

RUSH COUNTY
AREA PLANNING COMMISSION MEETING MINUTES

March 9th, 2022

6:00 P.M.

President, Marvin Rees calls the meeting to order at 6:00 P.M.

ROLL CALL: Jeff Amos, Kenny Aulbach, Denny Corn, Ron Jarman, Kelly Land, Justin Orme, Mary Richardson, and Marvin Rees. Tom Monka was not present. Also present were Attorney, Geoff Wesling and Staff secretary, Linda Ashwill.

APPROVAL OF MINUTES: February 9th, (Executive Session and Regular Session) since some Board members haven't read this was tabled until the next meeting. Mary made the comment a memorandum copy was what was put on the web site shouldn't we be approving both of them instead of just the one? Marvin said we probably should. Mary said whatever is put on the website she would like for them to see it first, which is a recap. Geoff asked the question why do we do both? Linda stated because when she has ten or fifteen pages of minutes, Gregg didn't want to put that all on the website. Ron stated they had plenty of space to just put all the minutes on the website. Mary said if you are going to put it all on there to put paragraphs in it. Linda said Gregg said it was too much, since I do a transcript. The memorandum is just the highlights as who made the motions, what happen, etc. Mary said like the town of Glenwood the memorandum is the minutes because they don't because we only put what action is taken. The State Board of Accounts has said this was ok. In this case you probably want more for the legal aspect of it or issues. Linda said that was fine with her. She just wouldn't do a memorandum.

NEW BUSINESS:

1. Discussion of zoning changes (all remaining sections) Marvin said he didn't think we needed to discuss this at this time. Geoff said he thought that was a good idea. This was tabled until the next meeting. Originally, we thought Gregg was going to be here tonight. He's still on payroll as a county employee. Monday is his last day. Ron said the 14th he believed. Marvin said there were two things he needed to talk with him about to get approved. These are in house stuff that he would have approved himself and wouldn't have to come before the Board. Marvin said he didn't feel he should have approved without him seeing. It isn't working out the way it is right now. Marvin said he wasn't going to be an Interim Director. Right? He was opened to suggestions on how to get this taken care of. Geoff said one it will be changed since Linda is here, back from vacation. She will be able to take the routine phone calls. Geoff said she was able to things like ILP's. Linda said she could and she wanted to bring this up, since she had two ILP's pending she had questions on. Geoff said Marvin's office won't be a contact point anymore. Marvin said that was correct. Marvin asked Linda to post the hours she was working. Linda said Marvin had asked her to work more hours but she can only work twenty-nine (29) legally. Linda said she had been working twenty-one (21) since they haven't been that busy. Linda said she could work four days, but she either wants a Monday or Friday off. Marvin said he didn't have any problem with this. Kenny said he thought Friday would be better than a Monday, since a lot of people want to get their business done the first of the week. Linda said that would be 28 hours because she comes in at

9:00 A.M. Ron asked what was done when she had meetings in the evening. Ron said what we will do on the weeks that you have evening meetings. Linda said she would have extra hours to adjust. She stated she had never gone over 29 hours but once she thought she did work 32 hours. Usually night meetings she has at least an hour. She has had to leave at 3:00 P.M. so she didn't go over her hours or has come in later. Ron made the motion that Linda could work up to 29 hours. Marvin said Monday through Thursday, correct. Ron stated yes. Mary seconded the motion. All were in favor.

Marvin said they needed to discuss about the paying of bills for the office. Geoff said his recommendation was to have Tony do the payroll and have Linda prepare the bills and give to Marvin for processing as President of the Board. Linda said when you say prepare the bills this is done on the computer. She just had gotten into Gregg's computer today and she can't find any current information on it. She tried to do a publication and she can't find a template to do so. She called Randy and he couldn't find either. Geoff said he's guessing Gregg has it set up and maybe we just don't know how to get to it. Linda said she hopes that is the case of just not knowing how to locate. She stated she didn't have to have the password to begin with but there was a computer updated, which she had to reboot, after that Gregg's name came on, so she had to find out the password. Randy called her on that and she got back up but still couldn't locate what she was wanting. Marvin said they needed a motion for the process of doing the bills. Geoff asked how Gregg was doing this. Linda said he sends the payroll to Tony, and processed the bills to give to the auditor. The time sheets go to Tony. Ron said then the auditor prepares all the payroll. The auditor then gives to the Commissioners to sign off on then. Geoff said we are just going to have Tony sign instead of Gregg Duke. Marvin asks for a motion for this. Ron made the motion for Tony to sign the payroll. Seconded by Denny. All were in favor. Motion carried.

