MINUTES

**WARRICK COUNTY AREA PLAN COMMISSION**

Regular meeting to be held in Commissioners Meeting Room,

Third Floor, Historic Court House,

Boonville, IN

Monday, October 9, 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, Bob Johnson and Amanda Mosiman. Member absent was Greg Webb.

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

**MINUTES:** To approve the minutes from the meetings held on September 11, 2023.

Doris Horn made a motion to approve the September 11, 2023 minutes. Bob Johnson seconded the motion and it carried unanimously.

President Valiant said it looks like we have a few primary plats and a few rezoning’s on the agenda tonight, the primary plats will seek approval tonight and the rezoning’s will go as a recommendation to the County Commissioner’s for final approval. He said as we go through these if the petitioner and owner would step up to the podium, there should be a sign in sheet for you up there and then we will cover the nature of the case and open up for discussion and questions.

**PRIMARY PLATS:**

**PP-23-09: Wolf Estates:** PETITIONER/OWNER: Steve Wolf. Approximately 11.834 acres located on the east side of St. Johns Road. Approximately 150’ south of the intersection formed by St. Johns Road and Ditney Hill Road. Campbell Township 32-4-9. *Complete legal on file.*

President Valiant said I believe that this has a rezoning with it as well, so we will go ahead and handle both of these as well.

**PC-R-23-08:** PETITIONERS/OWNERS: Stephen A & Phyllis A Wolf. To rezone 12.549 acres located on the east side of St. Johns Road. Approximately 150’ south of the intersection formed by St. Johns Road and Ditney Hill Road from “M-2” General Industrial Zoning District to “A” Agricultural Zoning District. Campbell Township 32-4-9. *Complete legal on file. (Advertised in the Standard September 28, 2023)*

President Valiant said are the applicant and owner’s here. He said please state your name for the record.

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

President Valiant called for a staff report.

Mrs. Barnhill said on the return receipts they mailed them together, we do have all the green cards showing that they were notified properly. She added zoning is “M-2” General Industrial Zoning District proposing to rezone a portion of the property “A” Agricultural Zoning District. She added there is no floodplain, the proposed development Lot 1 is to be for residential for future use, Lot 2 is multi-family, with an existing apartment and Lot 3 is an industrial use, currently being used for industrial buildings. She said theCommissioner’s approved the request for no street plans and the Drainage Board approved the request for no drainage plans. She added the Health Department has signed off on the approved septic areas and Elberfeld Water does have capacity. She continues on the zoning, they are going from the “M-2” to the “Ag”, lot size is 9.948 acres, comprehensive plan projects the area to be industrial the existing land use is industrial buildings, vacant, and apartment. The surrounding zoning land use to the North, South and West are “A” Agricultural being vacant and single family dwellings and to the Southeast “M-2” industrial buildings. She said there is no floodplain and they do have existing access on to St. Johns road, the stated use would be “Ag” and residential which would be in compliance.

President Valiant said alrighty, thank you. He asked anything to add to the staff report.

Donnie Gries said only one comment, we will be returning for rezoning on lot 2, to convert it from M-2 to R-2, it is a duplex that is on that parcel. He said there was a little miscommunication, we thought we had that covered, we have to have a separate petition so we will re-file that petition the next deadline.

President Valiant said you said that was lot 2.

Donnie Gries said yeah, lot 2.

Amanda Mosiman said so one is going to “Ag” and two is going to “R-2”.

Donnie Gries said it will be R-2, ultimately yes.

Amanda Mosiman said well what’s on…well question for another day, sorry.

Donnie Gries said okay.

Amanda Mosiman asked what’s the purpose for taking this to “Ag” now.

Donnie Gries said mainly for residential use.

Amanda Mosiman said so building a residence on it.

Donnie Gries said yeah.

Amanda Mosiman asked what is currently on lot 3, I just see buildings, sorry.

Donnie Gries said storage.

Amanda Mosiman asked so it is just storage buildings.

Donnie Gries said storage facility.

Amanda Mosiman said okay thanks, sorry.

