

POSEY COUNTY COMMISSIONERS TUESDAY, FEBRUARY 18, 2020.

The Board of Commissioners met in a regularly scheduled meeting at the Hovey House, 330 Walnut Street, in Mt. Vernon on Tuesday, February 18, 2020. Commissioners Carl Schmitz, Jay Price and Randy Thornburg; Auditor Maegen Greenwell and County Attorney Joe Harrison were in attendance.

C. Schmitz opened the meeting with the Pledge of Allegiance. Pastor Jamie Kent, with Trinity Church lead the Commissioners in prayer.

MINUTES

R. Thornburg made a motion to approve the minutes from February 4, 2020; J. Price seconded. The motion carried with a vote of 3-0.

CLAIMS

J. Price made a motion to approve the claims; R. Thornburg seconded. The motion carried with a vote of 3-0.

TREASURER'S REPORT

R. Thornburg made a motion to approve the January Treasurer's report; J. Price seconded. The motion carried with a vote of 3-0.

BRIDGE 59 BIDS

C. Schmitz stated the Commissioners received the following three bids for Bridge 59 over Black River:

Blankenburger Brothers \$269,875.00

Ragle \$478,433.00

Russel Excavating \$246,201.26

Steve Schenk, Highway Superintendent, stated the low bid was under the estimated price they were given. Mr. Schenk stated he recommends the low bid of Russel Excavating.

R. Thornburg made a motion to award this bid to Russel Excavating; J. Price seconded. The motion carried with a vote of 3-0.

LOCAL ELECTED OFFICIALS AGREEMENT

Sara Worstell, Executive Director of Grow Southwest Indiana Workforce, addressed the Commissioners regarding the Local Elected Officials Agreement. Mrs. Worstell stated the appointed individual would work with eight other local elected officials from our area. Mrs. Worstell stated Randy Thornburg is the Commissioners appointee and they will just be signing the two-year agreement for this today.

J. Price made a motion to appoint Randy Thornburg; C. Schmitz seconded. The motion carried with a vote of 3-0.

AMERICAN STRUCTURE POINT CONTRACT

Greg Konieczny, with American StructurePoint, provided the Commissioners with an amendment to a contract that was signed several years ago for the design of the Western Bypass. Mr. Konieczny stated this amendment is for phase one of the bypass which will be from Base Road to Highway 69. Mr. Konieczny stated this is for the design and right of way services. Mr. Konieczny stated this will serve as a notice to proceed on phase one.

C. Schmitz stated this was heard by the Redevelopment Committee at their last meeting. Joe Harrison, County Attorney, stated the Redevelopment Commission recommended approval of this amendment to the original agreement. Mr. Harrison stated the agreement states the amount not to exceed for American Structurepoint's portion of the project is \$664,907.00.

R. Thornburg made a motion to approve this amendment; J. Price seconded. The motion carried with a vote of 3-0.

AREA PLAN REZONE REQUEST 1

Mindy Bourne, with Area Plan, informed the Commissioners this request is to rezone 11420 Diamond Island Road from Agricultural to Commercial High Intensity. Mrs. Bourne stated

owner is Dustin Mitchell of Mitchell Trucking and Excavating LLC. Mrs. Bourne stated this request is to rezone a portion of the property to use for the trucking business. Mrs. Bourne stated this request passed the Area Plan Commission with a 7-0 vote.

Maria Buckley, Mr. Mitchell's Attorney, addressed the Commissioners regarding the request. Mrs. Buckley stated Mr. Mitchell is hoping to bring his property into compliance with this request. Mrs. Buckley stated the use and development agreement with this rezoning is very restrictive. Mrs. Buckley stated if Mr. Mitchell decides to close this business, with this agreement, he can not open another business in this area. Mrs. Buckley stated the land has been surveyed due to an encroachment issue that has since been resolved. Mrs. Buckley provided the Commissioners with a map of the adjoining landowners stating if they were in favor of the project. Mrs. Buckley stated many were in favor of the rezoning, two unknown and one no.

C. Schmitz opened the meeting for public commenting.

Kim Maines, Terry Lane, asked if Mr. Mitchell's neighbors were informed about this meeting. Mrs. Buckley stated yes, all neighbors were informed via required mailings.

C. Schmitz closed the meeting for public commenting.

Mr. Schmitz stated he received one phone call opposing this request due to truck traffic and speed.

J. Price made a motion to approve this request; R. Thornburg seconded. The motion carried with a vote of 3-0.

AREA PLAN REZONE REQUEST 2

Mindy Bourne, with Area Plan, informed the Commissioners this request is to rezone 2800 Luigs Road from Agriculture to Residential. Mrs. Bourne stated owner Gregory and Sharon Tieken is requesting to rezone these five acres to enable them split this acreage into two lots. Mrs. Bourne stated this was heard at the Area Plan Commission with no remonstrators. Mrs. Bourne stated this request was approved with a vote of 7-0.

Greg Tieken spoke to the Commissioners regarding this request. Mr. Tieken stated this land was bought at an auction with plans to divide into lots.

C. Schmitz opened the meeting for public commenting.

Schmitz closed the meeting for public commenting.

R. Thornburg made a motion to approve this request; J. Price seconded. The motion carried with a vote of 3-0.

AREA PLAN REZONE REQUEST 3

Mindy Bourne, with Area Plan, informed the Commissioners this request is to rezone 1101 Holler Road from Light Manufacturing to Medium Manufacturing. Mrs. Bourne stated owner Matheson Tri-Gas is requesting to bring this property into compliance as it is currently grandfathered in. Mrs. Bourne stated this request was heard at the Area Plan Commission with no remonstrators.

C. Schmitz opened the meeting for public commenting.

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J. Price made a motion to approve this request; C. Schmitz seconded. The motion carried with a vote of 3-0.