Marvin brought up the signing for the bills to be paid. He said he would sign off on these if the Board wanted him to. Kenny said you had more experience. Geoff asked Linda what she was talking about the bills were paid on line. Linda said Gregg logged in the bill like a spread sheet that is done on the computer. Ron said like an excel spreadsheet. Linda said yes, an excel spreadsheet. Linda said she hadn't done that, since Gregg has been here. Marvin asked Linda if she had a ledger book that shows the accounts. Linda said if you can find it, she is sure there is. Geoff said it sounds like if you can give Marvin the invoices, he can take care of them. Marvin asked if this was all right with everybody. Denny made the motion for Marvin to take care of the processing of the bills for the office. Marvin said this would be for the APC President to sign the bills. Seconded by Kelly. All were in favor. Motion carried.

OLD BUSINESS:

Geoff said the only thing he had was the consultant agreement that Gregg had sent him which they had talked briefly about it at the last meeting. Gregg has sent him an agreement to have essentially be a consultant until we get a director. He wants us to fill out. He would come in and take care of everything and kind of do what he does now, except the administrative stuff. He wants to bill out at a \$100.00 per hour. Geoff said he thought that was reasonable. Geoff said he thought it was very unlikely we would spend more than we had budgeted for his salary and probably save the County some money without paying insurance and this kind of thing. Geoff said to him it was a no brainer. This is kind of a stop gap to get us through until we get the next director. Geoff said he would recommend that we enter into this agreement. Which would mean Marvin would sign this agreement. Gregg would serve he would serve as consultant for thee BZA and APC including coming to meetings. Mary had a question if Gregg didn't agree at the last meeting as long as he was on vacation like he would work through his vacation.

Geoff said he made the comment he would take phone calls like he traditionally would as if he wasn't on vacation. Marvin said he done this. Geoff said he has worked with Marvin on quite a few things. He was just not going to come to meetings and do those kind of things. Mary said some of the regular permits and things that are stream lined, would we need him to sign off on those? Marvin said no. He stated he had two issues in his office right now and he wasn't sure exactly what to do with them. Geoff said the other question is, if we are going to have the Board do them, or have Linda do them. That's the question. Geoff said let's say someone wants a permit to build something. Let's say it needs no variance, setback issue, no issues with special exceptions, or anything. Are we, since plenty of this happens, are we going to have Linda do that or are we going to have these brought before the Board to them? Kenny said we only meet once a month. Geoff said if Linda is 100% sure on that specific issue then we will have her do it. Geoff said it sounds like she does this anyway. She just had him sign off on them anyway. Linda said that is correct. She has two of them tonight she wants to confer with Board with that she has questions on. Kenny said if someone wants to build a barn here in county or Geoff said like it is eighty feet from the property line. Geoff said we just need to give her permission to do this. Geoff said there are things to answer Mary's question he thinks there are things that are outside of that. Without hiring him, you are going to pay me more. He's not in this office so he is going to be hunting and pecking for his files, his computer, etc. which will take him twice as long to figure out where stuff is at. You will be paying me more than you pay him. Or we can have Marvin do it. You see what I'm saying. He feels like we need a consultant or we just don't get business done. Mary said her concern was consulting him for the routine stuff. Things that are pretty well black and white. Geoff said he didn't think he was going to be able to devote enough time to do that. This isn't something he is going to get twenty hours a week anyway. He's not going to be able to give us that. He has a "full time" job to do.

