

May 22, 2012

Commissioners' Conference Room
Vigo County Annex
Terre Haute, Indiana

Roll Call:

Present: Mike Ciolli, Judith Anderson, and Paul Mason

Absent: None

Others Present: County Attorney Mike Wright, County Auditor Tim Seprodi, Darren Maher, Bernard Ridens, Howard Greninger, members of the public and news media.

Road Closure- Intersection Jones Drive and Union Road. Randy Peters, Event Director, Crossroads Dragway, was in office to request the temporary road intersection closure of Jones Drive and Union Road for events to be held June 23, 2012 (rain date of June 24, 2012) and during the Scheid Diesel Extravaganza set for Saturday and Sunday August 25th & 26th. This is for safety reasons only.

Motion: , **Action:** Approve, **Moved by** Judith Anderson, **Seconded by** Paul Mason, **Passed** all ayes.

Health Dept / Clinic Fees. County Attorney Mike Wright presented a request from the Vigo County Health Department for establishment of fees for physicals for children and fee increase for TB testing. Sports Physicals and kindergarten physicals for \$15.00 cash and appointment only, and increase the fee of tuberculosis (TB) testing from \$10.00 to \$15.00, cash, Monday's and Friday's only.

Motion: , **Action:** Approve, **Moved by** Paul Mason, **Seconded by** Judith Anderson, **Passed** all ayes.

Expenditures. County Auditor Tim Seprodi presented the Board with expenditures for 5/14/12 – 5/18/12 in the amount of \$863,241.46.

Motion: , **Action:** Approve, **Moved by** Judith Anderson, **Seconded by** Paul Mason, **Passed** all ayes.

Cobblestone Concerns. County Attorney Mike Wright opened the meeting with introduction of himself and that he understands the concerns of the residents regarding Cobblestone. He asked that each person speaking to please come to the podium and identify themselves, and for others to please give the time and quiet to those speaking.

Mike Poinsett – 31 Ridgecrest Court.

- June 7, 2005, an artist rendition drawing published in the Tribune Star, project to contain upscale residential community.
- Read the purpose of the Vigo County Area Planning Department Ordinance.
- September 2004, the Board of Commissioners approved rezoning for 50 acres R-1, 34 acres R-3, and 16 acres commercial.

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- January 2005, was rezoned to a Planned Unit Development (PUD), 27 acres commercial, 20 acres R-3, 11 acres R-2M and 23 acres R-1. No letters sent to residents regarding change.
- September 2008, Triangular piece of property in the back, (entire field 100 acres) approved zoning R-2M. Area Plan only sent 12 letters to those abutting land owners and met with those residents. At that meeting they talked primarily about flooding, but Mr. Bireley and Mr. Nidlinger stated there would be nice residential homes.

Stacy Gough – 7240 Augusta Court.

- She was at the September 2008 meeting and had no objections with zoning as long as they put up a buffer before they start development on the 15 acres behind Viscaya Subdivision to help with privacy.
- They put up a small berm and it still has not been completed and it has been four (4) years. She and her husband maintain what was even put there because it's not taken care of.
- They were one of the 12 that did receive the letter to attend the meeting with developers.
- At the meeting they asked the developers to not have two-story buildings behind them, but to have single level homes and have setbacks for Woodgate.

Joel Harbaugh – 21 E. Gateway Drive.

- Had peace of mind when he bought his home that his children could run in their front and back yard, now he chases people out of his yard.
- Can't sit on back patio.
- Can't let daughters on swing sets.
- Everything promised by the developers has not been delivered.

Rick Wheeler – 15 Gateway Drive.

- Spoke to the Commissioners before but they didn't listen, he came with a single voice then, now speaking with the voice of many.
- Voice displeasure in re-zoning.
- Generations to come will remember your names and what you did.
- No one opposed in 2004 because they were deceived.
- Vigo County received a "D" rating from Purdue University.
- Website on apartment ratings, 23% recommendation for Garden Quarter and 0% recommendation for Cobblestone.

Donna Stephens? (No address given).

- Has five (5) children, three (3) are girls, doesn't feel safe to allow the girls in the swimming pool.
- Can't have birthday parties.
- Insurance issues and concerns on how to keep the other children out of her pool.
- Only has a 25 ft barrier behind them.

Stephen Mc Cain – 32 Ridgecrest Court.

