

**POSEY COUNTY COMMISSIONERS WEDNESDAY, OCTOBER 16<sup>TH</sup>, 2019**

The Posey County Commissioners met in regular session at the Hovey House on Wednesday, October 16<sup>th</sup>, 2019. The following members were present at said meeting: Carl Schmitz; Jay Price; Randy Thornburg; Commissioners Attorney Joe Harrison; and Auditor Maegen Greenwell.

C. Schmitz called the Posey County Commissioners meeting to order at 9:00am with the Pledge of Allegiance.

Pastor Wayne Nall, from Fair Haven Christ Fellowship, shared a prayer with the Commissioners.

**MINUTES**

J. Price made a motion to approve the October 1<sup>st</sup>, 2019 Commissioners minutes; R. Thornburg seconded. The motion carried with a vote of 3-0.

**CLAIMS**

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

**TREASURER REPORT**

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

**CLERK'S REPORT**

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

**AREA PLAN REZONING REQUESTS**

Mindy Bourne, Area Plan Director, informed the Commissioners they will hear three different rezoning request.

Rezoning Request 1:

Owner: Linda N. Hartman Conville Etal.

Premises: 4875 Hartman Road, Mt. Vernon, Indiana 47620

Mrs. Bourne stated the applicant is proposing to rezone this property from agriculture to residential single-family zoning. Mrs. Bourne stated this property is a farm and the applicant is seeking to divide the home that sits on the land from the other acreage. Mrs. Bourne stated they are seeking to divide this land into two lots. Mrs. Bourne stated in order to do this, the owner must create a minor subdivision, but in order to do that, the land must be zoned residential.

Mrs. Bourne stated the Area Plan Commission heard this request at their last meeting and approved with a 7-0 vote. Mrs. Bourne stated there were no remonstrators.

R. Thornburg made a motion to approve this request; J. Price seconded.

C. Schmitz opened the public portion of the meeting for anyone wishing to speak for or against this request.

Landowner, Linda Hartman Conville, spoke to the Commissioners regarding the intention of the landowners.

C. Schmitz closed the public portion of the meeting.

The motion carried with a vote of 3-0.

Rezoning Request 2:

Owner; Judith Grebe

Premises: 10705 Old Highway 62 East, Mt. Vernon Indiana 47620

Mrs. Bourne stated the applicant is proposing to rezone this property from agriculture to residential multiple family zoning. Mrs. Bourne stated currently this property has a house and two bungalows behind the house. Mrs. Bourne stated these homes are currently grandfathered into the current ordinance that states only one residential structure per parcel, but the owner is seeking to sell the property and the buyer is having issues securing funding due to the fact there are three residents on one parcel and it is currently zoned agriculture.

Mrs. Bourne stated the Area Plan Commission heard this request at their last meeting and approved with a 7-0 vote. Mrs. Bourne stated there were no remonstrators.

J. Price made a motion to approve this request; R. Thornburg seconded.

C. Schmitz opened the public portion of the meeting for anyone wishing to speak for or against this request.

Seeing no one wishing to speak for or against this request, C. Schmitz closed the public portion of the meeting.

The motion carried with a vote of 3-0.

### Rezoning Request 3:

Owner: U & W Enterprises, LP

Premises: The corner of State Road 66 and Rexing Road, Wadesville, Indiana.

Mrs. Bourne stated the applicant is proposing to rezone this property from agriculture to commercial general zoning. Mrs. Bourne this applicant is proposing to build a Dollar General at this location. Mrs. Bourne stated the Commissioners heard this request several years ago and denied the request. Mrs. Bourne stated they are bringing this back to the Commission due to the fact that the State has made several modifications to this intersection.

Mrs. Bourne stated the Area Plan Commission heard this request at their last meeting and denied the request with a 0-7 vote. Mrs. Bourne stated there were several remonstrators at the meeting to speak against this project.

Mrs. Bourne stated the Commission had several concerns with the safety of this intersection.

R. Thornburg asked if the ingress and regress would be onto Rexing Road. Mrs. Bourne stated yes. R. Thornburg asked if the flashing light that is currently at the intersection would remain once construction is complete. Mrs. Bourne stated she has a letter from INDOT stating that flashing light will not remain once construction is complete. R. Thornburg stated he would not see an issue with this if there would be a light left at that intersection.

C. Schmitz stated he has spoken with a representative from INDOT who stated they would have to conduct a study and it would be at least two years before light would be installed if warranted.

