates are going to be a problem.

Chris Wischer said yeah, if rates go up or rates go down it will depend on what they will want to do because they are being conservative and I should have said David Goldenberg is also here tonight who is on the council, as well as Doris, is here tonight.

Doris Horn said you know this is something we have worked on for as long as I have been on the Board, 20 years, and you have to do the ground work which you know we have our new sewer treatment plant and the water treatment plant was put in. She added everything will go underground on Main Street and you know it has just been a work in progress and anyone that is on the Town Council knows that, especially ones that have no money. She said it just takes forever and it has been almost a 20 year project.

Chris Wischer said you know one thing about municipal real estate taxes, and I don’t get involved in the County part of it, the County taxes, but on the municipal side as the assessments go up the actual levy that the Town is able to get pretty much stays the same, it is by formal. He stated so as the assessments go up the rate goes down and there is really no mechanisms for the towns to raise money on their own except for these types of things and so when town’s need improvements and Lynnville has probably needed some improvements for a while and you know, Newburgh has used this mechanism to do sidewalks and paving and park projects so it is an avenue that is available. He added Lynnville just hasn’t taken advantage of it up until this point.

Amanda Mosiman said so on the Main Street improvements I see listed electrical, telecommunications, and things like that. She asked are you guys planning on building something in that will allow… I know you guys had issues with the fiber and the poles and that turned into a problem and the whole Town didn’t get fiber because of it. She asked so is that ability going to be built in when you guys go in and change this.

Doris Horn said on Main Street it will be.

Amanda Mosiman reiterated on Main Street.

Doris Horn said mhm.

Amanda Mosiman said okay.

Chris Wischer said yeah, the goal is to have Main Street using underground utilities and some decorative street lights like a lot of towns have in order to really improve the visual aspect too.

Amanda Mosiman said fiber for the Town, decorative street lights. She said you see where I am going. She added a lot of people up there were not happy that they could not get fiber so if improvements are going to be made I want to know that it is accounted for because there is multi-million dollars worth of money floating around in Indiana right now to get fiber to places like this that need it and I don’t want to miss another opportunity.

Doris Horn said yeah, I know it is just a hard decision because you know you have poles everywhere and they are hitting everything. She added and what you don’t realize is that every town was built by our grandfathers and great-grandfathers and we put the line from this gray sweater to your green sweater and that is how they measured back in those days.

Amanda Mosiman said yep.

Doris Horn said no one really has an accurate account of where your water, sewer and gas lines are.

Amanda Mosiman said true, we fight it every year at the 4H Center.

Doris Horn said and when they hid them, they hid them well.

Chris Wischer said and just so you know Lynnville has an agreement for Duke to bury their utilities, Dave was just reminding me that Main Street and Frontier are plans for them to have fiber buried. He said so it is all part of the plan.

 Amanda Mosiman said all part of the plan that is what I wanted to hear.

President Valiant asked any other questions from the Board.

Jeff Willis said just that we have been meeting on something else for a couple of months now and it is inside this zoning. He said I just want to make sure that we are… I know you said you weren’t planning on buying any property, I just want to make sure that we are not getting into something like imminent domain for those apartments.

Chris Wischer said no, no in fact the Redevelopment Commission’s do have some power to acquire property and the County Redevelopment Commission has done that but they would have to give their consent, there is no way around that. He said there are no plans for that though, this is purely being done for the financing of the town.

Amanda Mosiman said yeah, but it literally says in the event that the Commission wishes to acquire property it shall do so as set forth in Section 19. She added but that is not included in this so you still left it open ended on this application to us that could be a possibility.

Chris Wischer said right and it can be, I mean I can’t tell you that they don’t have the authority to go acquire property if they want to redevelop an area of the Town but there is a mechanism for them to acquire property and for them to develop that property but that is not what we are pursuing. He added but by having a Redevelopment Commission they can still do that but imminent domain is still part of that, they have to pay appraised value and everything else so.

Amanda Mosiman said right.

