

Owen County Plan Commission
Minutes-June 2, 2011

Members Present: Anton Neff, David Meier, Jenna Smith, Mike Branham, Regina Gephart, Gwen Dieter, Dwight Dunigan, Donnie Minnick, and Benton Pittman. Planning Director, Sheila Reeves.
Public: Sign in sheet attached.

Meeting was called to order by President Anton Neff.

Pledge of Allegiance to the American Flag was made.

Roll was called/Members and Public signed in.

A motion to postpone the approval of the minutes was made due to the some members not receiving them through email. Ms. Reeves verified addresses and provided copies to them.

Old Business-

Tim & Kim Fowler/Impound Lot

Ms. Fowler had provided a copy of an IDEM Report as previously requested for the files.

Members were also provided a summary letter from Mr. Lorenz to the Commissioner's in relationship to this matter. The letter included the original Milbourne agreement.

Pat Conder (neighbor from previous meetings) was present to still voice concerns. He feels the approval would affect property values, water quality from run off, nor did the IDEM report include a thorough investigation of said concerns. He also feels that Mr. Lorenz was representing the Fowler's in this request.

Board Members re-discussed the concerns, summary letter and past meeting conversations in regards to the request, and now offer a new motion:

Mr. Pittman made a motion to recommend to the Commissioner's that the County Attorney take legal action against these properties for being in violation of original agreement that was made, whether Commercial or Residential. Mr. Branham made the second. Motion carried 6-0.

Abstained: Anton Neff, Donnie Minnick and Jenna Smith.

Wardlaw-Deerfield Subdivision- still pending

A copy of the new "County Events Ordinance" was provided as requested. Mr. Reeves also provided Mr. Neff with copies of the letters to be sent to the Sheriff's Dept., EMS, Mike Gibbs and Raymer's by the County Attorney. Discussion on the destruction of roadways and or county property was made. Mrs. Pittman suggested that the county might estimate cost per event, and request down payment as well as insurance and/or bond to assure that if issues should arise they would be covered. Monies could be distributed accordingly.

NEW BUSINESS

Carl Abner-Based on information provided by Ms. Reeves that had been found in past Commissioner's minutes regarding the validity of the property in question ever being a subdivision; the statute of limitations and need for a vacate or re-plat were all considered. It was determine at this time that there was no need for action to be taken by the Plan Commission. Ms. Dieter made a motion to refund Mr. Abner's fee; seconded by Ms. Smith. Motion carried 8-0. Abstained: Mr. Meier, due to conflict of interest.

Mike Ball-Mr. Ball presented a request to re-plat lot #5 of Kinnikinnick Ridge into three parcels. Copies of re-plat were provided for review. Mr. Neff reviewed said changes with action taken to allow re-plat as well as rezone lots from agricultural to residential based on acreage and ordinance requirements. Motion to approve was made by Ms. Dieter; seconded by Ms. Gephart. Motion carried 8-0/ Abstained: Mr. Meier due to conflict of interest.

Ms. Reeves provided copies of Home Occupation Agreements for Ryan White-Gun Shop and David Shavruan-Impound lot; that were to be presented to Commissioner's for approval at their next meeting. (Attached for record)

Freedom Woods Subdivision-tabled until the next meeting.

Ms. Reeves explained that several sets of past Commissioner's Minutes have shown that not all Subdivisions were approved/recorded/grandfathered. Various ones had been to meetings but not followed through with the direction they were given to make legal. This has left question on how to proceed with applicants for variances and/or property splits allowable. She had spoken with Mr. Lorenz as well. (Examples given were Freedom Woods and Abner property) He has directed that any "Subdivision" that has been recorded in the Recorder's Office be acknowledge as an approved subdivision. Board Members agreed at the direction given.

No further Plan Commission discussion was made.

A motion to adjourn was made by Mr. Dunigan; seconded by Mr. Meier. Motion carried 9-0.