MINUTES OF MEETING OF
WASHINGTON COUNTY PLAN COMMISSION
BOARD OF ZONING AND APPEALS
Held July 6, 2015 at 7:00 p.m.
Washington County Government Building

The meeting of the Washington County Plan Commission was called to order at 7:00 p.m. by President, David Hoar. Danielle Walker led the Pledge of Allegiance and Jerry McClellan offered prayer. Plan Commission members in attendance were David Hoar, Jerry McClellan, Danielle Walker, Jeff Souder, Mark Hartman, and Phil Marshall. Scott Maudlin, Adam Dufour, and Ervin Day were absent. Also present were the Board's attorney Mark Clark and Plan Director Travis Elliott.

Minutes of the June 1, 2015 meeting were read. Upon motion by Jerry McClellan, second by Mark Hartman, the Board unanimously approved the June 1, 2015 minutes.

At 7:35 p.m., Danielle Walker called the Board of Zoning and Appeals meeting to order. Present were Danielle Walker, Max Greene, John Mishler, and Darrell Tye. Absent was Adam Dufour.

The first issue on the Agenda was to give guidance to Plan Director Travis Elliott regarding an inquiry he had received concerning the expansion of a manure/compost building. Travis informed the Board that he had been contacted by a property owner who currently has a confined feeding operation on his property and inquired as to what permits were required regarding the expansion of a manure/compost building. Counsel Clark informed the Plan Commission that the Indiana Department of Environmental Management would consider the expansion of the manure/compose building as an expansion of the confined feeding operation and, in his opinion, the landowner would have to obtain an expansion permit from IDEM. There was further questions and discussion by the Board with Travis regarding expansion of the manure/compost building. After further discussion, it was determined that Travis was to inform the landowner that he would need to obtain an expansion permit from IDEM and, at the same time, proceed with obtaining a permit from the Washington County Plan Commission for expansion of the manure/compost building.

The next order of business was discussion regarding the Washington County Plan Commission rules as submitted by K.K. Gerhart-Fritz. Also, Counsel Clark led discussion regarding the June 6, 2015 draft of the rules with proposed changes to various sections of the rules. During discussion, there was also discussion regarding the Board of Zoning and Appeals rules, also received from K.K. Gerhart-Fritz. Some members of the BZA had not received the proposed rules; Danielle Walker made copies of the proposed rules for all members of the BZA. The BZA members determined that it would be best for them to review the rules and to also allow counsel to review the rules to determine the difference between the BZA rules and any changes which would need to be made in the rules and the rules for the Plan Commission. Discussion of the rules for the BZA will take place at the next regularly scheduled meeting. At approximately 8:30 p.m., David Hoar asked to suspend discussion regarding the rules.

Christine Harper came before the Plan Commission regarding a dispute with her neighbors and interpretation of certain easements and covenants regarding the real estate where she resides, along with what rights she has regarding ownership of the real estate. Counsel Clark informed Ms. Harper that she was asking for legal advice regarding several issues and that the Plan Commission was not an appropriate body to give her legal advice. Jeff Souder also informed Ms. Harper that it would be improper for members of the Plan Commission to give her answers to the questions she was asking regarding use of easements, covenants, and other issues raised.

After discussions with Ms. Harper, there was a return to the discussion regarding Plan Commission rules. Changes in the rules were made and agreed upon by the Plan Commission. The wording in Rule 3.07.4 regarding "if the Plan Director determines that the applications meets all requirements for submission, a date shall be set for its public hearing" led to a lengthy discussion as to when a public hearing should be held and what discretion the Plan Director would have in granting permits and when a remonstrance to a permit would occur that would necessitate a public hearing. After much discussion regarding this matter, it was determined that the rule would be referred back to K.K. Gerhart-Fritz for recommendations as to when a public hearing would or would not be necessary subsequent to the issuance of a permit by the Plan Director.

At the conclusion of said discussion, at 9:05 p.m., upon motion by Jeff Souder, second by Jerry McClellan, the Plan Commission unanimously agreed to adjourn its meeting. Upon motion by Max Greene, second by Darrell Tye, the Board of Zoning and Appeals unanimously agreed to adjourn its meeting.

Washington County Plan Commission by:

David Hoar, President

Jerry McClellan, Vice President

Danielle Walker

Adam Dufour

Phillip Marshall

Jeff Souder

Mark Hartman

Ervin Day

Scott Maudlin

Board of Zoning and Appeals by:

Danielle Walker	Adam Dufour
Max Greene	Darrell Tye
John Mishler	

Commission/BZA Attorney:

Mark D. Clark