Council member, Aaron Wilson, informed the Commissioners he has spoken with the developer and put them in contact with several other landowners for a potential different location, other than this intersection.

C. Schmitz made a motion to approve this rezoning request; R. Thornburg seconded.

C. Schmitz opened the public portion of the meeting for anyone wishing to speak for or against this request.

Steve Owens, Posey County Resident, spoke to the Commissioners in disfavor of this project. Mrs. Owens stated he was a remonstrator at the original hearing two years ago, and feels that this intersection is no less dangerous now than it was two years. Mr. Owens stated in fact, it is probably more dangerous. Mr. Owens stated he would like the Commissioners to know he is in favor of Dollar General just not in that location. Mr. Owens asked the Commissioners to deny this request.

The motion did not carry with a vote of 0-3.

### WIND/SOLAR ORDINANCE

C. Schmitz stated the proposed wind and solar ordinance is available to view on the Posey County website. Mr. Schmitz stated this would be published along with a meeting notice in each newspaper. Mr. Schmitz stated the public meeting will be held on November 20<sup>th</sup>, 2019 from 6pm to 9pm at the Community Center on Harmony Township Road.

Mrs. Bourne stated anyone wishing to speak should begin signing in at 5:30pm.

### HIGHWAY EQUIPMENT PURCHASE

Steve Schenk, Highway Superintendent, is requesting permission from the Commissioners to purchase a grader that the department is currently renting.

Mr. Schenk stated the department is financing through CAT Financing and placing a \$60,000.00 down payment and financing \$120,509.38. Mr. Schenk stated they will make two payments of \$62,747.04 in 2020 and 2021. Mr. Schmitz stated they are financing at a fixed rate of 2.7%.

Mr. Schenk stated he has the down payment funds currently in his budget.

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

### DEPARTMENT UPDATES

Mr. Schenk informed the Commissioner it is time to advertise for yearly bids. Mr. Schenk stated the bids will be due to the Auditors office by closing on November 18<sup>th</sup> or by 9am on November 19<sup>th</sup> at the meeting.

Mr. Schenk stated the department is still working on paving the last few roads for this year.

C. Schmitz stated the Commissioners received a resignation letter from EMS Director, Charles Thompson. Mr. Schmitz stated Mr. Thompsons last day will be October 28<sup>th</sup>, 2019.

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

J. Price made a motion to appoint Christopher Neaveill as interim EMS Director; R. Thornburg seconded. The motion carried with a vote of 3-0.

Carrie Thompson, with Posey County EMS, is requesting the Commissioners sign a contract with their vendor, Malcon. Mrs. Thompson stated Malcon is responsible for all of the Medicaid ambulance cost reporting for Medicaid reimbursement. Mrs. Thompson stated this is a three year contract, and nothing has changed from the last contract the Commissioners signed. Mr. Harrison asked if the department has a current contract with Malcon. Mrs. Thompson stated yes. Mrs. Thompson stated the cost to the County for this service is \$9,500.00 per year.

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

Mr. Schmitz stated the EMS Department is seeking to declare the old ambulance as surplus. Mr. Schmitz stated this is a 2002 Ford with 83,000 miles on it.

R. Thornburg made a motion to declare the 2002 Ford Ambulance as surplus; J. Price seconded. The motion carried with a vote of 3-0.

J. Price made a motion gift the surplus ambulance to the City of Mt. Vernon who will use it for their training unit; R. Thornburg seconded. The motion carried with a vote of 3-0.

R. Thornburg reported the following unemployment rates:

United States: 3.7%

Indiana: 3.3%

Gibson: 2.4%

Dubois: 2.4%

Davis: 2.5%

Posey County: 2.7%

Martin: 2.7%

Spencer: 2.7%

Warrick: 2.8%

Vanderburgh: 3.0%

Perry County: 3.0%

Pike: 3.1%

Knox: 3.3%


Posey Count Resident, Earl Schroeder, wanted to let the Commissioners know that Steve Schenk is doing a great job on the roads.

Mr. Schroeder also commended Mindy Bourne for her hard work.

Joe Harrison stated is seeking permission from the Commissioners to allow him to pursue litigation, if needed, regarding the security glass issues that the jail is experiencing.

R. Thornburg made a motion to purse litigation if needed; J. Price seconded. The motion carried with a vote of 3-0.

No further business was discussed and the meeting adjourned.



Carl A. Schmitz



Jay Price



Randy Thornburg

ATTEST:

