

**JEFFERSON COUNTY, INDIANA, PLAN COMMISSION , REGULAR MEETING,
TUESDAY, APRIL 2, 2019 AT 5:30 O'CLOCK, P.M.**

**JEFFERSON COUNTY COURTHOUSE ANNEX, SURVEYOR'S OFFICE, 315 JEFFERSON
STREET, MADISON, INDIANA 47250**

**MEMBERS PRESENT: LONNIE MASON, PRESIDENT, WARREN AUXIER,
VICE-PRESIDENT, JEFF DAGHIR, , JERRY YANCEY,
DENNIS BOWYER, DAVID BRAMER, RAY
DENNING AND VIRGINIA FRANKS**

**VISITORS PRESENT: GINGER DAVIDSON, KAY GROSS, PEGGY DUNN
AND ELAINE_____**

**STAFF PRESENT: ALANA G. JACKSON, SECRETARY
JEFFREY DAGHIR, DIRECTOR OF
PLANNING/ZONING
R. PATRICK MAGRATH, ATTORNEY**

The meeting was called to order by Lonnie Mason, President . There is a quorum present with Gene Riedel absent. Mr. Mason stated minutes from the March 5, 2019 and February 26, 2019 special meetings need to be approved. He said they should have received copies in the mail. He asked for discussion and there was none. Jerry Yancey moved to approve minutes as written and Jenny Franks seconded the motion. All voted in favor of approving minutes from the March 5 and February 26, 2019 meetings.

There are no communications. He then went to current business which is zoning violations. Current business is discussion of Zoning Violations including property located at 6089 N S. R. 7, Madison, 7894 W SR 356, Lexington, 7749 E Brooksborg Back St, Madison, IN, and property located at Camp Anderson Lane, Hanover, 5126 N US 421, Madison. He stated we would let Mr. Auxier speak first about the Brooksborg property.

Mr. Auxier stated he wanted to bring the Commission up to date. He stated we have been working with the property owners on moving towards getting it cleaned up. It has been a slow process but we are making some progress. There were three vans there that were out of service, not being driven that were in the way before much could be done in clean-up wise on it. Probably a couple of weeks ago, the one that was out in the street got moved off of the street, originally made some arrangements for those to be towed, but Peggy's son became involved and he got the one moved off of the street. Then this morning, he believes it was, he got the other two vehicles out of the way. It has opened the property up. It is some improvement having the vehicles being gone. It has opened it up where the rest of the clean-up can go ahead and be started. He stated a Mr. Leach has volunteered to bring a skid loader in to load some of the property. He and Mr. Auxier went to Brooksborg this afternoon and met with Peggy Dunn, they were there going over what could be thrown away, etc. He thinks they have a good understanding on that. He told Ms. Dunn to be sure she separated out anything she wanted to save. He stated Mr. Leach will be there in approximately two weeks because Mr. Leach has some work he needs to catch up on and Mr. Auxier will be out of town next week. Mr. Leach would prefer Mr. Auxier would be there to help oversee the initial clean-up part of it. They are going to put a thirty yard dumpster in place. He feels in ½ to a day they can put a pretty big dent in it. He stated that is where we are on that. It is his recommendation that they not take any further action on that property at this time.

Elaine _____ was upset that Ms. Gross had not come and talked to her. Mr. Auxier stated to talk to the board, they could discuss this later and Ms. Gross told her it was the Town that had filed the complaint.

Ms. Gross stated she is thrilled with what has been accomplished. Mr. Auxier discussed his involvement in this. He feels forget what happened in the past, be happy with the positive aspect and the progress that has been made. Mr. Auxier emphasized that it wasn't the county that did the dumpster. Elaine _____ and Peggy Dunn and Kay Gross were thanked for coming in.

Next property to discuss is the Gilstrap property on S. R. 7. Mr. Dagher drove by and stated it looks like he has brought in more stuff. There are more vehicles, lots of pallets and a trailer with applicances that he doesn't remember being there. He stated it is a little more neatly stacked than what it was. He has put up fencing but that doesn't change the fact that it looks like he brought in more stuff and that is counter productive from what we asked him to do. Virginia Franks agrees with Mr. Dagher as she has driven by there. Mr. Dagher stated we need to get Mr. Gilstrap back in here and make clear to him that he can't continue to bring stuff back in, or if you feel like we have gone too far already, (Mr. Denning said , over a year) we have been working with him a very long time. Mr. Dagher is all for continuing to work with someone as long as we see some positive progress, but once he starts to see negative progress, Virginia Franks stated, personally, she feels we need to give him a date and tell him if not done by then, we might go the legal route.

Mr. Auxier stated we have sent him letters similar to that before. Mr. Magrath stated he had sent two in the past but it had been awhile. Mr. Auxier stated the part with Mr. Gilstrap that doesn't seem to sink in is that he can't operate the type of business he is operating on the property and he probably wouldn't be successful in getting a variance to operate that kind of business. So what he is doing is continuing to bring in all of these additional items that from the appearance when he drove by, he is definitely going the wrong direction and Mr. Dagher agrees with Mr. Auxier. Mr. Auxier's suggestion is to have our

zoning officer go out and see Mr. Gilstrap and deliver the message about not being a business and he needs to come to the next meeting and if at all possible, some of these things that have come in recently, especially the pallets need to go in the mean time. Mr. Dagher stated he would go with the zoning officer on that trip. We can get him in here.