Chris Wischer said but that is not… again, all we are really trying to do is create a mechanism to do the bond finaincing so they can avoid the…

Amanda Mosiman asked and Cherry Street is the street that runs from 68 all the way up to the school.

Doris Horn said past the school, yeah.

Amanda Mosiman said okay, I was just making sure my streets were right.

Doris Horn said mhm.

Bob Johnson said that is where Kooley’s Deer Processing is.

Amanda Mosiman corrected him Kolley.

Bob Johnson said yes.

Amanda Mosiman said you called him Kooley.

President Valiant asked any other questions of the Board, if not I guess we just need to approve this resolution.

Attorney Doll asked remonstration.

President Valiant said yeah, I am sorry. He asked is there any remonstration for or against this project.

Amanda Mosiman said don’t hurry up here Sherrie. She laughed.

President Valiant said seeing none I will entertain a motion.

Doris Horn started to make a motion…

President Valiant and Amanda Mosiman said uh…

Amanda Mosiman said Doris I would recommend that you abstain from this vote.

President Valiant said I agree.

Attorney Doll said although she does not have any personal property…

Chris Wischer said that is true, I looked into that this morning so that way we would be prepared.

Doris Horn said that makes sense, I am just so happy that we are going to make Lynnville beautiful.

Attorney Doll said it is not personal property.

Chris Wischer said right, if you want to wait to vote last just to make sure.

Richard Reid made a motion for approval of Resolution 2023-1. Amanda Mosiman seconded the motion. There was 1 abstention being Doris Horn.

Chris Wischer said thank you, and as Morrie pointed out we have to provide you all with a notice when we do the public hearing. He added when we do the public hearing we will send the staff a notice.

Attorney Doll said we are going to deliver the Resolution back to you tonight.

Chris Wischer said okay, yeah that sounds good.

Mrs. Barnhill said oh, I did not write a Resolution No. on there.

Attorney Doll asked Chris, can you write 2023-1 at the top and then it is a conforming copy.

Chris Wischer said okay. He added great, thank you so much.

**ATTORNEY BUSINESS:**

None.

**EXECUTIVE DIRECTOR BUSINESS:**

Mrs. Barnhill said we had our Staff Meeting about the Radon Mitigation and I sent an email out to this Board and now the numbers are being reported online so that is up and running and the numbers look pretty good in our office so we would like to start moving back. She added that is the plan.

President Valiant said okay, sounds good when would you like to start that.

Mrs. Barnhill said well as soon as possible, the only thing that might delay us at all would be getting our plotter moved back. She added we have to coordinate that with Alpha which I have contacted them today and they had to get ahold of their IT Team.

President Valiant said so it is a technical thing and not a physical.

Bob Johnson said both.

Mrs. Barnhill said well yeah, they have to move the machine because we are not going to move it.

Richard Reid asked how are the readings in the basement.

Mrs. Barnhill said there are still some high ones in certain areas.

Richard Reid said where Amanda is.

Mrs. Barnhill said yeah, I will not be going downstairs but the second floor looked really good.

President Valiant said so I don’t think we need to vote on that but I know you are ready to get back. He asked so you think you will be back by the end of the week.

Mrs. Barnhill said yes.

President Valiant said sounds good. He asked anything else.

Mrs. Barnhill said well one more thing, my wonderful Assistant is leaving us to go work at the school, Oakdale, where her kids go so it is a positive move for her but I will be hiring a position in the office to try to find a replacement.

President Valiant said that will be tough to do, she does a great job.

Richard Reid said we will miss ya.

President Valiant asked when is your last day.

Katelyn Cron said January 3rd.

President Valiant asked no talking you out of it.

Mrs. Barnhill said I have tried.

Katelyn Cron said no, not at this point. She said I have enjoyed working for you all so thank you.

President Valiant said we have enjoyed having you on board. He asked anything else for the betterment of the Board, if not…

Richard Reid made a motion to adjourn the meeting. Bob Johnson seconded the motion and the meeting adjourned at 6:45 pm.

ATTEST:

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Molly Barnhill, Executive Director Jeff Valiant, President