AREA PLAN REZONE REQUEST 4

Mindy Bourne, with Area Plan, informed the Commissioner this request is to rezone 511 Schroeder lane from Agriculture to Commercial High Intensity. Mrs. Bourne stated owner Jeffrey Flowers is requesting to rezone 2.54 acres. Mrs. Bourne stated this was heard at the Area Plan Commission and there were remonstrators at that meeting. Mrs. Bourne stated the motion carried with a vote of 5-2.

C. Schmitz asked Mrs. Bourne the dates this request for the Area Plan Commission were advertised. Mrs. Bourne stated this was advertised in the Posey County News on January 14, 2020, along with certified mailings to adjoining property owners. Mrs. Bourne stated there also must be a poster posted at the property before the meeting. Mrs. Bourne stated the Area Plan Commission has someone who checks that the posters are posted prior to the meeting.

Jeffrey Flowers, owner at 511 Schroeder Lane informed the Commissioner he was approached to sell 2.54 acres for Commercial Development. Mr. Flowers stated he has taken the property steps to have this area rezoned.

C. Schmitz opened the meeting for public commenting.

Scott O'Bryan, at 1150 Roedle Lane spoke in opposition of this request. Mr. O'Bryan informed the Commissioners his concerns were as follows:

Paving farm land will cause more flooding issues.
Intersection is already dangerous.
Proper notice was not given for the Commissioners meeting.
Spot Zoning is not right.
Increased traffic on a dead end road.

Ron Perkins, Roedle Drive, spoke in opposition of this request. Mr. Perkins informed the Commissioners his concerns were as follows:

Entrance to Schroeder lane is too narrow.
Traffic will back up into the highway.
Increased traffic on a dead end road.

Mellissa Hill, 821 Schroeder Lane, spoke in opposition of this request. Mrs. Hill informed the Commissioners her concerns were as follows:

Traffic concerns.
Highway changes from 4 lanes to 2 lanes in this area.
Traffic on a dead end road.

Greg Hill, 821 Schroeder Lane, spoke in opposition of this request. Mr. Hill informed the Commissioners he opposes this request.

Ron, Roedle Drive, spoke in opposition of this request. Ron informed the Commissioners his concerns were as follows:

Highway changing from 4 lanes to 2 lanes in this area.
embankment at this intersection.

Janet, 11702 Highway 66, spoke in opposition of this request. Janet informed the Commissioner her concerns were as follows:

Traffic issues.
Highway changing from 4 lanes to 2 lanes in this area.
Bus traffic.
Lighting concerns.
Poor advertisement of meeting.

Jason Hayes, Terry Lane, spoke in opposition of this request. Mr. Hayes informed the Commissioners his concerns were as follows:

Concerns over traffic.
Concerns over Dollar General intent.
Increased criminal activity.

Charles Edwards, Terry Lane, spoke in opposition of this request. Mr. Edwards informed the Commissioners his concerns were as follows:

Traffic accidents
Intersection issues.
Inclines in existing roadway.
Do not need store.
Against agriculture zoning changing to commercial zoning.

Kim Maines, Terry Lane, spoke in opposition of this request. Mrs. Maines informed the Commissioners her concerns were as follows:

Increased traffic to dead end road.
Water issues.
Culvert not rated for this type of traffic.
Lighting.

Jeff Stolz, 11700 Terry Lane, spoke in opposition of this request. Mr. Stolz informed the Commissioner his concerns were as follows:

Highway issues.
Kids play in the dead end road.

Paul Seibert, Highway 66, spoke in opposition of this request. Mr. Seibert informed the Commissioners his concerns were as follows:

96% of residents against this proposal.

390 signatures on online petition.

High intensity commercial areas should be kept together.

Added traffic.

Joann Seibert, Highway 66, spoke in opposition of this request. Mrs. Seibert informed the Commissioners how the petitions were gathered and signed. Mrs. Seibert stated the signatures that she gathered were all Posey County residents, within the area being discussed. Schmitz stated the online petition he was provided with, had several names of people of who did not reside in Posey County.

Kim Maines, stated she created the online petition at Change.org, as a way to get the information out quickly. Mrs. Maines stated yes, there are some names of people who do not live in this area.

C. Schmitz closed the public portion of the meeting.

C. Schmitz stated the Highway department measured the entrance of Schroeder Lane and it is 21 feet. Mr. Schmitz stated this is wider than most County roads.

R. Thornburg stated this is controversial subject and the sewer district is working on drainage issues and improvements should be seen in the next few years.

J. Price stated he agrees on the safety concerns but the County also needs to see growth. Mr. Price stated he travels this highway frequently and would agree there is perhaps a better location.

J. Price made a motion to approve this request; R. Thornburg seconded. The motion did not carry with a vote of 0-3.

DEPARTMENT UPDATES

Steve Schenk, Posey County Highway Superintendent, informed the Commissioners he was approached by Whispering Internet seeking information to place a 90-foot pole in the County. Mr. Schenk stated he informed the Company they would have to speak with the Commissioners regarding this issue.

Jeremy Fortune, Chief Sheriff Deputy, informed the Commissioners the jail is currently housing the following inmates:

52 Vanderburg County

11 DOC

64 Posey County

127 Total

Randy Thornburg gave the following unemployment report:

3.5 % U.S

3.2 % Indiana

3.3 % Pike County

3.2 % Perry County, Spencer County,

2.8% Knox County

2.7 % Vanderburgh County and Warrick County


2.4% Gibson County

2.0 %Dubois County


2.5 % Posey County

Earl Schroeder, Posey County resident, expressed his gratitude to the Commissioners for a job well done.

No further business was discussed and the meeting was adjourned.



Carl Schmitz



Jay Price



Randy Thornburg

Margen L. Luernell