

## MINUTES

### POSEY COUNTY AREA PLAN COMMISSION REGULAR MEETING

THE HOVEY HOUSE  
330 WALNUT STREET  
MT. VERNON, INDIANA 47620

NOVEMBER 18, 2021  
6:00 P.M.

**MEMBERS PRESENT:** Mr. Mark Seib – President, Mr. Hans Schmitz – Vice President, Dr. Keith Spurgeon, Mr. Kevin Brown, Mr. Randy Thornburg, Mr. Trent Van Haaften – Attorney, Mrs. Mindy Bourne – Executive Director, and Mrs. Becky Wolfe – Administrative Assistant. Mr. Dave Pearce arrived after the roll call was held.

**MEMBERS ABSENT:** Mr. Andy Hoehn, Mr. Mike Baehl and Mr. Randy Owens.

**MARK SEIB:** Conferred with Attorney Trent Van Haaften about needing any vote to be unanimous with only 5 members present. Attorney Trent Van Haaften stated they did not have to be unanimous in voting.

**APPROVAL OF LAST REGULAR MEETING MINUTES:** Mike Baehl made a motion in the affirmative to approve the minutes of the last regular meeting as emailed. Motion seconded by Kevin Brown. **Motion carried.**

**GROSS MINOR SUBDIVISION:**

DOCKET NO: 21-07-S-APC  
APPLICANT: Steve Noelle  
OWNER: Kenneth Ray & Jodi Gross  
PREMISES: Part of the Northeast Quarter of Section 15, Township 6 South, Range 14 West, lying in Black Township, Posey County, Indiana. More commonly known as 2280 Curtis Road, Mt. Vernon, Indiana. Containing 1.32 acres more or less. (Complete legal description is on file at the Posey County Area Plan Commission Office).

**APPLICANT/OWNER OF THE ABOVE DESCRIBED PROPERTY HAS REQUESTED:**

Approval of Preliminary and Final Minor Subdivision Plat in an R-1 Zoning District under The Subdivision Control Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County.

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Mark Seib confirmed with Mindy Bourne that the applicant met all the requirements for notification per the statute. Mark Seib asked if there were any conflicts of interest. Hearing none, he asked if anyone was here to speak regarding this request.

**STEVE NOELLE:** 3001 Blackburn Road, Mt. Vernon. The Grosses have a 3.765-acre parcel with two houses on it. They would like to split it into two parcels, so that each house would have its own deed in case later on they would want to transfer one of the houses. Mr. Seib clarified with Mr. Noelle that there were currently two homes on the one parcel and they are wanting to divide the parcel into two individual parcels.

**MINDY BOURNE:** This had to be rezoned first and the board has already heard and approved the rezoning.

**MARK SEIB:** Does the board have any more questions for Mr. Noelle, being none, he advised Mr. Noelle to have a seat. Discussion was open to the public with no one coming forth to speak the public portion was closed.

Mr. Seib conferred with Mrs. Bourne that there had been no letters, phone calls or emails from anyone concerning this docket. He then opened the issue up to the board for discussion.

Kevin Brown made a motion in the affirmative for preliminary approval of docket 21-07-S-APC. Randy Thornburg seconded and granted the power to Mindy Bourne to give final approval in 30 days if all requirements are met. **Roll call vote (6-0) Yes. Motion carried.**

**REPLAT OF LOTS 28, 29 AND 30 IN NORTHERN ACRES ADDITION:**

DOCKET NO: 21-08-S-APC

APPLICANT: Steve Noelle

OWNER: Jane Montgomery and Charles C. Heath Jr. & Donna G. Thompson  
Heath

PREMISES: Southeast Quarter of the Northeast Quarter of Section 18, Township 6 South, Range 14 West, lying in Robb Township, Posey County, Indiana. More commonly known as 12 East Leon Lane, 18 East Leon Lane and 244 North Cale Street, Poseyville, Indiana. Containing .97 acres more or less. (Complete legal description is on file at the Posey County Area Plan Commission Office).

**APPLICANT/OWNER OF THE ABOVE DESCRIBED PROPERTY HAS REQUESTED:**

Approval of Replat of Lots 28, 29 and 30 in Northern Acres Addition in an R-1 Zoning District under The Subdivision Control Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County.

Mark Seib confirmed with Mindy Bourne that the applicant met all the statutory requirements for notification per the statute. Mark Seib asked if there were any conflicts of interest. Hearing none, he asked if anyone was here to speak regarding this request.

**STEVE NOELLE:** 3001 Blackburn Rd., the Heaths own lot #28 are wanting to build a house, but the lot size is too small for the size of house they want. They are wanting to combine a portion of lot #29 with #28 so they would have enough room to build.

**MARK SEIB:** Does the board have any more questions for Mr. Noelle, being none, he advised Mr. Noelle to have a seat. Discussion was open to the public with no one coming forth to speak, the public portion was closed.

Mr. Seib conferred with Mrs. Bourne that there had been no letters, phone calls or emails from anyone concerning this docket. He then opened the issue up to the board for discussion.

Randy Thornburg made a motion in the affirmative to approve docket 21-08-S-APC. Hans Schmitz seconded the motion. **Roll call vote (6-0) Yes. Motion carried.**

**COMPLAINTS** 621 E. 10th Street, Mt. Vernon, IN  
315 Pearl Street, Mt. Vernon, IN  
607 E. 4<sup>th</sup> Street, Mt. Vernon, IN  
1315 Canal Street, Mt. Vernon, IN  
823 Mill Street, Mt. Vernon, IN

**MARK SEIB:** 621 E. 10<sup>th</sup> Street, Mt. Vernon, Indiana.

**ATTORNEY TRENT VAN HAAFTEN:** This is a residence owned by Kristy Hogan. This is one you have had a couple of complaints about vehicles being parked in the yard. Unfortunately, they had not appeared before the APC for any of the initial complaints. So, we filed an Ordinance Violation, then Kristy and Brian did appear in court. At that time the office had gone by the house just prior to and things had been put back in order. Nothing was parked in the yard or anything of that nature. So, we had the discussion with them about keeping that going. The main thing is they need to appear before the APC to answer any questions the board might have. We put off the ordinance violation court proceeding until December 20<sup>th</sup> and instructed them to be here at this evenings' meeting. They are here at this evenings' meeting. I will leave it to you on addressing them or giving me any guidance on what to do with the Ordinance Violation.

**MARK SEIB:** Since they are here, I would like to have them come forward and address the board as to how they are going to address this issue. Please state your name and address.

**BRIAN HOGAN:** 621 E 10<sup>th</sup> Street. I get cars, I wheel and deal, trade cars all the time. I have a lot out on Leonard Rd., and every time I park something out there, stuff gets

stolen off of it all of the time. So sometimes, I would bring it home until I had time to take it out there and take it apart. Now I take it all to Leonard Road. I also put up a privacy fence around the back to keep out of the way there and trying to get things cleaned up and put back in order.

**MARK SEIB:** You understand why there was a complaint and the process now?

**BRIAN HOGAN:** Yes, I do

**MARK SEIB:** Does the board have any questions or comments for the Hogan's?

**RANDY THORNBURG:** The privacy fence looks like it is a new fence.

**BRIAN HOGAN:** Yes, I just got it up.

**MINDY BOURNE:** I just wanted to state to the board the photos in your folder are current photos as of 11-15-2021.

**BRIAN HOGAN:** I wish I had taken pictures, but I have done work to it since then. Cleaning up stuff around the garage.

**MARK SEIB:** We greatly appreciate that, I just wish we didn't have to go to such extremes to get to have a discussion with you, but as long as you understand that we can't just park on the grass.

**BRIAN HOGAN:** Yes, I do.

**ATTORNEY TRENT VAN HAAFTEN:** My question before the Commission is do you want me to continue with the ordinance violation or dismiss?

**MARK SEIB:** It appears they are trying.

**KEVIN BROWN:** It appears they are trying to fix the problem.

**RANDY THORNBURG:** It looks like they have made a good faith effort in it and I think they probably understand it.

Keith Spurgeon made a motion in favor of dismissing the case on 621 E 10<sup>th</sup> St, Mt. Vernon, IN. Kevin Brown seconded the motion. **Roll call vote (6-0) Yes. Motion carried.**

**COMPLAINT:** 315 Pearl Street, Mt. Vernon, IN

**ATTORNEY TRENT VAN HAAFTEN:** This is the one on the fencing that was put up on the property. We have received a couple of complaint letters at different times saying it is different types of fencing in the back. Upon your instructions, I have filed the Ordinance Violation against both the tenant, Mr. Mercer and the owner of the property, Larry Horton. They were both summoned to appear in court and at that time, we had a discussion that they were in the process of making changes. The case was also put off until December 20th and Mr. Horton and Mr. Mercer were asked to appear at this evenings' meeting so you could address anything you needed to address.

**MARK SEIB:** Are the pictures in the folders current pictures of the property?

**MINDY BOURNE:** These are current as of November 15.

**MARK SEIB:** Mr. Mercer, would you please come forward and state your name and where you live. I guess we also are asking if you know what the situation is and why we had to call you in to court.

**DAN MERCER:** 315 Pearl St., this is my girlfriend Valerie, she lives there also. No, I don't understand. What is the big deal?

**MARK SEIB:** While you are standing right there, you still do not understand why you had to be brought into court?

**DAN MERCER:** No.

**MARK SEIB:** How do want to handle this? Start from the very beginning and explain that you had multiple fences and it really wasn't a permitted fence.

**DAN MERCER:** I know that was a violation but we bought and put up a new fence and you say we are still in violation?

**MARK SEIB:** You still don't have any permits?

**MINDY BOURNE:** There is no permit on file for fencing.

**ATTORNEY TRENT VAN HAAFTEN:** The main question is what they have and had they applied for a permit would what they have constitute a fence. Would it meet the zoning ordinance requirements? The first question is whether what you have would be considered a fence under the Zoning Ordinance. The second question, under the Zoning Ordinance when there is a fence to be installed, the person installing the fence is to get a permit in order to do that.

**DAN MERCER:** My bad, I didn't know nothing about a permit.

**RANDY THORNBURG:** What constitutes a fence? Does it have to be anchored?

**ATTORNEY TRENT VAN HAAFTEN:** I think that is the issue.

**RANDY THORNBURG:** What does the Ordinance say?

**MARK SEIB:** While Mindy is looking that up, the first thing we need is that you still have to get a permit. Before you ever put a fence up, you have to get a permit.

**DAN MERCER:** So, what is going to happen that I've already put the fence up?

**MARK SEIB:** That is what we are going to discuss.

**DAN MERCER:** Can I apologize and be done with it?

**MARK SEIB:** That would be a big help. You need to understand why you are in violation here.

**DAN MERCER:** I can see why I was the first time, but I don't see why I am now.

**MARK SEIB:** Because you still haven't gotten a permit.

**DAN MERCER:** So, all I need is a permit? The fence is ok though?

**MARK SEIB:** No, we are not to that point yet. We are saying that the first thing that is wrong is that you don't have a permit.

**ATTORNEY TRENT VAN HAAFTEN:** Here is how a fence is defined in the Zoning Ordinance. Fence means an upright, freestanding structure made of wood, masonry, vinyl, metal or similar material and designed to enclose, screen, or separate areas. Fences may not be made from trash, inoperable or junk vehicles, barrels, or any other material not designed to be used as fencing. That first question as to whether this is a fence, it is not real clear whether it needs to be anchored or not.

**RANDY THORNBURG:** It says freestanding. It appears to be freestanding. It looks to meet the criteria as far as I'm concerned.

**ATTORNEY TRENT VAN HAAFTEN:** So, then you move to the second question of the permitting process.

**MINDY BOURNE:** It talks about it shall be constructed with customary fencing materials which are compatible with the surrounding area, and shall be designed and arranged to provide visual separation of uses irrespective of vegetation. Examples of customarily used fencing materials are chain link fence with privacy slats, stockade type fencing material, decorative brick walls, previously used materials shall not be used except in the case of bricks, walls built with concrete or cinder block are prohibited. It

shall be constructed with all braces and supports on the interior, except when both sides are of the same design and appearance.

**MARK SEIB:** With that being said, the vinyl part of it...

**DAN MERCER:** There is no vinyl fence. That is behind it and it is just decoration laying up against it.

**RANDY THORNBURG:** So, it appears the only violation is that he hasn't gotten his permit. If he is willing to make the permit payment and make it legal, I am good with that.

**MINDY BOURNE:** Are we talking about the white fencing or are we talking about the chain link fence?

**RANDY THORNBURG:** The white is just leaning up against...

**DAN MERCER:** That is just where my garden is going to be at. It is just decoration.

**MARK SEIB:** But that is two fences. We are saying that the other parts of the fence look like they meet the requirements. We get down to the vinyl part and you have the chain link there as well. That is two fences.