President Valiant asked is there a house back there or no.

Donnie Gries said no there is not, no residence on lot 3.

President Valiant said I couldn’t remember. He said I drive by it…

Amanda Mosiman said yeah I can’t remember.

President Valiant continues about every other day, and I can’t remember what’s back in there behind those trees.

Donnie Gries said it’s kind of hidden back there.

President Valiant said yeah.

Amanda Mosiman said mmhh.

President Valiant asked any remonstration for or against this project, if so please step forward. He said I don’t see anyone moving. He asked any other questions from the Board. He said we will need… let’s go with the rezoning first, if anybody is going to make a motion if there is no further questions.

Jeff Willis asked are you just rezoning lots one and two.

Donnie Gries said we will be rezoning lots one and two, lot three will remain as is.

Amanda Mosiman said okay so the rezone is for lots one and two, but currently the primary plat is just for one.

Donnie Gries said it will be at the moment but of course we would like to have approval on the plat subject to or for the rezoning for lot two being approved. He added or we can go for the plat again next month.

Amanda Mosiman said yeah no we will have to do it that way.

Donnie Gries said okay that’s fine, that doesn’t matter.

Mrs. Barnhill said actually if you look at it… lots one and two and three are different on the primary plat than they are on the rezoning. She said they have included some property that’s not in the primary plat on that rezoning application. She added it was a large chunk of M-2.

Amanda Mosiman said okay so that’s why the numbers aren’t adding up.

Mrs. Barnhill said yes.

Amanda Mosiman said alright…

Mrs. Barnhill said yes, I know.

Amanda Mosiman continues I’m like getting confused.

President Valiant said I’ll entertain a motion.

Richard Reid makes a motion to approve PC-R-23-08 and Doris Horn seconded the motion and it carried unanimously.

President Valiant said now so as far as the plat goes, any questions or concerns on that.

Richard Reid made a motion to approve PP-23-09 and Dorn Horn seconded the motion and it carried unanimously.

Donnie Gries said okay, thank you.

Mrs. Barnhill said so this rezoning will go to the County Commissioners on November 13.

Donnie Gries said November 13, okay thank you.

**PP-23-14: Saddle Ridge:** PETITIONER/OWNER: Brenda K. Byers. Approximately 70.811 acres located on the west side of Rockport Road. Approximately 100’ south from the intersection formed by Rockport Road and Geyer Road. Boon Township 1&6-6-7. *Complete legal on file. (Advertised in the Standard September 28, 2023)*

President Valiant said this one also has a rezoning with it, it looks like.

Mrs. Barnhill said it does.

**PC-R-23-10:** PETITIONER/OWNER: Brenda K. Byers. To rezone 70.811 acres located on the west side of Rockport Road. Approximately 100’ south of the intersection formed by Rockport Road and Geyer Road from “CON” Conservancy Zoning District, “R-1A” One Family Dwelling Zoning District, “C-4” General Commercial Zoning District, and “M-2” General Industrial Zoning District to “A” Agricultural Zoning District. Boon Township 1&6-6-7. *Complete legal on file. (Advertised in the Standard September 28, 2023)*

Scott Buedel, Project Manager, Cash Waggner & Associates, PC and owner Brenda K Byers were present.

President Valiant asked for a staff report.

Mrs. Barnhill asked Scott do we have the owner here.

Scott Buedel said yes, Brenda is here.

Mrs. Barnhill said okay, thank you. She continued on the notices, they sent them together they were missing one green card but we do have the white pay receipt showing the adjacent property owners were notified correctly. She added the zoning is “CON” Conservancy Zoning District, “R-1A”, “C-4” and “M-2”, they are proposing to rezone all of it to “A” agricultural. She said there is no floodplain, the proposed development is eight (8) residential lots for future residential use, lots range in size from 2.5 acres to 43.718 acres with the average lot size being 7.742 acres. She added the Commissioners approved the request for no street plans today and the Drainage Board approved the request for no drainage plans, the Health Department has signed off the septic systems and Veolia Water has not sent a capacity letter yet, so any approval on the plat would be subject to capacity from Veolia so the plat would be in order. She said on the rezoning the comprehensive plan projects the area is undetermined. She said the existing land use, it does have two single family residences on it now and they have access onto Rockport road, the stated use would be residential subdivision which would be in compliance with the zoning request.