Ron asked if this agreement needed to be signed by the Commissioners, since it is a contract. Geoff said this was probably a good idea since the Commissioners would need to approve. The BZA made an agreement that this be entered into also. So, if this agreed to maybe you (Ron) could present it to them Monday. Marvin asked what the Board's pleasure was. Jeff made the motion to accept Gregg's Consultant agreement. Seconded by Denny. All were in favor. Motion carried. Geoff said this was set up for all three signatures right now. Mary asked if the motion include to allow Linda-Geoff said that was next on the agenda. Linda had the question if she had a question she couldn't answer does she have the right to call Gregg and is he going to be on the time clock? Geoff asked if she emailed well. Linda said she Emailed. Wasn't sure how well. Geoff said he would just shot him an email. Let him handle or do that way. Otherwise, you are going to be playing phone tag. If you shoot him an email. Linda said but we are going to get charges for it right. Geoff said yes. Ron said this would be better than playing phone tag. Geoff said we are going to get charges for things right now, but you have to realize we are not paying a Director, so we are going to save some money. Ron said he would say we will. They may. Marvin asked if the Council would need this also. Geoff said if we get to the point where we have to have additional appropriation. Mary said she will point out she has looked at the budget and Gregg did cut Linda's salary on the budget. She might go over the budget, but then the line items may go over, but the net will be the same. Geoff said we would have to ask for a transfer. Ron said transfer from one side to the other. Mary said you might need to do that because he did cuts hers. Geoff said we wouldn't have to worry about that for several months. Hopefully we have a Director by then. Kenny said maybe will have somebody new by then. Linda asked if you had to have a license to be a consultant. Geoff said no. We are a commission so we need to have a "full time" Director. Some Area Plans can just get by with a consultant period and not have to have a Director. We actually have to have a "full time" Director. This

is a temporary statist. This will quit honestly will help when we get a new Director, if we happen to get a Director that doesn't have a ton of experience it will be great to help them too. Geoff said if he had to go in there, he doesn't know the first thing about it. He doesn't know where his files are. Linda said she can find the files. It will be nice to have him as a consultant to be able to talk to these people before we get a Director. Linda said he was making \$32.00 an hour compared to \$100.00 now. The Board can say no. Kenny said he wanted to do it. Linda said we're not paying him for 70 hours as normal payroll period very two weeks. Geoff said he has the cards. He was costing the County a lot more than \$32 an hour.

Marvin asked Linda if she was ok with signing off of the paperwork. Linda said what she did was do the paperwork up front and just gave it to Gregg. He just looked at it and if it was ok, he would just sign it. Geoff said he would sign it as a Director to you because you couldn't. Geoff asked if they wanted Marvin to sign or have Linda to sign. Kenny said we want Marvin to sign it. He's the President. Linda said she could just pass the paperwork to Marvin and he could just sign. Geoff said people are just going to have to understand if Gregg can't get to in a week or so. Linda said she had told people that but she does have two she would like to go over with the Board tonight she has questions on. Geoff said Marvin didn't have any business doing this, so only bring the paperwork that is cut and dried to him. Mary said the ones she has questions tonight should she email Gregg about those? Linda said no not the ones she has tonight. Geoff said let's talk about the ones we have tonight. Marvin said can we approve this first. Marvin said we needed a motion for him to sign off as President on paperwork that Linda presents to him. Justin made this motion. Seconded by Ron. Linda said so this would be the ILP's and the Subdivisions? Geoff said anything that the Director do unilaterally would normally and not questionable. All were in favor. Motion carried.

Marvin said he had two things that he needs Gregg to look at. He has two people that wants comments now. Is there any way I can get these in on the meeting next Wednesday Ron? Next Wednesday at 6:00 P.M. and it shouldn't be more than. Ron said he would do everything he can. Mary said you have two applications. Geoff said are these not in the category of Linda. Marvin said no. Geoff asked if he was saying APC approval. Linda asked if it was the Beckner one. Marvin said they just need to be signed off on. Linda said they just need to sign off on. She said this was cut and dry. Kenny said have Linda approve it and then give to Marvin. Geoff said these are just one that need to be signed off of and don't need APC approvals. Things that Gregg Duke just two months ago would have signed off on. Linda said right. This is the way she understood this. At least that is what Cathy had told her. Marvin said Cathy has since both of these. Linda said she wasn't sure of the Brown one but the Beckner's was good to go. Geoff said if they need APC approval coming next week wasn't going to help anything anyway because we have to give notice. We can't do that anyway. Marvin said he knows what he is saying. We would have to have a hearing and notification. Geoff said Gregg should be here Monday and he could sign off of them then. Linda asked what's Monday. Gregg would sign on as a consultant. Kenny asked what the Brown one was. Marvin said he was going to switch properties with some body, then he told him yesterday he was going to sell the property outright. Linda asked if this was the Jeff Powell survey. If it is, it needs a correction on checked out before we go further. Geoff said let's do this, you get with Linda before this week is over, and if we need to have a meeting next week we will. It sounds like we don't need to have one at this point. Geoff said the one that is urgent the one Linda can handle. Linda said if it's the Beckner, its cut and dry. Geoff said most the time in planning the urgency, you might get mad at this, but the urgency is not a three thing. Sometimes with a bank closing, closings and things like that it's an issue. Linda said a lot of people with their mortgages right now, the low interest rate, they want to get it done

right now. Kenny said so are we going to have the meeting? Marvin said he would let them know for sure. Mary said we were going to have the meeting Wednesday to talk about applicants. Ron said we only have one. Geoff said we need to talk about that, whether we are going to wait or.

