

## **HOWARD COUNTY BOARD OF COMMISSIONERS' MEETING JULY 06, 2020**

The Howard County Board of Commissioners met in Regular Session on Monday, July 06, 2020, at 4:00 p.m. at the Kokomo Event and Conference Center. Those in attendance included President Paul Wyman, Vice-President Brad Bray, Member Jack Dodd, County Attorney Alan Wilson and County Auditor Martha Lake.

The meeting was called to order and conducted by President Paul Wyman. Commissioner Bray led in the Pledge of Allegiance, and Commissioner Wyman offered a word of prayer.

### **IN THE MATTER OF APPROVAL OF MINUTES:**

The minutes of June 15, 2020, regular meeting having been previously submitted and reviewed, were approved as presented on a motion made by Mr. Dodd. Mr. Bray seconded the motion, and the motion carried.

### **IN THE MATTER OF DEPARTMENTAL REPORTS:**

#### **PLANNING COMMISSION:**

##### **Rezoning:**

Planning Commissioner Greg Sheline submitted Ordinance No. 2020-BCCO-27 (Case 3-CZ-20) rezoning of property located at 3058 E 00 NS, from (AG) Agricultural to (LI) Low Intensity Industrial. There was a favorable recommendation by the board and there was no remonstrance.

Mr. Sheline submitted Ordinance No. 2020-BCCO-28 (Case 4-CZ-20) rezoning the property located at 246 S 440 W, from (AG) Agricultural to (RR) Rural Residential. There was a favorable recommendation by the board and there was no remonstrance.

Mr. Sheline submitted Ordinance No. 2020-BCCO-29 (Case 5-CZ-20) rezoning the property located at 5256 W 250 S, from (AG) Agricultural to (RR) Rural Residential. There was a favorable recommendation by the board and there was no remonstrance.

Mr. Sheline submitted Ordinance No. 2020-BCCO-30 (Case 6-CZ-20) rezoning the property located at 5254 N 500 E, from (AG) Agricultural to (IS) Institutional use. Being that the property being requested to be rezoned to Institutional use and the plan is for the Valley of Grace, there was a remonstrance. The public is open to speak during Public Comments on this issue.

Mr. Bray made a motion to approve Ordinance No. 2020-BCCO-27 (Case 3-CZ-20) rezoning of property located at 3058 E 00 NS, from (AG) Agricultural to (LI) Low Intensity Industrial, as presented. Mr. Dodd seconded the motion, and the motion carried.

Mr. Dodd made a motion to approve Ordinance No. 2020-BCCO-28 (Case 4-CZ-20) rezoning the property located at 246 S 440 W, from (AG) Agricultural to (RR) Rural Residential, as presented. Mr. Bray seconded the motion, and the motion carried.

Mr. Bray made a motion to approve Ordinance No. 2020-BCCO-29 (Case 5-CZ-20) rezoning the property located at 5256 W 250 S, from (AG) Agricultural to (RR) Rural Residential, as presented. Mr. Dodd seconded the motion, and the motion carried.

Ordinance No. 2020-BCCO-30 (Case 6-CZ-20) rezoning the property located at 5254 N 500 E, from (AG) Agricultural to (IS) Institutional use, was set aside in order to hear the public concerns regarding the location of the Valley of Grace Rehabilitation Center. The floor was opened to the public by Commissioner Wyman. Once the community, board and the commissioner's had the opportunity to speak in regard to the rezoning for the proposed property of the Valley of Grace, (See Public Comments) Commissioner Wyman made a motion to approve Ordinance No. 2020-BCCO-30, rezoning of the property located at 5254 N 500 E, from (AG) Agricultural to (IS) Institutional use. Commissioner Dodd seconded the motion. The motion was carried by a two to one vote, with Commissioner Bray voting "nay".

## **IN THE MATTER OF CLAIMS AND REPORTS:**

Howard County Auditor Martha Lake submitted the following claims and reports for the Commissioners' information and approval:

1. **Salary Claims:** The Commissioners' Salary, Hourly, and Overtime Claims for payment on July 2, 2020, in the amount of \$841,745.77, were submitted and approved on a motion made by Mr. Dodd. Mr. Bray seconded the motion, and the motion carried.
2. **Operating Claims:** The Commissioners' Operating Claims paid July 7, 2020, in the amount of \$1,886,601.54, were submitted and approved as presented on a motion made by Mr. Dodd. The motion was seconded by Mr. Bray, and the motion carried.