**DAN MERCER:** It's not a fence. It's decoration and where my tomato plants go.

**MARK SEIB:** It appears to be a fence.

**DAN MERCER:** It is just pieces leaned up against it. None of them are connected.

**MARK SEIB:** That is a decision that will have to be made by this board whether that is another fence or not. Would you be willing to take that vinyl fence down?

**DAN MERCER:** Yes.

**MARK SEIB:** Then all you would have is the chain link fence.

**MINDY BOURNE:** Did you place the chain link fence?

**DAN MERCER:** Yes.

**MARK SEIB:** Is it a kennel for your own dog?

**DAN MERCER:** Yes.

**MARK SEIB:** Ok. Because you can't start a kennel for boarding.

**DAN MERCER:** No. We have two little dogs left.

**MARK SEIB:** I just want to make sure we are clear. The other thing is...

**DAN MERCER:** It is mainly to keep my neighbor out and away from videotaping us and stuff.

**MARK SEIB:** I am saying here is that the vinyl fence and the chain link fence are the issue. If you are willing to take down the vinyl fence and remove it from the property, I think that will make it easier for this board to make a decision.

**DAN MERCER:** Yes, we would be willing to take it down.

**MARK SEIB:** You still have to come get your permit. That needs to be done right away. We will need to let the board make their decision first.

Is there anyone else here that would like to speak about the 315 Pearl Street complaint?

**MARY SEILER:** 313 Pearl Street. I don't know what pictures you have, but I'm pretty sure the white vinyl stuff has changed position...

**MARK SEIB:** It seems to only be on one side of the one end of the fence.

**MARY SEILER:** I have a picture as of about three hours ago. Do you want to make sure... It has trash in it, it has...

**MARK SEIB:** No, because that is not permissible for us to keep unless you want us to keep your phone. We would have to have something on paper. You can state what you say you have and that's fine.

**MARY SEILER:** No. It has trash in it. The white part of it is cut into a bunch of different pieces and it is attached to the kennel fence by yellow rope woven through it. It changes position daily, sometimes weekly, sometimes hourly. Past the kennel there is a bicycle stood up to block vision, there's quilts thrown over, there's just all kinds of stuff thrown over the fence. It is ridiculous. The white plastic part is just ugly and it is garbage and it's been... The rest of this fence was at another rent house that I cleaned out and it was all thrown away. I know the original owner of this fence and how it has all come to be all over the town and... If you're interested in that at all...

**MARK SEIB:** I don't believe at this time it is of any value where the fence has come from. It is only because it is on the property.

**MARY SEILER:** I know how my neighbors are and this fence will not be gone unless you directly tell them to throw it away. It will come back.



**MARK SEIB:** Is there anyone else wishing to speak on 315 Pearl Street? Seeing and hearing none, it is now up to the committee to discuss.

**RANDY THORNBURG:** I think he agreed to take the fence down and remove it so I am good with that.

**KEVIN BROWN:** And gets the permit.

**MINDY BOURNE:** If he gets his permit for the chain link fence?

**MARK SEIB:** Yes.

**KEITH SPURGEON:** And he removes the white vinyl fence and gets a permit for the chain link fence.

**DAVE PEARCE:** He would need to remove it from the property.

**MINDY BOURNE:** And you are considering the rest of that a kennel which would not need a permit.

**KEITH SPURGEON:** We are talking about the chain link fence.

**MINDY BOURNE:** They keep calling it a kennel. There is a lot of verbiage going around and we need to know.

**MARK SEIB:** It is a fence. We all agree it is a fence. It is a fence that needs a permit. Mr. Mercer, do you have something else you want to say? (he did not come forward)

**ATTORNEY TRENT VAN HAAFTEN:** We are due back in court of December 20.

**DAVE PEARCE:** That gives us time to monitor that and make sure the removal is done.

**MARK SEIB:** If it doesn't happen in 15 days, then we keep on going with court.

Dave Pearce made a motion in the affirmative to give Mr. Mercer 15 days to remove the white vinyl fence from the property and to get his Improvement Location Permit for the chain link fence. If that is not done, we will proceed with the court action. Kevin Brown seconded the motion. **Roll call vote (6-0) Yes. Motion carried.**

**COMPLAINT:** 607 E. 4th Street, Mt. Vernon, IN

**MINDY BOURNE:** This is a new complaint. We actually received two complaints on this property. The complaint is in your folder as well as the letter that was sent. This is about a pallet business being operated out of this property and not in compliance with the

Zoning Ordinance. The photos in your packet were taken as of November 17. After we sent out the letter, on October 28 the owners did come into the office. They stated they were repairing pallets and moving everything inside. They will be storing in the old Gottman building. They will be attending the meeting on November 18.

**MARK SEIB:** Is the zoning allowing them to make pallets or repair pallets?

**MINDY BOURNE:** Zoning is CG, which is Commercial General. I have consulted with Trent about the proper zoning district they would need for that use.

**ATTORNEY TRENT VAN HAAFTEN:** The main issue is storage of the pallets outside. In Commercial General you simply cannot do that.

**MARK SEIB:** With them doing the work inside the building, does the zoning allow for them to do that?

**ATTORNEY TRENT VAN HAAFTEN:** Yes.

**MARK SEIB:** Has it been removed? Are these pictures current?

**ATTORNEY TRENT VAN HAAFTEN:** When was the office visit?

**MINDY BOURNE:** October 28. These photos are November 17.

**MARK SEIB:** So they are still there. Is the owner of the pallet company here? Would you please come forward? State your name and address for the record.

**ERIC HAZLETT:** 11625 Ramblewood Court, Evansville.

**MARK SEIB:** Can you explain to us why you haven't removed the pallets?

**ERIC HAZLETT:** If you go by there tonight, there is more than ½ gone. There is just a lot there. It is all because we moved from a previous place. We are working on it. We just got an order for, we probably can't fill it, three truck loads a week from one new buyer. So they will be disappearing. Right now we probably could fit them all inside, but we wouldn't have any room to work. If we could have a week or two weeks, they would all be in.

**KEVIN BROWN:** Once they are all stored inside, you wouldn't have to store anymore outside?

**ERIC HAZLETT:** Correct. If anyone knows of a better place, please tell us.

**MARK SEIB:** You said you are going to be moving to another location?

**ERIC HAZLETT:** We would like to. We are looking. To us, pallets are not bad looking. We realize to most people they are not the best.

