

Summary of Plan Commission of Washington County

Prepared in response to concerns expressed by Max Greene re Political Party
Affiliation of members of Plan Commission

Max Greene has expressed concerns that there have been too many members of the Plan Commission affiliated with the Republican Party.

Membership of the Washington County Plan Commission is addressed in the Indiana Code (IC) , Title 36, Article 7, Chapter 4-208. IC 36-7-4-208 is attached as Exhibit A, and this version is current as of 2023.

The most recent list of Plan Commission Membership can be found below:

Planning Commission Members
Lisa Fleming – Non-voting, Non-member - Attorney for Plan Commission – Serves in advisory role
Travis Elliott– Non-voting, Non-member - Building Department Inspector – Serves in advisory role and provides reports at meetings
Emily Rodman – County Surveyor – Elected Position
Danielle Walker- Agricultural Extension Educator – Hired Position
Todd Ewen- County Commissioner – Elected Position
Rondale Brishaber – County Council Member – Elected Position
Marsha Dailey - Appointed
Kevin Baird - Appointed
David Lyles - Appointed
Andrew Katt - Appointed
Lori Gilstrap - Appointed

The most recent list of Board of Zoning Appeals (BZA) members can be found below:

BZA Members
John Mishler, President
Lori Gilstrap, Vice President
Lisa Fleming, Secretary
Denise Coots
Marsha Dailey
Todd Ewen

In recent years, it has become increasingly difficult for Commissioner Ewen to find replacement appointees. This problem is not unique to the Plan Commission and BZA. In fact, many fraternal organizations and various boards have experienced dwindling memberships, fewer members and chapters, and fewer members willing to serve on boards or in leadership positions.

The following are some of the reasons while it is difficult to attract and retain appointees to the Plan Commission and BZA:

- The appointees attend monthly meetings during the evenings which takes time away from their families.
- Most appointees are working in full-time positions outside of their commission role, or have significant responsibilities across several fronts.
- They are uncompensated for their time.
- When voting on matters such as variance requests, the responsibility is particularly stressful, and at times requires additional unpaid time to familiarize themselves with variance requests and site visits in advance of meetings/hearings,
- Appointees may find that they are called into Court to answer questions, undergo a deposition, etc., once a decision is appealed in the Courts. This is an additional burden and is stressful.

It is important to seek diversity with respect to political party affiliation when seeking out new appointees to fill vacant positions of the Plan Commission and BZA. Soliciting for interest and reaching out to Political Party leadership to make them aware of vacancies and reaching out to candidates to solicit interest is important as are announcements at public meetings about the vacant positions as they arise. These diligent efforts should continue in order to strive to meet the requirements of IC 6-7-4-208(a)(5)(B)

Indiana is a non-declaring state when it comes to political party affiliation, per Stephanie Rockey, our Clerk of Courts. Party affiliation may change with elections. If a study is made of voting history, we find that 2 of the five current appointees of the Plan Commission have a mixed voting history, and three of the current appointees have a single party voting history, going back over a long period of time. From this perspective, it would appear that we are in compliance with the code on political party affiliation at this time. It is also important to note that in addition to achieving political diversity with respect to party affiliation, commission members must also be owners of real estate and meet certain jurisdictional residency requirements.

It is possible that the Plan Commission could at times find it difficult to meet the diversity requirements from all perspectives (political affiliation, real estate ownership, jurisdictional residency requirements, etc.) when trying to find new appointees to fill vacancies. If only one candidate can be identified who meets all requirements but causes 4 out of 5 appointees to be of the same party, a difficult decision must be made on whether to not fill a vacant position and risk not having a quorum at meetings or not reaching full compliance. At this time, we are not currently facing this issue, if we look at political party affiliation as described above.

Exhibit A

IC-36-7-4-208 - Membership of commission; county and metropolitan numbers

(a) ADVISORY. The county plan commission consists of nine (9) members, as follows:

- (1) One (1) member appointed by the county executive from its membership.
- (2) One (1) member appointed by the county fiscal body from its membership.
- (3) The county surveyor or the county surveyor's designee. However, the county surveyor's designee must be a resident of the county to be eligible to serve on the county plan commission.
- (4) The county agricultural extension educator. However, the county agricultural extension educator must be a resident of the county to serve under this subdivision. If:
 - (A) the county does not have a county agricultural extension educator; or
 - (B) the county agricultural extension educator is not a resident of the county;the county extension board shall select a resident of the county who is a property owner with agricultural interest to serve on the commission under this subdivision for a period not to exceed one (1) year. In addition to the county resident selected by the county extension board to serve as a member of the commission, the county agricultural extension educator who is not a resident of the county shall serve the commission in a nonvoting advisory capacity.
- (5) Five (5) members appointed in accordance with one (1) of the following:
 - (A) Four (4) citizen members, of whom no more than two (2) may be of the same political party. Each of the four (4) members must be:
 - (i) a resident of an unincorporated area of the county; or
 - (ii) a resident of the county who is also an owner of real property located in whole or in part in an unincorporated area of the county;appointed by the county executive. However, at least two (2) of the citizen members must be residents of the unincorporated area of the county. Also, one (1) township trustee, who must be a resident of an unincorporated area of

the county appointed by the county executive upon the recommendation of the township trustees whose townships are within the jurisdiction of the county plan commission.

