MINUTES OF MEETING OF
WASHINGTON COUNTY PLAN COMMISSION
Held January 3, 2010 at 6:30 p.m.
Council Chambers—City Hall Building

This public meeting was called to order at 6:30 p.m. by President, David Hoar. In attendance were members John Mishler, David Hoar, Eric Rusby, Adam DuFour, Scott Maudlin, Brad Shelton, Jim Day, Jeff Souder, and attorney Thomas E. Scifres.

The first order of business was the election of officers. John Mishler nominated David Hoar to act as President. Scott Maudlin seconded that nomination. Jeff Souder made a motion that the nominations close, with Jim Day seconding. The nomination unanimously passed. John Mishler nominated Eric Rusby to act as Vice-President. Jim Day seconded that nomination. Jeff Souder made a motion that the nominations close, with Brad Shelton seconding. The nomination unanimously passed. Eric Rusby nominated attorney Thomas Scifres to act as Secretary. Adam DuFour seconded that nomination. Jim Day made a motion that the nominations close, with Eric Rusby seconding. The nomination unanimously passed.

The next order of business was to review and sign the minutes from the November 29, 2010 Plan Commission meeting, as well as the minutes from the Public Hearing that was held by the Plan Commission that same date. The minutes were read aloud by Thomas Scifres. Jeff Souder made a motion to approve the minutes with Adam DuFour seconding that motion. The motion passed unanimously and the minutes were circulated for signature.

Next was a discussion regarding Roger Lloyd and his request to the Plan Commission to vacate the plat associated with a piece of his property. A public hearing had been planned to respond to the request made by Mr. Lloyd at the previous meeting at the suggestion of Terry McNeely, who had been at attendance at that meeting. Thomas Scifres explained that I.C. § 36-7-3-10 stated that no hearing or action was required by the Plan Commission to "unplat" a piece of property. It is simply a matter of making a proper recording. Attorney Scifres explained that he had met with Mr. and Mrs. Lloyd and advised them to retain separate counsel to assist them in following the correct statutory procedure.

The public hearing was adjourned, and Adam DuFour made the motion to reconvene the Plan Commission meeting. Eric Rusby seconded the motion.

The Plan Commission then went on to discuss the meeting schedule for 2011. It was discussed that the meetings take place on the first Monday of each month and they would begin at 6:30 p.m. Scott Maudlin brought up that during warmer weather they should start at 7:00 p.m. Upon further discussion among the Commission members, it was agreed that starting in April 2011, meeting times would start at 7:00 p.m. rather than 6:30 p.m. This would continue through October. Starting in November 2011, the meeting time would revert back to 6:30 p.m. Jeff Souder pointed out that the way the Fourth of July and Labor Day fell this year that conflict with meeting the first Monday of July and September. He suggested that those meetings be held July 11, 2011 and September 12, 2011. The proposed schedule was adopted by unanimous consent.

The next item discussed was training for the Plan Commission with K.K. Gerhart-Fritz. David Hoar stated that on two (2) occasions he had attended workshops through Farm Bureau headed by K.K. Gerhart-Fritz. David had approached the Board of Commissioners about funding and they asked for a statement to encumber funds. There are several dates suggested for all day training sessions and they would also be open to the public. A general discussion about merits and need ensued. Adam DuFour inquired about other providers of training services. Brad Shelton stated that Purdue has used K.K. Gerhart-Fritz before. Rhonda Greene from the public stated she felt $2,500.00 was an appropriate amount for this service, especially if it was all day and open to the public. Rhonda Greene further offered to record the session and David Hoar confirmed that K.K. Gerhart-Fritz was okay with that. The discussion then moved onto the location and date for this training session to be held. The government building and Salem High School were mentioned as possibilities and everyone seemed to be available on January 29, 2011. John Mishler made a motion that a training workshop be held on January 29, 2011 from 10:00 a.m. to 4:00 p.m. in the Salem High School Presentation Room. Adam DuFour seconded that motion. The motion unanimously passed. Jeff Souder made a motion, with Adam DuFour seconding, to amend the prior motion and establish the Government Building as an alternate location. That motion also passed unanimously. Adam DuFour said he would contact the school and verify the availability of the room.

John Mishler brought up the Board of Commissioners receiving notifications regarding confined feeding operations. David Hoar stated IDEM permits require two (2) notifications to be distributed, one to the Commissioners and one to the Health Department with a thirty (30) day timeframe. As a County Commissioner, John Mishler agreed to forward future application information to the Plan Commission.

Washington County's existing ordinances that would now fall under the jurisdiction of the Plan Commission were then discussed. The ordinances that were discussed dealt with subdivisions, ingress and egress, and confined feeding operations. The Commission would like to discuss who enforces these ordinances with K.K Gerhart-Fritz. Thomas Scifres asked if the members have seen the City of Salem subdivision ordinance. David Hoar suggested that the members take a look at and asked that Mr. Scifres e-mail the members a copy of it to review.

At this time, John Mishler presented a video of Bruce Cunningham, of Harrison County, Indiana, at East Washington School discussing the need for the community to know what growth was occurring in their county. "Strip Development" was discussed in the video and the fact that it is hard to recover your natural resources on land that has been divided into narrow strips and built on in this manner. Harrison County, Indiana felt it was beneficial to build consensus and educate the public of the ever-changing adjustments to Planning and Zoning over the years.

The meeting was opened to the public, the following persons spoke:

Ron King: Presented a video regarding Mary Alice Davis, of Falmouth, Maine, who had 180 acre "back yard." After her husband passed, she was told she should give the land over as green space to the town. She was not allowed to develop that land. Her home, which reportedly was valued at a million dollars, also sat on the property. Mr. King expressed concern that planning and zoning was the unconstitutional taking of land of private property owners. He stated that he would like the members to go on record to uphold an oath not to interfere with constitutional rights to life liberty and property. He also asked the members to look into what's going on in America. Mr. King's time allotted ended without further action.

Max Greene: He asked for clarifications regarding positions. Further he raised the issue of David Hoar being an elected official. As such, he should not be sitting as a member. Attorney Scifres pointed out that when the meeting was scheduled back in November 2010, it had not occurred to the Commission that this might occur. As the first Monday of the month, the County Council would normally have met and made their appointments that morning, and given that Jim Day, the Council's previous appointment from its membership had not sought re-election, it was presumed that David Hoar would be appointed by the Council in that position. However, given that the New Year's holiday fell on the weekend, the Council postponed its meeting until Tuesday, the following

morning. Attorney Scifres agreed that technically, Mr. Greene was correct. At that time, John Mishler made the motion to re-elect officers at the next Plan Commission meeting. The members unanimously agreed.

Loddie Alspach: Spoke about the chicken house issues that recently came up regarding Don Rogers and several of his neighbors. He stated that the timing was a joke, and felt it is awful convenient that this all came up at this time. Those issues were discussed along with the several items of misinformation on the notices and return address given out by IDEM. With nothing further at this time, John Mishler made a motion to adjourn the meeting with Eric Rusby seconding. With a unanimous vote the meeting was adjourned.

David Hoar

Eric Rusby

Shenan Campbell

Scott Maudlin

John Mishler

Adam DuFour

Jim Day

Jeff Souder

Brad Shelton

COMMISSION ATTORNEY

Thomas E. Scifres