**MARK SEIB:** It is that it isn't permitted in that area.

**ATTORNEY TRENT VAN HAAFTEN:** It isn't the pallets, it's the storage of those materials outside.

**MARK SEIB:** Nothing is supposed to be stored outside.

**ERIC HAZLETT:** Even if it is fenced in?

**MARK SEIB:** You would have to go through the process of getting a permit for the fence. There are certain restrictions that pertain to the fence. That is a possibility with the area that you have. I don't know if you have enough distance to put up a fence. That would have to be looked at. The way the property is currently, you are not allowed to put anything outside.

**RANDY THORNBURG:** How long do you think it would take to move the existing pallets.

**ERIC HAZLETT:** I would say we could have them inside within two weeks. We actually have a load going out Monday.

**MARK SEIB:** December 9 is our next meeting. That allows for three weeks between now and then. Is there anything else you want to add? Are there any questions from the committee?

**DAVE PEARCE:** He did say once these are gone there won't be any more outside?

**ERIC HAZLETT:** If a semi is there, we are loading and we bring a stack outside. Does that count as being outside?

**STEPHEN HAZLETT:** 11625 Ramblewood Court. I am the primary owner of the pallet recycling business. The typical loading day a semi comes in around noon to early afternoon. We put out what is to be loaded that morning. We can then load within an hour and a half. I guess what I'm asking is that alright? Or do we have to pull directly from the building and put it in the semi?

**MARK SEIB:** It appears you are saying to load you are going to set them outside. So you are storing them outside again.

**STEPHEN HAZLETT:** Just that morning. It's not overnight. It's just bringing them outside.

**MARK SEIB:** If you have the capabilities of going inside and picking them up and bringing it out and putting it on the truck, I don't think that is an issue.

**STEPHEN HAZLETT:** My question is the definition of storing.

**MARK SEIB:** Anything that is outside. Storage means minutes to hours to weeks to days to months. It is considered being stored because it is setting there and not being moved until later on when the truck arrives. Is it much of a problem for you to load from inside the store.

**STEPHEN HAZLETT:** It adds thirty minutes to an extra hour. That's the main thing. It's 26 stacks to a semi load.

**RANDY THORNBURG:** Are you loading them with a fork truck?

**STEPHEN HAZLETT:** Yes sir.

**RANDY THORNBURG:** I would say it is part of the loading process.

**ERIC HAZLETT:** They give us an estimated time of arrival, usually within a half hour or so. We would wait until we hear they are coming, we would start taking them out.

**RANDY THORNBURG:** If it is out overnight, I would consider it stored. If it is part of the process, I would say it is temporary.

**ERIC HAZLETT:** We don't even take a whole semi out. If you take a whole semi's worth out and the semi has to park, you're starting to get it kind of far away from you anyway.

**DAVE PEARCE:** You answered the question I had. I didn't know if you were going to move those and then start stacking out again.

**ERIC HAZLETT:** No. The more they are weathered, the more their value decreases. So we don't want them outside either.

**KEITH SPURGEON:** So it's basically a kind of staging area. Where does the semi-truck park when it is being loaded?

**ERIC HAZLETT:** In the old Gottman's lot.

**RANDY THORNBURG:** I don't know how the rest of the board feels, but I consider that a part of the process just as long as it is not stored outside overnight.

**MARK SEIB:** Do you have anything else you would like to add?

**ERIC HAZLETT:** We've dealt with a lot of warehouses and stuff in Evansville and that is most of the time their reasoning too. It is that nothing can stay out overnight. Like I said, we only need about a half hour or 45 minutes.

**MARK SEIB:** You may have a seat. Is there anyone here wishing to speak on the 607 E. 4<sup>th</sup> Street complaint? Hearing none, it is up to the committee to make a decision. Trent, do you have anything else that you feel we need to add?

**ATTORNEY TRENT VAN HAAFTEN:** No. This is the first time they have appeared here.

**MARK SEIB:** We have had two complaints on this property.

**ATTORNEY TRENT VAN HAAFTEN:** I would note one thing. The circumstance of this that makes it even more difficult is that this property is Commercial General but it is next to Residential.

**RANDY THORNBURG:** They promised not to store it outside overnight. I think it is a temporary thing.

**ATTORNEY TRENT VAN HAAFTEN:** I think you need to give some direction as to what is out there now.

**DAVE PEARCE:** I would say two or three weeks.

**MARK SEIB:** We have a meeting in three weeks.

Hans Schmitz made a motion in the affirmative to table this complaint until the next meeting at that point in time I think the owners should have the issues addressed. Keith Spurgeon seconded the motion. **Roll call vote (6-0) Yes. Motion carried.**

**MARK SEIB:** We have a meeting on December 9, back here. We need you to come back. Hopefully by that time the pallets are inside and if it is ok with the board, that you are pulling them outside for the duration of loading them. Of course, if we get more complaints in the meantime, we will have to address that at the next meeting on December 9.

**COMPLAINT:** 1315 Canal Street, Mt. Vernon, IN

**MINDY BOURNE:** This is a new complaint. This is about an auto repair business being operated on this property. It is not zoned Commercial. It is zoned RT Residential Townhouse. There are some photos that were taken November 15. A little bit of history with this one, several years ago there was a complaint on this property. The owner then came before the board to rezone the property and the rezoning was denied. When they

filed this complaint, they supplied some photos that were taken off of Facebook. It stated that it was Ranger Auto Repair Service.

**MARK SEIB:** The ones that complained were the ones that provided these photos and the web thing that says it is an auto repair?

**MINDY BOURNE:** Yes, they provided the photos from Facebook.

Mindy passed around the photos from Facebook.

**MARK SEIB:** Are the people from 1315 Canal Street here? Would you please come forward to the podium? State your name and address please.

**CHARLES HOFER:** 1317 N. Canal Street.

**MARK SEIB:** Can you explain to us what the situation is and explain why there are things on the web that say you are a repair center when you're not able to be a repair center at that location?

**CHARLES HOFER:** As Mindy already mentioned I was in here back in 19 and was requesting a rezoning of the property. It got denied. As far as there being a business actually run on the property, there is not. What you see is just for marketing. I have to have a spot to put it, so I put it right there. I do intend to try several more times to rezone the property. The eventual outcome is to have a full functioning business on the property. That is the whole purpose of me buying it. As of right now the Facebook page is down and there is no mention of it anywhere.

**MARK SEIB:** Ok. Are you doing any repair work there?

**CHARLES HOFER:** Not right now. All my work is mobile repair in Evansville. I haven't done anything on the property in over a year.