President Valiant said thank you… Scott anything to add.

Scott Buedel said just a follow up to the comment about the water. He said we have requested a capacity letter a few different times and just not gotten a reply yet. He said there is water in Rockport road, there is residences along Rockport road that come off of that so six (6) additional houses are not going to tip the scales on that one. He continues so we are just trying to get that information back in our hands and it has not happened yet.

President Valiant said 10-4 alright thank you. He asked any questions for the Board at this time.

Amanda Mosiman asked where are the current residences.

Scott Buedel said there is the forty (40), the large lot…

Amanda Mosiman said okay… the 40.3 acres.

Scott Buedel continues the lot to the North up there, the very North up there…

Amanda Mosiman said okay I see it, there it is, sorry it’s a little busy on the map.

Scott Buedel continues and then on lot four (4) kind of the Southeast corner of lot four (4) there is a house there too.

Amanda Mosiman said okay.

President Valiant asked any remonstration for or against this project, if so please step forward. He said seeing none I will bring it back to the Board for any further questions. He said yes Amanda this is a lot of zoning.

Amanda Mosiman said yeah, M-2, CON, R-1A...yeah it’s oddly zoned.

Mrs. Barnhill said and a lot of those were done in the 70’s…so I don’t know what they were doing.

Amanda Mosiman laughed.

Richard Reid said blame it on someone else.

President Valiant asked any other questions for the Board…if not let’s do the rezoning first.

Richard Reid made a motion to approve PC-R-23-10 subject to water letter and Doris Horn seconded the motion and it carried unanimously.

President Valiant said alrighty and then as far as the plat goes. He asked another other questions or concerns on the plat.

Amanda Mosiman made a motion to approve PP-23-14 and Richard Reid seconded the motion and it carried unanimously.

Mrs. Barnhill said okay so this one will go November 13th to the Commissioners on the zoning.

Scott Buedel said okay.

President Valiant said okay next item.

**PP-23-15: Lighthouse Landing:** PETITIONER/OWNER: AGS Properties LLC by Sarah Mauck, Mbr… Approximately 5.179 acres located on the south side of State Road 662. Approximately 0’ east from the intersection formed by State Road 662 and Pollack Avenue. Being Lot 1 in Waterworks No. 1 Minor Subdivision recorded in Doc #2009R-010761 in the office of the Warrick County Recorder. Ohio Township 33-6-9. *(Advertised in the Standard September 28, 2023)*

Scott Buedel, Project Manager, Cash Waggner & Associates, PC. was present

President Valiant said you look familiar.

Amanda Mosiman and Richard Reid laughed.

Scott Buedel said and we do have a Power of Attorney…Limited Power of Attorney for me to be here for Sarah Mauck, but we do have a representative of Milestone that will actually be doing the development the mini storage site too.

President Valiant asked do we need a copy of that Aaron.

Mrs. Barnhill said I have a recorded copy in the file.

President Valiant said perfect…okay thank you. He said staff report please.

Mrs. Barnhill said on the return receipts were missing seven (7) green cards but we do have the white pay receipts showing the adjacent property owners were notified correctly. She continues the zoning is “C-4” General Commercial and there is no floodplain. She said the proposed development is a two (2) lot commercial subdivision. She said the Commissioners approved the request for street plans today and the Drainage Board approved their drainage plans. She continues Newburgh Sewer has capacity and Chandler Water has capacity so the plat would be in order. She added the additional conditions would be subject to INDOT’s approval for the entrances onto Pollack Avenue. She said they are also requesting a waiver of section 13, proof of financial responsibility major subdivisions item 5C of the Warrick County Subdivision Control Ordinance, to allow the secondary plat to be recorded without requiring water or sewer to be provided on lot two (2). She added proposing use and development commitment to limit the use of lot two (2) to a storage facility that will not require water or sanitary sewer service. She said in the event that a change of use to anything other than a storage facility is requested a sewer and water extension will be extended. She said this is similar to what we have done before actually on this exact development. She said and so we have already talked about the Power of Attorney, so then everything would be in order.