Auditor Lake addressed the agreement with Barnes & Thornburg for the COVID-19 (Response and Cares) Act Reimbursement Grant Counsel and submitted to the Board for approval and signature. A motion to approve and authorize President Wyman to sign on behalf of the board was made by Mr. Dodd. Mr. Bray seconded the motion, and the motion carried.

## **ATTORNEY COMMENTS:**

County Attorney Alan Wilson addressed Ordinance No. 2020-BCCO-31, Extension of Local Disaster Emergency Declaration, with the board. The Ordinance extends the previous declaration of local disaster emergency to 5:00 p.m. on August 7, 2020.

## **PUBLIC COMMENTS:**

Discussion on Ordinance No. 2020-BCCO-30 (Case 6-CZ-20) rezoning the property located at 5254 N 500 E, from (AG) Agricultural to (IS) Institutional use. Valley of Grace Rehabilitation Center.

Commissioner Wyman opened the floor for the public to respectfully and openly speak regarding the proposed rezoning of Ordinance No. 2020-BCCO-30, rezoning the property located at 5254 N. 500 E. from Agricultural to Institutional use. The public was asked to line up and alternate between those who were in favor of the Valley of Grace location and those who were opposed. The public shared many concerns regarding the location being adjacent to a residential area. Concerns were of families in the residence and a drug and alcohol rehabilitation center being so close in proximity and potential risk. Concerns encompassed location and residential area; the security; traffic; location; size of the facility and future planned growth; the individuals who would be utilizing this service; potential walk-offs from the facility; and whether or not narcotics would be utilized in the facility for treatment. Many shared their personal stories on both sides of the issue.

Mr. Joey Bennett who is proposing the Valley of Grace introduced the President of the Board of Directors of Valley of Grace, Rick Dennis. Many of the Board of Directors of the Valley of Grace as well as many of the public shared their personal stories and the reason they believe that the rezoning should be approved in order for the location of the Valley of Grace. Director Rick Dennis presented information on the business plan for the Valley of Grace. In his plan, he addressed many of the public's concerns. He stated that the Valley of Grace would be a faith-based facility and discussed his admission and intake process; where an individual would have to be ready for recovery and meet certain criteria in order to be accepted into the program. He also addressed his safety plan and that there would be no narcotics on the site nor would they be used in a treatment plan. Mr. Dennis stated that the individuals in this program would be screened to ensure that they do not have any current Felony Convictions and that an individual would only be accepted if they were low risk and exhibited the desire to complete the program towards a drug and alcohol-free outcome. He continued through his business plan for the Valley of Grace.

Once the public and Valley of Grace representatives' had the opportunity to address their concerns of opposition as well as their desire for the location, Commissioner Wyman asked for clarification for the public as to the expected time frame for potential growth of the facility and when they expected to see expansion come to fruition. Mr. Bennett stated that the center would begin with 12 beds and would not be in a position for growth for 3-5 years. In order for the facility to increase its capacity, the septic system and drainage would need to be addressed. Commissioner Wyman stated that like the rest of the country, Howard County is faced with an addiction crisis that

needs to be addressed. He stated that it is no secret that he is for rehabilitation with the drug and alcohol crisis in the community and that he has always worked towards programs to create a healthier community. As well, he stated that in the face of adversity, Howard County has always risen to the occasion to be there for each other. He thanked the community for coming out and openly sharing their concerns.

Commissioner Dodd addressed the public stating that a wise man stays silent. He stated that he went to the community and spoke with several residents in the area proposing the new site for the Valley of Grace. He stated that he understands the public concerns and went to meet with Mr. Joey Bennett on the proposed site and addressed the ‘what if’s’. Mr. Dodd commented, “What if the facility fails, would it set a tone for another facility desiring to locate in a residential area”. “What if, the Valley of Grace succeeds and our community is healthier and drug and alcohol free and the center is a good neighbor”.

The final decision for the rezoning of the property under Ordinance No. 2020-BCCO-30, is under the Planning Commission section above.

*There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 7:00 p.m. on a motion made by Mr. Dodd, seconded by Mr. Bray, and carried.*

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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PAUL G. WYMAN, PRESIDENT

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ROBERT B. BRAY, VICE PRESIDENT

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JACK W. DODD, MEMBER

ATTEST:

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MARTHA J. LAKE, AUDITOR  
Howard County Commissioner Meeting July 6, 2020