**MARK SEIB:** So that was in 2019 when you were denied and you said you haven't done...

**CHARLES HOFER:** I have maybe one or two in 2020. Those were done where the transaction was actually done out in the road. I actually only done the work on the property because it is the best space to do it. As far as transactions go, they are out in the street. They are not even on the property. Most of the time it is people I know down the street so I just go down there and take care of it. I have my own personal vehicles I work on over there as well. I sometimes will store them over there temporarily if I am moving stuff around. As far as an actual business goes, there's no files or nothing over there like that. What you see is an empty lot and that is basically it.

**MARK SEIB:** It appears to be in the picture that you've got some vehicles stored on the grass.

**CHARLES HOFER:** Those are my personal vehicles. They are not there now anyway.

**MARK SEIB:** So they are no longer on the grass and are on permanent surface?

**CHARLES HOFER:** Yes. The only thing left over there is my trailer. And that is on the gravel.

**MARK SEIB:** And these pictures were taken on November 15. That was three days ago. As I read some of this on the email, you have Ranger Auto Repair Service. This was posted on September 28 at 2:08 p.m. "Starting in October we are doing our winterization event starting October 4 and going until November 4. Bring your car in for a complete inspection, coolant service in time for winter for \$50. You can call or message at such and such number for details and to make an appointment today." That sounds like you're doing business.

**CHARLES HOFER:** Nope. I'm sorry, that is not right. When they call, I go to them. They don't come to me. Because I'm trying to get the rezoning done and I can't do any work legally with the zoning the way it is. I'm not about to have to go through the whole litigation process and pay a fine, possibly lose my property over something like a zoning issue.

**MARK SEIB:** Ok. That is good to hear.

**KEITH SPURGEON:** When you say you go to them, what do you mean by that?

**CHARLES HOFER:** Mobile repair. Basically what it entails they call me up and say they have an issue. So, they don't have to come to me, they give me their address and I drive to their house and go look at what they have going on. We work out a game plan and do the repair work on their property.

**KEITH SPURGEON:** Earlier you talked about that you did transactions out in the street?

**CHARLES HOFER:** Yeah, what that means basically if they bring the work to my house, for example my house is next door and I did a little bit of work on it there. Instead of them paying me up in the yard they pay me out in the road. Kind of like a transaction outside. That way you can't say he took money on the property that means he is doing business on the property. No, that is not how it works.

**MARK SEIB:** But do you do work on the property?

**CHARLES HOFER:** Sometimes, but mainly on my own stuff.

**MARK SEIB:** No, you were talking about this lady who came and you did work and repaired her car but you got paid on the street. Did you do the work on the property?

**CHARLES HOFER:** On what little that had to be done, yeah.

**MARK SEIB:** Ok

**RANDY THORNBURG:** Mindy, what was the reason for denial on the rezoning, because it was residential?

**MINDY BOURNE:** Everything around it is residential

**MARK SEIB:** Yes, everything around the property is residential and there was a crowd of people here who didn't want it changed. They didn't want to see it go commercial.

**RANDY THORNBURG:** So really not a chance that it is going to be rezoned.

**MARK SEIB:** Times change, people change, but it is all residential and nothing has changed in the area. I remember this case very well when it was here. Kevin (Brown) does too. The people wanted it residential and they wanted to keep it residential. Now whether that is still true for today or not, I don't know. That is for them to decide if they want to do this or not. The thing is, you can't do the work for hire on the property. Doesn't matter if you get paid in the street, down at the grocery store or whatever. That is residential. If you want to work on your own cars, that is fine. You can't do any commercial work, you can't do any labor on someone else's property, their car or their truck or their whatever they bring you.

**KEITH SPURGEON:** You mention you are no longer parking in the grass and you mentioned that is not occurring because one of your vehicles is parked in the parking lot. So, when you go home tonight, where are you going to park?

**CHARLES HOFER:** That gets parked over on my property, over on the house lot or I can also park it on the driveway at 1315 or some where it can be moved.

**MARK SEIB:** So, it will be on a driveway. We don't care about if it can be moved, it needs to be parked on a concrete, asphalt or something similar. You can park on the street, you just can't park in the yard.

**CHARLES HOFER:** Right.

**RANDY THORNBURG:** So, you live on the adjoining property or lot?

**CHARLES HOFER:** Yes, my wife and I own like half the block.



**MARK SEIB:** Anyone here wishing to speak about 1315 Canal Street please come forward. Seeing and hearing none, it is up to the committee to discuss. This is not the first time this has been brought to our attention. I am worried about repeating it and having more trouble with it. But at the same time if there is some kind of an understanding, I don't know. It is up to the committee to discuss and take action.

**DAVE PEARCE:** It certainly appears there is ongoing repairs going on there. The one you read there was September the 28<sup>th</sup> and on August the 11<sup>th</sup>. "We are back to work today, and also today starts our labor only event. We will install anything you have except engines and transmissions for the cost of labor. If you have the parts we install them for just the labor. This can also be done on mobile repair". This would indicate that it is and/or.

**KEITH SPURGEON:** If they hadn't shown up tonight, typically our next step would be like a cease and desist letter from the attorney would that be our typical second step.

**MARK SEIB:** If they hadn't discussed with Mindy and try to make amends or whatever you want to call it, it would have been turned over to Trent to send a letter. However, since they are here it would be up to the committee on how they feel and what they want to do.

**KEITH SPURGEON:** I think a letter from Trent would be best laying it all out in writing. It seems there is some interpretation of things like what a transaction is, so I kind of lean towards a specific letter from the attorney stating this is what we mean and cease and desist.

Keith Spurgeon made a motion in the affirmative to have the attorney send a letter stating the violation. Randy Thornburg seconded the motion. **Roll call vote (6-0) Yes. Motion carried.**

**MARK SEIB:** We instruct our legal counsel to send a letter spelling out exactly what the violation is and what cannot occur on the property for what it is zoned. If you do any more work on other persons vehicles and we get more complaints, that is when we will bring you back in and the committee will start discussion concerning fining you Mr. Hofer.

**COMPLAINT:** 823 Mill Street, Mt. Vernon, IN

**MINDY BOURNE:** This is a new complaint. You have the complaint and the letter I sent in your folder as well as photos taken as of November 15. This complaint is about not parking on a hard surface area. They were parking in the grass. The owner came into the office on November 3. He said it was temporary parking to unload. He does not park on the grass. There is gravel that goes into the garage that is existing. He was told to be in attendance on November 18 at 6:00 p.m. to address the board. The current photos don't show any vehicle.