President Valiant said thank you…anything to add to the report Scott.

Scott Buedel said like Molly had said this has come before you before. He said we had an initial approval for the site and then water and sewer…I guess more sewer getting sewer to the site was an issue. He said so we initially came back to just do storage across the entire site, with the condition that it wouldn’t require water and sewer. He added and we had that agreement in place and got it approved a second time with that…and now were kind of in between. He said we’ve got an end user for lot number one (1) where we’ve talked to the County and we have also talked to Newburgh Sewer about how to get sewer to that one lot. He said then lot two (2) would just remain a storage facility as it was originally planned. He said the INDOT approval is for the common driveway that would be along the lot two (2), lot one (1), the south line of lot one (1) kind of the north line of lot (2) were it comes off of Pollack. He said that would be their main entrance and we would need to get INDOT approval for that. He added but lot two (2) will have a second entrance down in the southwest corner, more or less their main entrance coming into the site. He said so it would just be off the County road itself….the main entrance of the lot two (2). He added but the whole reason for coming back before you again is the initial approvals we had the drainage basin all the way to the north end of the property up along 662. He added I think as we put site plans together and they were considering how this was going to look, they were concerned that the basin right out front of the property was going to be a trash collector. He continues and so they wanted to move that basin back internal to that site so that you can see that it’s kind of tucked into the middle of lot two (2) on the east side of the property now where whatever happens with that any debris and everything that fly’s around and gets caught would be in that storage facility and not out along the front on 662.

President Valiant said thank you sir…any questions from the Board at this time. He asked any remonstration for or against this project, if so please step forward. He said I don’t see anybody moving…I’ll bring it back to the Board any questions or concerns, if not I’ll entertain a motion.

Richard Reid made a motion to approve PP-23-15 subject to the INDOT approval for the entrance Doris Horn seconded the motion and it carried unanimously.

Scott Buedel said thank you.

Amanda Mosiman said so…wait a minute, wait a minute. She said we have a second waiver. She continues not only did we need that waiver to INDOT’s approval, but you’re asking for a waiver on section 13.

Scott Buedel said that’s correct. He said that’s for the sewer.

President Valiant said thank you Amanda. He asked what’s the Boards wishes.

Jeff Willis made the motion to approve the waiver for lot two (2) for requiring sewer and water Richard Reid seconded the motion and it carried unanimously.

Scott Buedel said thank you.

President Valiant said alrighty next item.

**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, 2023, July 10, 2023, August 14, 2023 and September 11, 2023 meetings.*

Mrs. Barnhill said Mr. Powell came into the office on September 27th with his plans that were sent to the state but he has resubmitted about three times now.

Bob Johnson confirmed this is his third time.

Mrs. Barnhill said okay.

Amanda Mosiman said third times a charm.

Bob Johnson said he was here today.

Richard Reid said motion to table.

Mrs. Barnhill said well, I am not done. She said just a minute, he has also sold an interest to the property. She said he added someone else to the property.

Attorney Aaron Doll said yes, it is unclear, in my opinion, the deed was done incorrectly. He said at the top of the deed it looks like he has deeded it completely to this Benjamin Modlin.

Mrs. Barnhill reassured Modlin, yes.

Attorney Aaron Doll continued but at the bottom of the deed it looks like he reserved some interest to himself so they are joint owners but it doesn’t tell me how they are joint owner’s. He asked are they tenants in common, are they tenants with rights of survivorship, essentially the deed is poorly done in my opinion. He added so I guess they would both need to be applicant’s on this petition.

Mrs. Barnhill said okay so when we found this out… and this was recorded on August 9th and we have just found out. She added you know they didn’t date when they signed it but it was recorded that day so we did call them and Benjamin Modlin came in and signed an application to add himself to this petition. She said we have also received a letter of remonstrance from a David Goldenberg in Lynnville so I have forwarded that to you all so you could read it.