Marvin said that was next on the list. Marvin asked Linda if she had anything. Linda brought the two ILP's she had questions on to the Board.

#1 Marvin Hershberger has property at South 500 West where he is tearing down the old house. He has paperwork that he told me Gregg gave him. Gregg was telling him how he could procession his new home. He could tear down the old house and use the original foundation. The parcel is partly in a flood plain, but he's not going that far. He wants to stay the same number of bedrooms so that way he's not going to have to change his septic system. He has a garage or a live in quarters, for in-laws or something, is two stories and he wants to take the second story off of it. He wants to make this just a one story. Linda said it was kind of cut and dry. Using the same foundation from the existing home. He's not tearing the other building completely down, so even though it doesn't look like he has ten (10) foot setback, he's using the same structure. He's just taking the top off. He's using the same foundation, and just taking the top off the one building, and he has paperwork from Gregg showing how he do this. She told him to bring in his paperwork that he got from Gregg and show his diagram exactly how he is going to do this to place on the same foundation. She didn't know about the fee on this one. Because he tearing down the original house. Just leaving the original foundation. To her it's a remodel but yet a new dwelling too. Kenny asked the one he's going to take the top off of is that connected to the foundation. Linda said no that is separate. Its kind like a garage. It's not connected though. There isn't that much space between them. He said he was going to use it like for storage. Normally at regular house would be \$200.00. When we get into the alternation and remodel it's only \$50.00. She didn't know how the fees would be on this. I asked him about the septic as to how old it was, because that kind of scared her too, but the way I understand with the Health Dept. if you don't change the number of bedrooms you don't have to worry about the septic. He said the septic was working fine, but of course it's right next to the river. Jeff said as long as he didn't change the bedrooms and he doesn't do anything to the septic system field he should be ok. He did tell Linda he has a finger system. Geoff said just issue a permit it sounds like. Linda said she didn't know what to charge him. Should she just charge the \$50 or the \$200.00? Kenny said its new construction more or less. Linda said or less because it's down to the foundation. Ron said he thought \$200. Kenny asked what everybody else's thoughts. Ron said technically its two different buildings. You would have a remodel that would be \$50.00 and \$200.00 for the new so maybe just do \$200.00 for both. Ron asked Geoff for his opinion. Geoff said that sounded reasonable to him. Everybody else was in agreement. Marvin as for a motion. Ron stated to charge \$200.00 for ILP-2022-15. Seconded by Denny. All were in favor.

Linda brings up ILP-2022-16, Tina Meek on Gings Road, wants a 30 x 50 pole barn. This meets all the setback. She is in A-3. She has forty (40) feet from the property line and 106 foot from the road. Pretty cut and dry. Ron said he believed this was one the builder had contacted Marvin and I on. We looked it up and they just needed the paperwork filed out. Linda said she just got it today and she would try to get it approved for him today. Ron asked if it was John. Yes, a good kid seemed like. Marvin asked for a motion on this one. Ron made the motion to approve this ILP. Seconded by Jeff.

Mary said normally going forward things like this she would just take to Marvin. Marvin said that was right. Linda said unless she had a question and Marvin has a question then we would bring before the Board or Gregg. Marvin said all in favor say I. All were in favor. Motion carried.

Geoff said one thing we might want to bring up too, is with Gregg as Consultant, Marvin still should be signing stuff rather than Gregg. Does that make sense? Denny said yes. Mary said since Gregg isn't an employee now. Geoff said Marvin is our President just have him sign it. Gregg has done all the leg work on it probably, Gregg and Linda in combination.