**MARK SEIB:** Are the owners here for 823 Mill St? Can you please step to the podium and state your name and address for the record?

**ALLEN MCCONNELL:** Allen McConnell, 823 Mill St., Mt. Vernon

**MARK SEIB:** Mr. McConnell can you tell us what you have done concerning this complaint? Have you removed all of your cars off of the grass?

**ALLEN MCCONNELL:** The only thing that was parked there was my truck to unload it. It was parked sideways; the back was in the gravel and the front was in the lawn. Since that time, I have re-rocked it. We put some #3 rock down to give it a base, it wasn't ready yet but we went ahead and put #1 1 size rock down and made it a little wider.

**MARK SEIB:** When did you build this driveway?

**ALLEN MCCONNELL:** Last year. Toward the end of last year, we put the gravel down.

**MARK SEIB:** The Ordinance states that you have to have a permanent surface such as concrete or asphalt. If this was a rock driveway that was built and grandfathered in with the Ordinance, it could stay. But since you just built it last year.

**ALLEN MCCONNELL:** Part of it was coming off the alley is where I used to park; I just expanded it up to the garage.

**MARK SEIB:** So, what you just expanded last year was not grandfathered in. Do you have plans to park on that rock at any point in time.

**ALLEN MCCONNELL:** I do every day. What about Robin Hill, it's gravel?

**MARK SEIB:** More than likely it was grandfathered in before the Ordinance.

**RANDY THORNBURG:** Is the new gravel that you put down, is it a continuance to the garage door.

**ALLEN MCCONNELL:** 15' is new and the rest was the old driveway.

**RANDY THORNBURG:** It appears it was already gravel there.

**ALLEN MCCONNELL:** So, are you saying if I park 15' feet off of the door, I would be OK?

**MARK SEIB:** Yes, or park in the garage.

**ALLEN MCCONNELL:** In the spring I will cement it.

**MARK SEIB:** If you do that, it would take care of the problem. Until then I would refrain from parking on the new gravel.

**ALLEN MCCONNELL:** I can do that, but it will make me walk farther. I am old.

**MARK SEIB:** I understand that. If you have nothing else to add, would you have a seat please. Is there anyone here to speak for or against the violation on 823 Mill Street? Hearing none, we will open up to the committee for discussion.

**RANDY THORNBURG:** If I see this as a violation, I consider it to be a very minimal violation.

**KEITH SPURGEON:** I see an existing driveway which was grandfathered in and an area he added on to it without a permit.

**MARK SEIB:** To add rock does not allow to be grandfathered in.

**KEITH SPURGEON:** Does he need to get a permit? Right now, the violation is the 15' section.

**MINDY BOURNE:** In the City of Mt. Vernon, they can only construct an all-weather surface to park on. We do issue permits to make sure they adhere to those requirements.

**ATTORNEY TRENT VAN HAFFTEN:** Can't park in a yard unless on an all-weather surface. If he is parking in the garage, it is not a violation.

Hans Schmitz made a motion in the affirmative to not take any official action on complaint at 823 Mill St., Mt. Vernon, IN. Dave Pearce seconded the motion. **Roll call vote (6-0) Yes. Motion carried.**

#### **DIRECTOR'S REPORT:**

**MINDY BOURNE:** There are two properties that are in the flood plain which were issued permits several years ago. DNR periodically does a drive-by of properties and contacts my office in regards to permits within the flood plain. It has been several years since they have contacted my office. This past year they contacted my office wanting to see the permitting on these two parcels I am referring to and I am having problems with them. I sent the property owners letters, they contacted me and I discussed what I needed from them to close these two cases. The owners said they would do so. However, to this date they have not done what they said they would do. I am having great difficulty getting them to contact me. I have reached out to them with duplicate letters and by calling them. DNR has not contacted me recently about them for the status update, but I

know they will. I am looking for guidance from the board to get to the next level of action.

**MARK SEIB:** Can you give us more specifics as to the problems? Let us start with just one case.

**MINDY BOURNE:** In one case, the flood vents are not located at the proper height based on the elevation certificate. They actually had not even supplied the office the second elevation certificate which is a requirement after the build. When I told them I needed the second elevation certificate they did provide the certificate but it indicates the flood vents were not at the proper height. I talked to them about it and told them what they needed to do to correct the issue and they agreed to act to correct the issue. The Building Commissioner is aware of all of this too. They have not supplied a new elevation certificate to show they are meeting that requirement. The letters I send are by certified mail and they have to sign for them, I have the cards they signed to verify they received my letters.

**MARK SEIB:** So, we have this situation where they are not responding to Mindy. It is a DNR issue and they basically need to clean it up. We went through one of these several years ago and DNR made them take the building down. I am trying to express that this is kind of serious.

**MINDY BOURNE:** I am kind of concerned that DNR waited so long to address the issue, however that really doesn't matter. They have that authority.

**MARK SEIB:** What are the feelings of the board? Do we have Trent send them a letter to make it look a little more official?

**RANDY THORNBURG:** That is my suggestion, have Trent send a formal letter.

**DAVE PEARCE:** Maybe put a time restriction on the letter.

**MINDY BOURNE:** All of my letters have a time restriction on them. The latest one was they had until this past Monday to contact me.

A motion was made in the affirmative by Dave Pearce and seconded by Randy Thornburg to have Attorney Trent Van Haaften send a letter to the owners to contact the APC office as to their corrective measures on this matter and provide the office what is needed to complete the file for DNR before the December 9<sup>th</sup> meeting and attend the January 2022 meeting. **Roll call vote (6 - 0) Yes. Motion carried.**

**MARK SEIB:** We can also notify DNR to inform them we are working on this so they are aware of our actions.

**ATTORNEY TRENT VAN HAAFTEN:** The second property in the flood zone is a

similar issue of not meeting flood zone requirements. Do you want me to send the same letter to both property owners? Then the last motion will work for both properties.

**MARK SEIB:** Barry Tanner is the engineer we hired to help us through the proposed Solar Application. He is now offering services to go from reviewing the final plan when it is done and to do any onsite visits.

**ATTORNEY TRENT VAN HAAFTEN:** You had approved a contract with him to help on the preliminary plan this is basically continuing to assist with the Final Development Plan.