President Valiant asked did everyone get that.

The Board responded yes.

Mrs. Barnhill said okay, so I am adding that to the file as well.

President Valiant said alright. He asked are we looking at tabling this again.

Richard Reid said that is all you can do.

Mrs. Barnhill said well, it is up to the Board.

Amanda Mosiman asked what are we waiting on.

President Valiant responded state approval.

Amanda Mosiman asked we are still waiting on state approval.

Bob Johnson said yep.

Amanda Mosiman said okay.

Richard Reid made a motion to table PC-R-23-06 to the November 13, 2023 APC meeting. Bob Johnson seconded the motion and it carried unanimously.

**OTHER BUSINESS:**

President Valiant said I know Mr. Johnson brought up something he wanted to throw out under other business. He asked do you want to do that before or after we do the other discussion.

Bob Johnson said sure.

President Valiant asked before or after.

Bob Johnson said this is a letter I had my attorney write for me. He read:

*“On September 27, 2023 I received a notice of an Executive Session that was called*

*by the President of this Body by the request of the Executive Director, Molly Barnhill.*

*Under Indiana’s open door laws all meetings in official action by a government body*

*are to be conducted in public so citizens of Warrick County may have input and involvement in their elected and appointed officials actions. Under Indiana Law*

*a closed Executive Session can only be held for certain, enumerated purposes. The*

*purpose listed on this Notice of Executive Session was discussion of records, classified*

*as confidential by State or Federal Statute. At the Executive Session Mrs. Barnhill*

*handed out a packet of information, none of which would be considered as*

*confidential under State or Federal statute. The sole purpose of this meeting was*

*to discuss radon concerns in the Old Courthouse and to discuss possibility of APC*

*moving to a noncounty owned property. These topics should have been presented at*

*a public meeting and the meeting should have been open to the public to attend. I*

*would ask that this Body refrain from holding Executive Sessions until, unless*

*the purpose of the meeting falls under one of the enumerated purposes set out by*

*Statute.”*

He said that is all I have.

President Valiant said alright, other items under other business.

**TEMPRORARY RELOCATION OF THE APC OFFICE**

President Valiant asked do you want to go through your information Molly.

Mrs. Barnhill said yes, I would love to.

President Valiant said alrighty.

Mrs. Barnhill said I have provided you all with a packet.

Bob Johnson asked where would I find this packet.

President Valiant said right there in your folder.