Mr. Auxier stated at some point we need, before we move too far down the road on legal action, we need to have somewhere in our mind how that whole path is going to work. That may take some involvement from Commissioners, County Council. What are we actually willing to do in this path. Is the county going to be willing to do, if we have the Court Order, to go onto the property and clean it up, are they going to be willing to expend the funds to do that and then place a tax lien on the property, how will that whole process work? What happens if taking him to Court doesn't get the job done? How do we proceed? Because if we go through all of the Court action and all we have done is going to levy fines against him, if we don't get the property cleaned up one way or the other, we've lost ground.

The secretary stated one property that was in a lawsuit when she started, and went on for several years, they finally got the Court to issue and order that the county could go in and clean it up but it was never assessed to the taxes, so you would want to make sure the court gave an order to assess the cleanup costs to the taxes. Mr. Magrath stated he wasn't sure that was one of the provisions back then. It is now in the property maintenance code. Mr. Dagher questioned if the judge has to grant an order for that and Mr. Magrath told him the Judge had to. Mr. Bramer felt if we didn't do this it would continue and we would have to deal with this all over the county. People will think if nothing happens they can go ahead and pile stuff up. He thinks the other commissioners would be in favor of moving forward.

Mr. Auxier stated he was up at Brooksburg, today, and the problem he sees on this, once it has gotten started, it does nothing but it takes the entire community down. You have one property that is extremely bad, then no one

else is wanting the one that is half block down the street that is not being taken care of and is falling down and needs torn down, and somewhere there needs to be some steps, if some of these properties were cleaned up, it is going to increase those property values. Some of them are lots that could be built upon in the future and you actually might have people who want to live there and that Brooksbury could become a desirable place to put in a new home.. He said that applies to the county in general.

He thinks as we look at this Comprehensive plan, we might want to get some of the enforcement over to the County Commissioners' side. The County Council is going to have to say here is \$50,000.00 or \$100,000 that we are going to appropriate for this type of work as we go forward. He thinks some of those amounts as we go forward, there is probably as much benefit to that as many other small areas that we put \$25,000.00, \$50,000.00 toward.

Mr. Daghir asked if we needed a vote to go out and speak to Mr. Gilstrap. Mr. Mason stated everybody is in agreement.

Mr. Daghir stated they would go speak to Mr. Gilstrap, tell him the Commission is very concerned about the current state of affairs out there and ask that he attend the next meeting to explain what is going on. The Commission is out of patience with him. Mr. Daghir stated he would make that clear to Mr. Gilstrap. Mr. Mason stated it would be nice if he would do some work before he comes to the next meeting. Mr. Daghir stated he would relay that to him. He has done a little bit by organizing it and has removed some of it, but if you look in the back nothing has been done. Mr. Daghir stated he needs to clean it out and be done with it.

Mr. Mason stated it is time to move on. Next is Camp Anderson Lane and Mr. Mason stated he thought we had given him time to get it done and he still has some time. Ginger Davidson stated they have made progress. They have dismantled the trailer and all that is left is the frame and the wheels. The secretary added that the gentleman had told the zoning officer he was going to

dismantle it. He has worked on it in the last week. The Board felt that is a positive step.

Mr. Mason asked if Mr. Bramer had a report on the Master/ Comprehensive Plan. Mr. Bramer stated that the county attorney had looked at the contract and had some comments. He stated hopefully, they would give approval and at the next meeting and then have the kickoff meeting.

Mr. Mason asked for anything further. He welcomed Lynette Anderson who will be the new secretary as the current secretary is retiring.

Mr. Auxier asked Mr Mason if he wanted to see if anyone from audience wanted to say anything. Ms. Gross stated she appreciates, Mr. Auxier and all he has gotten done. He got things done that they could not get done. The vehicles that were there would prevent the fire truck from getting through. She felt progress has been made. Mr. Auxier stated the junk behind the house has been cleaned up. Ms. Gross stated that Ms. Dunn's dad has hauled a lot off and takes to the trash truck. Mr. Auxier stated it is basically the front porch area and down the sides to be cleaned up. Peggy Dunn and Elaine_____ agree to let them take out the partial fence. Ms. Gross mentioned a tree that needs to be taken down, also.

Mr. Mason asked for anything further and there was nothing. He asked for motion for adjournment.

Dennis Bowyer moved to adjourn and Jeff Dagher seconded the motion. All members voted for adjournment.

The meeting was adjourned.

By: _____
Alana G. Jackson, Secretary

APPROVED THIS _____ DAY OF _____, 2019.

JEFFERSON COUNTY PLAN COMMISSION

By: _____

Lonnie Mason, President