**MARK SEIB:** This will be the information we get from them with the exact locations and everything else that they are wanting to do as far as structure. We can only deal with the land issue of it as well. I thought at the beginning this also included the electrical. Barry is not specialized in electrical; he thought he found someone else to confer with on the electrical. Since that time, we have found out that we do not have the authority concerning the electrical, the Building Inspector takes care of the electrical just like he would for a home. Barry can talk to the Building Commissioner about using that same engineer for the electrical if they wanted to. But that is their issue not ours. This is Barry's contract. Estimated time and material price are \$5,500. This estimate does not include random checks during construction. If he goes out to a site, we will have to pay a rate. He will have a separate proposal if needed after this proposal passes.

**RANDY THORNBURG:** Is he assisting with the hydrological study going on?

**MARK SEIB:** He has turned that information all over to the hydrologist and Soil & Water. He is being kept apprised and working with them. He feels they have more expertise than what he does, but at the same time he feels it is a part of what he needs to understand with the structure and everything else, so he is working with them.

**RANDY THORNBURG:** So, it is progressing, I hadn't heard any updates lately.

**MARK SEIB:** After we did the Preliminary it was then decided they wanted to pursue on to the Final. With that being said, what we call the Final they are putting all of the information together. The hydrologist and Soil & Water submitted a lengthy paper of questions that they had to answer yet and provide information for them to be able to do their analysis of it. So, we are waiting for that to come in. We are waiting for a lot of other things. Barry is waiting for a few things for them to send to him as well. All of these things are what has to be done before we will call a meeting. Once the experts say that they have received all of the information they need and are able to come to a conclusion as well, then we will be able to schedule a meeting. When that is going to be is anyone's guess. If I had to speculate, I would say January or latter.

So, What I have before us is a contract with Barry Tanner to be our Engineer for the proposed final section of the application process in the amount of \$5,500.00 as an

estimate for time and materials.

**HANS SCHMITZ:** I don't have a problem an issue with approving the contract itself. I do have an issue with not seeing the contract and reading it.

**MARK SEIB:** That is most probably true. Do you want to look at it now or do you want to study it?

**HANS SCHMITZ:** If I have time to study it I will, otherwise I will abstain.

**MARK SEIB:** That being said, Barry has been a little behind on getting this to us and at the same time he has already done work on this. So, I am willing to yield the time for you to look at it.

**APPROVAL OF PAYROLL & BILLS:** A motion was made in the affirmative by Kevin Brown and seconded by Keith Spurgeon to approve payroll and bills. **Motion carried.**

**REPORT OF COLLECTIONS:** A motion was made in the affirmative by Hans Schmitz and seconded by Randy Thornburg to approve collections. **Motion carried.**

Hans Schmitz made a motion in the affirmative to approve the contract with Tanner Engineering. Dave Pearce seconded the motion. **Roll call vote (5-1) Yes. Motion carried.**

#### **CITIZENS CONCERNS:**

**MONICA KITTINGER:** 3 Old Orchard Road, Mt. Vernon. You updated a little as you were talking (about solar). I think I got updated on where the application is. I'm wondering in spirit of transparency, can we get the solar to put the preliminary application back up on there so we can see it on their website? They took that down.

**MARK SEIB:** We have now moved to a different phase. As we move on to a new phase, we take the old one out.

**MONICA KITTINGER:** I understand. But, there were some deficiencies in the first one. It would be nice if we could reflect back on that. The other thing Stacy said was the final won't show up for us to view until you, the panel, approves it. Is she wording that wrong?

**MARK SEIB:** Once the final is gathered and put into a booklet, it will be distributed to the committee. The committee will review it and then there will be a public hearing.

**MONICA KITTINGER:** So it won't be like you guys approve it and then we see it?

**MARK SEIB:** There will be a public hearing before it is approved like it has been for the other phases. We will go through the same process with the final.

**MONICA KITTINGER:** Great. I appreciate the answers. The other thing is that I don't know the process, and maybe this isn't the right place to bring this up, as far as the Ordinance is concerned, it seems like the SECS 1 phase there is no limit as far as how much acreage can go into that kind of pot. I noticed that CenterPoint is doing a lot of talking about another 400-megawatt farm. They are saying it is going to be in Southwest Indiana, but they have not claimed where it is going to be. It could very well be coming to Posey County. Is there any way we can propose adding to the Ordinance that there is a limit on the amount of acreage in the County? That wouldn't affect the current application. It would obviously have to be like 3000 or something in that general number so that we are not affecting the current application, but it would clarify the Ordinance going forward if that one did pass.

**MARK SEIB:** In order to do that, it would have to be brought before the Commissioners and the Area Plan and ask for that to be reopened. With the last change that we did, it took three months. They will probably be almost done with the application process in three months.

**MONICA KITTINGER:** I don't think that type of thing is going to touch the current application. I'm just saying if there are other applications coming forward. Mindy, have you heard from any others?

(Mindy's response was not audible.)

Ok. CenterPoint's site clearly states they are looking for another 400-megawatts and they are not saying where. They are just saying in Southwest Indiana.

**MARK SEIB:** They can't add it to this.

**MONICA KITTINGER:** CenterPoint couldn't or Tenaska couldn't?

**MARK SEIB:** No. Right now the application is for the X amount of acres with the X amount of kilowatts. They couldn't add another 400 to it.

**MONICA KITTINGER:** No, but somebody else could put in an application at another time.

**MARK SEIB:** Another company can come in and start an application.

**MONICA KITTINGER:** That's what I'm saying.

**MARK SEIB:** And it would start all over for them.

**MONICA KITTINGER:** That is what I'm wondering how we propose a limit on the amount of acreage that the County could put in to that category so we could stop that.

**MARK SEIB:** I understand what you are trying to say, limiting the amount of solar being in here. We would fall into the same category of it is the property rights issue. The owners that have land, it is their decision to decide if they want to lease for another solar company or wind farm or whether they want to lease for a warehouse. That would be a property issue. Like I said, for us to be able to take this up on the land use, it would have to be coming from the Commissioners or from the Area Plan or we do have the process with the citizen that would have to be done. Then we would go through this whole process with the Ordinance.

**MONICA KITTINGER:** So as a citizen I would go talk to Mindy and...

**MARK SEIB:** No, you would have to file. You would have to have a lawyer and file and go through the process... it is in the Ordinance, the application process to do a change in the Ordinance.

**MONICA KITTINGER:** Could one of the committee members do that? It has to be a citizen?

**MARK SEIB:** No. It can come within this board. We have to work with the Commissioners on it to make sure that is what is needed. Or, if it has to do with the City of Mt. Vernon or the Town of Poseyville or Cynthiana. That is where it will have to go to see if they are willing to work on it.