Mrs. Barnhill reiterated it is in your folder. She said I don’t know if everyone knows a lot about radon but, she began reading: “Radon is cancer causing, radioactive gas that is odorless and colorless.” She added so you don’t know if you are sitting in it or not. She continued, “It comes from the natural breakdown of uranium of soil, rock, and water and it gets into the air you breathe’. She said it is a natural thing that is in the air. She read, “It can be found all over the US and get into any type of building resulting in high indoor radon levels, when breathed in radioactive particles break down in your lungs, as these particles break down these particles release small bursts of energy, this can damage lung tissue, cause lung cancer, and lead to other respiratory illnesses”. She continued, “It is the second leading cause of lung cancer in the United States, according to the EPA radon is responsible for about 21,000 lung cancer deaths every year. The average radon indoor level is about 1.3 pci/l and about .4 outdoors”. She read, “the EPA recommends to maintain below a 2.0 pci/l”. She continued in late 2020 a person reported feeling ill while only in their basement office, Room 102, radon testing was performed. She said in February 22, 2021 three (3) quotes were read into the record at the Commissioner’s Metting with one of the scopes of service including “installing up to forty (40) holes to improve air quality”. She said ORR Solutions was hired but we were told at a staff meeting that they failed to show up and the matter was dropped, we have since learned that the ORR Solutions was told not to come back and the Commissioner’s did not want “big white things on the outside of the building”, that came from our staff meeting on September 19th. She said the room with the intial concern, Room 102, was remodeled without any mitigation performed and a new contracted employee was put there until she started to notice feeling ill only while she was in that room. She said a radon detector was then put back in that room and recorded high levels of radon, she was told to remain working and to vent when it got above a 4.0 pci/l. She said she continued to work in that office until her lung collapsed. She continued out of the concern for the safety of our office, which is directly above the room in the basement with the radon, we placed a radon detector in our office on the second floor and received a seven (7) day average of 4.32 pci/l of air. She added this level is considered smoking eight (8) cigarettes a day or receiving 200 x-rays a year. She said the Boonville Fire Department was called and reported a .3 ppm drop in O2 and reported a 11.37 pci/l in the nurses office in the basement. She added that report is public and it is in your packets. She said Commissioner’s Phillippe and Saylor held a staff meeting where they stated it was “up to the Department Heads to decide how they would like to proceed until the problem is resolved”. She said they were aware of the issue in 2021 but stated they did not know the levels of the radon that initiated hiring ORR Solutions to mitigate. She said I do know the levels and they were a 5.3 pci/l average with an 8.3 pci/l high at that time. She added all basement offices have been relocated, they did this themselves, they were not helped. She added they did this at their Department Heads discretion. She said the Health Department Board is moving the Health Department on the second floor out of the building as well. She added they wouldn’t even come into the building to discuss this, they are having their meeting at East Pines and that is a Board of doctors. She said we are currently in the EMA conference room on the third floor and we are venting where the levels are better. She said the girls in the office have emailed their concerns to me which have been forwarded to the Commissioner’s and HR which have all gone unanswered. She said the Commissioner’s have begun to test again and have reported 2.6 pci/l in the basement with all the windows and doors open in the basement along with fans in the basement despite the fact that in the staff meeting we were told that everything had to be shut during testing, pictures of that are in your packets. She said we were also informed via email from Heather Soberg that it was imperative to keep the building closed up 12 hours prior and during testing. She said I know people who have worked in this building for years and who have gotten sick and they are finding out now they have nodules in their lungs. She added the problem is you don’t know when it is damaging your body and when you might fall ill. She said I have to protect myself, my children, and my staff. She said we are requesting to move to the office at the School Corporation Building until mitigation has been completed. She added I have tested the building and their levels are low at the School Corporation. She said it will cost us to move our printers but everything else we can do.

President Valiant asked when you say low what numbers are you getting.

Mrs. Barnhill said .4 pci/l seven (7) day average.

President Valiant said okay.

Mrs. Barnhill added people are getting sick.

President Valiant asked any questions by the Board about this temporary move.

Bob Johnson said well I don’t have any questions but what I do have is that I think that some of the items and statements that Mrs. Barnhill has read are false, for one…

Katelyn Cron, Assistant Director APC, came to the podium.

Katelyn Cron asked like what, I want to know what because I am over this whole thing, this isn’t coming from Molly this is coming from me. She said I was pregnant in that office downstairs.

Bob Johnson said yes, okay.

Katelyn Cron asked rhetorically 200 x-rays for a year, 200 x-rays for a year. She added my doctor didn’t even want me to get a chest x-ray when I was having trouble breathing when I was pregnant, one (1). She reiterated that is 200, what is that… can you guarantee that my three (3) year old is going to be okay 20 years from now.

Bob Johnson said I cannot, what I can guarantee you is that the building under the results we received over the weekend…

Katelyn Cron interjected oh, when the windows and doors were open.

Bob Johnson said no, they were not open.

Katelyn Cron said yes, yes they were. She said we have proof, we have pictures, but go ahead…

Bob Johnson said I, I am not going to sit here and argue this like it is in a court of law.

Katelyn Cron said oh, it will be.

Bob Johnson said that is fine.

Richard Reid chuckled.

Bob Johnson said but I can tell you that some of the statements that Mrs. Barnhill read were not accurate.

Mrs. Barnhill asked which one.

Katelyn Cron said we have proof, which one.

President Valiant said okay, I am going to stop this right now. He said the question is going to be does the Board want to allow them to move the office temporarily until we get this straightened out. He said I am looking for a motion to allow them to move and that’s all were looking for. He said we are not going to hash this out here tonight.