(B) Five (5) citizen members, of whom not more than three (3) may be of the same political party. Each of the five (5) members must be:

- (i) a resident of an unincorporated area of the county; or
- (ii) a resident of the county who is also an owner of real property located in whole or in part in an unincorporated area of the county;

appointed by the county executive. However at least three (3) members must be residents of the unincorporated area of the county.

If a county executive changes the plan commission from having members described in clause (B) to having members described in clause (A), the county executive shall appoint a township trustee to replace the first citizen member whose term expires and who belongs to the same political party as the township trustee. Each member appointed to the commission is entitled to receive compensation for mileage at the same rate and the same compensation for services as a member of a county executive, a member of a county fiscal body, a county surveyor, or an appointee of a county surveyor receives for serving on the commission, as set forth in section 222.5 of this chapter.

(b) ADVISORY. The metropolitan plan commission consists of nine (9) members, as follows:

(1) One (1) member appointed by the county legislative body from its membership.

(2) One (1) member appointed by the second-class city legislative body from its membership.

(3) Three (3) citizen members who:

(A) reside in an unincorporated area of the county; or

(B) reside in the county and own real property located in whole or in part in an unincorporated area of the county;

of whom no more than two (2) may be of the same political party, appointed by the county legislative body. One (1) of these members must be actively engaged in farming.

(4) Four (4) citizen members, of whom no more than two (2) may be of the same political party, appointed by the second-class city executive. One (1) of these members must be from the metropolitan school authority or community school corporation and a resident of that school district, and the other three (3) members must be residents of the second-class city.

(c) AREA. When there are six (6) county representatives, they are as follows:

- (1) One (1) member appointed by the county executive from its membership.
- (2) One (1) member appointed by the county fiscal body from its membership.
- (3) A representative appointed by the school corporation superintendents within the jurisdiction of the area plan commission.
- (4) One (1) of the following appointed by the county executive:
 - (A) The county agricultural extension educator. However, the county agricultural extension educator must be a resident of the county to be eligible to serve on the area plan commission. If:
 - (i) the county does not have a county agricultural extension educator; or
 - (ii) the county agricultural extension educator is not a resident of the county;

the county executive shall select a resident of the county who is a property owner with agricultural interest to serve on the area plan commission under this clause for a period not to exceed one (1) year. In addition to the county resident selected by the county executive to serve as a member of the commission, the county agricultural extension educator who is not a resident of the county shall serve the commission in a nonvoting advisory capacity.

(B) The county surveyor or the county surveyor's designee. However, the county surveyor's designee must be a resident of the county to be eligible to serve on the area plan commission.

- (5) One (1) citizen member who is:
 - (A) a resident of the unincorporated area of the county; or
 - (B) a resident of the county who is also an owner of real property located in whole or in part in the unincorporated area of the county;appointed by the county executive.

- (6) One (1) citizen member who is:
 - (A) a resident of the unincorporated area of the county; or
 - (B) a resident of the county who is also an owner of real property located in whole or in part in the unincorporated area of the county;appointed by the county fiscal body.

(d) AREA. When there are five (5) county representatives, they are the representatives listed or appointed under subsection (c)(3), (c)(4), (c)(5), and (c)(6) and:

(1) the county surveyor or the county surveyor's designee if the county executive appoints the county agricultural extension educator or resident of the county who is a property owner with agricultural interest, as applicable, under subsection (c)(4); or

(2) the county agricultural extension educator or resident of the county who is a property owner with agricultural interest, as applicable, if the county executive appoints the county surveyor under subsection (c)(4).

(e) ADVISORY. Notwithstanding subsection (a)(4), a county agricultural extension educator who is a member of the county plan commission on July 1, 2020, and is not a resident of the county may continue to serve as a member of the commission until:

(1) October 1, 2020; or

(2) the date set forth in an ordinance adopted by the county legislative body that is after October 1, 2020, and not later than October 1, 2021.

This subsection expires January 1, 2022.

(f) AREA. Notwithstanding subsection (c)(4), a county agricultural extension educator who is a member of the area plan commission on July 1, 2020, and is not a resident of the county may continue to serve as a member of the commission until:

(1) October 1, 2020; or

(2) the date set forth in an ordinance adopted by the county legislative body that is after October 1, 2020, and not later than October 1, 2021.

This subsection expires January 1, 2022.

[Pre-Local Government Recodification Citations: 18-7-3-3; 18-7-4-208; 18-7-4-9; 18-7-4-10; 18-7-5-11.]

As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1981, P.L.310, SEC.7; P.L.354-1983, SEC.1; P.L.40-1993, SEC.67; P.L.226-1997, SEC.1; P.L.216-1999, SEC.2; P.L.103-2000, SEC.1; P.L.276-2001, SEC.10; P.L.173-2003, SEC.30; P.L.32-2004, SEC.2; P.L.126-2011, SEC.7; P.L.233-2015, SEC.339; P.L.53-2020, SEC.1.