Marvin said the last thing on his agenda was our applicants for the new director. Who are we were going to get? We have had one person apply so far. Marvin said he understood this hasn't been advertised on Indeed. Ron said it isn't. He stated that is part of the discussion he would like to have with the Board. It has been put on Jobs Lists.com. The person that put it out clicked it and that's there it went. He stated he could send to Indeed really easy. Ron said we need to come up with a budget and create an account on Indeed, because he thinks we will get better bang for our buck. It's more well-known than just Jobs Lists. The other one he was told about today, and he doesn't know what the cost is on that, if it's how many resumes you get. To him that person has to be the right person. If we don't get it out to everybody we can, it doesn't do us any good. The other is a Planning Board for the State of Indiana. It's with the American Planning Association for Indiana. All planners in Indiana are associated with that. It is fifty dollars for two weeks and twenty-five dollars for each additional. That way we would have the job notice out for a couple of weeks. Denny said maybe we will have some applicants by then. Geoff if somebody has some time on their hands, he was told there are a lot of these Planning Commission that are a lot bigger and have Deputy Directors. It might be nice to reach out to some of them and see they have any interest. Then we could get somebody with experience. Otherwise, we might be getting someone that doesn't have any experience.

Marvin asked if there was anything else to be brought before the Board. Mary asked if we had a line item in the budget, a miscellaneous line that we can allocate. Marvin asked Linda if there was an advertising budget in the office. Linda said she know they did for legal ads. It should be in the budget. She didn't bring a copy with her this evening. Linda said it might be under office supplies. Marvin said he has an advertising budget. He just takes it out of there. Marvin asked Mary if she had seen the budget. Mary said she has seen the budget but she doesn't have a copy of with and know exactly what all is on it. Geoff asked if they could use County General. Otherwise, if we don't have it, we are going to have to ask for additional appropriations or transfer and by the time we do that it's going to take a while. Ron said it might be a situation where we have to use the county fund to do the advertising and figure out how to transfer. Mary said she thought last year's budget was on line. She doesn't know about the 2022, if it's on line yet. Marvin said he would check it out and see what we could call this with the auditor office. Geoff said this was about the only advertising besides paying for our legal notices. Ron asked if the budget would be in Gateway. Mary said yes it would. Ron looked up the budget on line and there is \$10,000.00 for consultation fees. Jeff said so we are putting this on the other websites right away. Ron said he would, yes. Geoff asked Ron what he needed from the Board to make that happen. Marvin said he needed a motion. Jeff makes the motion to advertise in Indeed and other places if found. We'll give this a month, if someone is looking for a job they can do so within this month. Marvin asked for a seconded. Kelly made the second motion. All were in favor. Motion to further advertise for the Planning Director was approved. Mary asked if they would plan on having an Executive before the next meeting to go over the applications. That wouldn't be in a public meeting. Marvin said they would have to an

Executive meeting to do this. Marvin said they would let the Board know and it will be posted. Geoff said it might make sense to have a committee. We don't need nine or eleven interviewing. Mary said going over the applications would happen first. Then sorted down to two or three and have the committee do the interviews. Marvin said his suggestion would be for the committee would be a Commissioner, a Council member, himself, Tony in HR, and one other person. Five people. Geoff said this might be someone from the Board of Zoning. Marvin asked if this was OK with everybody. Marvin made this as a motion. Seconded by Justin. All were I agreement.

Marvin asked Virgil Brammer if there was anything he wanted to report from the BZA meeting. Virgil said just that we had a motion last night that we want to a letter of support that we want to retain Gregg as their consultant. Geoff said BZA did approve one item last night, but the meeting went very smooth.

Marvin asked if there was anything else to come before the Board.

Denny asked if they were moving forward on the deal down in Moscow. Geoff said he had all three of them in the court system. Geoff wanted to know how you set on a Board with someone and with another Board you want to sue? What are they doing? This is a conflict of interest. Geoff asked if you wanted him to run these through Marvin or Gregg. Like approving final participations, those kind of things. He will need a member to sign them. Geoff said he would run them through both. Ron said he was looking at the budget for this year. This doesn't take into account of what has been spent. For insistance, Planning Consultant had \$10,000.00 in that account. So, we could technically take Gregg's money out of this. You could push the advertising of the job on this line or there is \$2,000.00 on Ordinance updates, \$3,000.00 travel, \$2,000.00 for supplies. There is plenty of room in the budget. Mary said as she mentioned before we need to see this stuff. We don't see any of this. Ron said this is just out on Gateway. Marvin said his suggestion, if we get a new Director here, coming at the end of the year, budget time, have them give you copies so you can see it. Ron said when you get a new director you get to mold them and sculpt them how you want. Denny said that's right. Geoff said so do that.

Marvin asked if there was anything else. Ron made the motion to adjourn. Seconded by Denny. All were in favor. Meeting was adjourned 7:15 P.M.

Marvin Reese
President

Kenny Aulbach lkg
Secretary