Richard Reid said I will make that motion to move them.

Bob Johnson said I don’t think this Board has the authority to give them permission.

President Valiant asked why.

Bob Johnson said because only the Commissioner’s can authorize anybody to remove equipment that is County property and remove… and move an office to an offsite facility.

President Valiant said it is the same… they are…

Bob Johnson said and its… nobody is coming to the Commissioner’s and asking our permission or talking to us.

President Valiant said well that is not correct because I have talked about this already with Commissioner…

Bob Johnson interrupted I know you talked to Commissioner Phillippe.

President Valiant said Phillippe, yes, and as far as moving property we can address that I would be happy to talk to him tomorrow, but it was left up to the Department Heads and the Department Head has requested to move the office.

Bob Johnson said it would be nice if the Department Head would have brought in some test results…

President Valiant asked of what.

Bob Johnson said of the School Corporation Building that she wants to move to so that we can have some type of documented data.

President Valiant asked rhetorically because now we are concerned.

Bob Johnson said I am not saying I was never concerned, I don’t want to have anybody that works for the county to be in an unsafe environment.

President Valiant said allowing them to move over there is not admitting guilt, you are just letting that office run…

Bob Johnson interjected I am only one (1) Commissioner.

President Valiant restated you are letting this office run because we need to have… we can’t just shut down the office and if we leave it here and I guarantee there will be people not show up so which would you rather do. He asked have a temporary office and let them work and do their jobs and further along this County or argue about numbers.

Bob Johnson said I as one (1) Commissioner do not have any type of authority to make any type of decision in that manner.

Amanda Mosiman said so if we are currently under the guidelines that the Commissioner’s put out and it is the Department Head’s decision to operate their office, which I will confirm that is the same report that my Department Head and I got from HR this morning as we made decisions about our County staff. She continued that it is up to the Department Head and so we went back downstairs to make a plan and we have shared that with the County. She said Molly’s response to her discretion as a Department Head is to bring it before this Board because we typically advise the decisions that are made by that office. She said I don’t think it is outside our prevue if she is asking our opinion to move.

Bob Johnson said I think this Board can give an opinion but I don’t think this Board has the authority to allow that move to happen without Commissioner approval. He added the Board can vote on the move that is fine…

President Valiant said right, yeah.

Amanda Mosiman said a lot of what we vote on goes to the Commissioner’s for approval.

Bob Johnson said but as far as moving and taking county property.

President Valiant said and that is fine and I understand that but you know when you already said leave it to the Department Heads and now we are going to second guess what the Department Heads do.

Bob Johnson said it is up to the Department if they want to move to a different area in this building.

President Valiant asked so where is the Health Department at.

Bob Johnson said they don’t have the permission to be where they’re at.

President Valiant said but you didn’t stop them.

Bob Johnson said I cannot discuss what is going on in the Health Department.

President Valiant asked what is the feelings of the Board on this.

Doris Horn asked so you are saying the School Corporation building is out.

Bob Johnson said I am saying that I am one (1) Commissioner and I can’t make that decision and neither can this Board.

Doris Horn said you know what my feelings are is if you know if you have a bridge or a road that goes out the County will go in, shut it down, fix the problem. She added we have a problem here in this building, it needs to be shut down and it needs to be fixed.

President Valiant said exactly, Richard I believe you made a motion.

Doris Horn asked what did you make the motion for.

Richard Reid restated I make a motion for the Area Plan Commission office to move. Doris Horn seconded the motion and it carried 5-1 with Commissioner Bob Johnson being opposed.

President Valiant said there you go, if you need any help with that tomorrow please let me know.

Mrs. Barnhill said okay, we will start on it first thing tomorrow.

President Valiant said thank you.

Mrs. Barnhill said no that is all, thank you.

Richard Reid made a motion to adjourn the meeting. Doris Horn seconded the motion and the meeting adjourned at 6:46 pm.

ATTEST:

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Molly Barnhill, Executive Director Jeff Valiant, President