- Cobblestone had meeting while everyone was at work

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- He asked about a berm and Mike Bireley said "if we have enough dirt we will pile some of it up." He asked him about putting up a fence and he said "no".
- Depreciating his property, there is enough run down property in Vigo County.

Darleen Vaeth – 98 Southgate Court.

- Lived here 17 years, clean, nice and inviting and have been very happy here.
- Invited Commissioners to come and see where Cobblestone will be building next to her property, it is 25 ft from her house.
- Was told it would be single family "high end" nice homes to keep with integrity of neighborhood.
- Has a petition of 93 signatures out of 101 houses, spoke with the individuals personally.

Richard Jeffers – 109 E Southglen Road.

- Re – iterated same as some of those that already spoke, displeasure in the zoning.

Nancy Groth- 357 Treeline Drive.

- Never received notice of any of this.
- Was told it would be nice residential community.
- House not affected yet but will be.
- No notice they were going to place apartments there.
- Values of property have already been reduced due to market trending.

Kathryn Myers – 26 Southridge Road.

- Lives one road in – does not adjoin this property.
- Was told only notice given was a sign along US 41 and a 1" x 1" ad in Tribune Star.

John Wilson – 59 Ridgcrest Court.

- What can we do now?
- Not too late for Commissioners to intervene.
- We can mitigate.
- They should have been a good neighbor.
- Some of their (Sandpebbles, Inc) should be used to help the neighbors.
- Commissioners can look at our laundry list and make Cobblestone (Sandpebbles, Inc) sit down and look at this – County arbitrate.

Ken Polky – 11 E Gateway Drive.

- Lived here 27 years.
- Understands need of apartments.
- They are not maintaining the property, trash and grass not cut.

Gary Gottardi – 17 Gateway Drive.

- Added 1200 square feet to his house in 2000, because they liked the neighborhood and wanted to stay there.
- Cars drive by now just to see what we have to live with (referring to apartments).

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- Apartments are 60 ft high, which has caused the atmosphere to be different (sun and cell phone reception).
- He gets up about 1:30 a.m. to check on vandalism.
- Have four (4) different families in apartments behind him now.
- "Would you want this in your backyard?"
- Cobblestone owners have lied to us.

Mike Myers – 26 Southridge Road.

- Lived here 20 years never had any problems.
- Had a trespasser three (3) weeks ago.
- Going to buy a gun.
- We are not going away.

John Thompson- Edgewood Grove

- Was not going to speak.
- Was involved in a similar issue in February with the City and Magnolia, Inc. that wanted to put nursing home in on Ohio Blvd.
- The neighbors stood together to defeat.
- What can we do to eliminate some of these problems in future zonings?
- Our area (Boulevard Brigade) will lend our support to help these residents.

Mike Wright – County Attorney.

- The county has no authority to issue injunction to prevent the expansion.
- Decision made in 2008 is what is taking place now.
- R-1 to R-2M decision of reclassification of PUD.
- No violation of the adoption of ordinance in 2008.
- Land owners could take legal action thru court.
- The County would be glad to try to get Cobblestone representatives to come to table to talk.

Mike Poinsett – 31 Ridgecrest Court.

- They are not building where the rezoning was approved in 2008.
- Not sure where the paperwork is. Jeremy Weir has nothing.

Judy Anderson – Commissioner. (Speaking as a person not a commissioner).

- I live in a condominium and my neighbor is 30ft behind me. I cannot see into their house. You would like me as a neighbor our neighborhood is nice.
- Your issue is the conduct of the residents of the apartments.
- I would be glad to set and talk with the developers of Cobblestone and tell them about these issues.
- Mr. Wright is our legal attorney, as commissioners we will do what we have to and can do.
- I needed to vent that.

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Lisa Shahar – 50 Southbrook Court.

- Power, influence and money make decisions for commissioners, I'm sorry if you're offended.
- The "good ole' boys club" here.
- Destroying lives.

Mike Wright – County Attorney.

- Will look into phase 5 construction (NW area)
- Will check to see if it's in compliance with the 2004 ordinance.
- Advise residents to come up with a list of items and commissioners will look at it to see what they can do.

There being no further business, it is now ordered the Board be recessed.

Mike Ciolli, President

Judith Anderson, Secretary

ATTEST;

Timothy M. Sprodi, Auditor

Paul Mason, Member