**MONICA KITTINGER:** I think it is just an important part that is missing from the current Ordinance. So, I think to try to plug that in before we start seeing other applications come in. I can talk to you later about how to make that happen. It sounds like it is having an attorney to make it happen.

**MARK SEIB:** It is a process where you have to file. We had an individual that did a citizen's change to the Ordinance.

**MONICA KITTINGER:** Brian Goebel did the one. It is kind of the same.

**MARK SEIB:** It's not an easy process and it was intentionally made to not be an easy process by the State so that it doesn't change so quickly as things come about.

**MONICA KITTINGER:** I don't think this is a good decision for the County as it stands for this to come in. But should this go through, I think we really need to make sure that it doesn't go any further.

**MARK SEIB:** We've had some discussion with some of the committee members about wattage limitations. We directed the attorneys to look to see if there is anything in



ordinances in other states that limits that kind of stuff. Terry Hall has been trying to research that. She's not coming up with much if anything.

**MONICA KITTINGER:** I know I had talked with Andy about some of that and he mentioned that as well. He was concerned about the limiting of acreage going forward. The other thing is, just so you all know, I know everybody is making decisions and things are kind of moving forward, as a realtor I'm seeing a lot of people coming to me asking me to value their homes. They are looking to move if this thing comes in. I know one of the big things with the County is that we are trying to get residence in. We are trying to keep residence here and we are trying to make the area look good. That is the way we are going to keep the schools good and keep businesses here. I feel we are forgetting that we are not only going to run some off, but we are going to keep some from coming in. I just wanted to make sure everyone is aware of that. That is what is happening right now. We are getting calls like that. They are just sitting in the wings waiting to see what will happen. They are wanting to know what the values of their homes are and how to get them ready to sell. There are some feel that if it is going to come in they are going to move. I appreciate everything you guys do. That is all that I had.

**RANDY THORNBURG:** I personally would be in favor of limiting the acreage in the industrial solar farm for sure. It goes against our master plan, our Comprehensive Plan. So, everyone knows where I stand on this now.

**MONICA KITTINGER:** I just wish I knew a little bit more on how to push that forward, because I think that is key. It is also key in retaining residents and bringing new people in if they know where we are at and at least there is limit to it.

**CAROL HORDYNSKI:** 5700 Caborn Rd. I think it is totally wrong for the County. First of all, we are agriculture. They have trespassed on me twice. What is going to be done about that and it hasn't even started. The other thing is where I live and I have brought this up before. I am going to see it. It is rolling hills, how are they going to hide that from me? Does anyone have an answer?

**MARK SEIB:** I am not trying to defend this but through the process there is what we got with plants and trees.

**CAROL HORDYNSKI:** Are they going to plant Red Woods? I live on a hill, right directly out my front door is where they want to put solar panels. No way can they hide them, why are they being allowed. We have people who are wanting to just get gravel which is a small thing, but we are allowing industrial solar on agriculture. I can't even believe it is even being considered. In this beautiful county. But what are they going to do for me to not see it?

**MARK SEIB:** Part of the Ordinance states that trees and shrub be placed in adjacent properties if there is a home directly across from it that needs to be screened to protect them from the view. We don't know what they are going to do yet, because that is a part

of the Final Plan. We really don't know what they will come up with for what you have.

**CAROL HORDYNSKI:** I don't know how they are going to hide it. And I am not the only one. People can't even put up a little fence, but these things are going to be allowed? And property values, oh' my gosh, my house is not going to be worth as much. No one will want to live there. That is all I have to say, but I just wish those that are for it would really see what is happening. I mean it is going to kill the County. It is going to be a dump, people are going to move, I just can't believe it. It really gets me upset. I just hope people make the right decisions. I am glad that some of you have. Thank You.

**MARK SEIB:** Anyone else with citizens' concerns?

**JEANETTE HEAD:** 5901 Caborn Rd. Have you guys ever thought that maybe this is too good to be true? Really, just think about it. Landowners are going to get this money, but I think they better not spend this money they maybe needing it to clean up solar dumps. In 10-15 years it is going to be bankrupt and who is going to be stuck with it? County is not going to pay for it are they?

**MARK SEIB:** There is a bond that has to be issued before they can start that allows for that clean up to take place.

**JEANETTE HEAD:** Do you think that will really happen?

**MARK SEIB:** If they don't do the bond, they can't get the permit.

**JEANETTE HEAD:** I just really think this is too good to be true. I think it is going to be a get rich quick for some of these landowners and it will not work out. I just hope you all make the right decision.

**MARK SEIB:** Anyone else? I appreciate all of you coming and hearing all of your concerns. We still have a long way to go, at this point it is within the Ordinance that we have to adhere to and that is what we are going to wait and see if they can do that.

**MONICA KITTINGER:** You mentioned the bond issue, we know that CenterPoint is purchasing this, how does that work, do they have to carry it all the way through? Will they be signing the bond?

**MARK SEIB:** It has to carry all the way through. They have to provide that same type of bond or whatever you want to call it. No lapse. It has to carry continuously. We know it is going to be sold to CenterPoint if they are allowed to build it. That has to be worked out between the solar company and CenterPoint so there is no lapse. Once that is all worked out and it will be presented at the Final and our attorneys have a chance to look at it to make sure it is all according to the Ordinance, which the Ordinance requires them to and after so many years, we review that bond issue to see if it needs to go up higher or lower. That is a part of the Ordinance that it is reviewed on a regular basis

through the life of this thing and is adjusted to whatever the going rate is to dismantle the project.

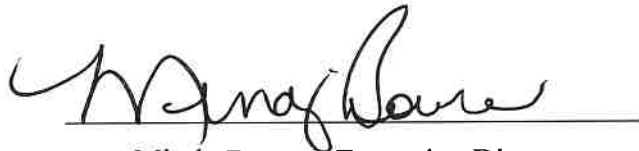
**MONICA KITTINGER**: That is good to know. Thank you.

**MARK SEIB**: Is there any comments or concerns from the committee?

Kevin Brown made a motion to adjourn the meeting at 7:52 p.m. Motion was seconded by Keith Sturgeon.

A handwritten signature in cursive script, appearing to read "Mark Seib", written over a horizontal line.

Mr. Mark Seib – President

A handwritten signature in cursive script, appearing to read "Mindy Bourne", written over a horizontal line.

Mrs. Mindy Bourne, Executive Director