

**MINUTES OF THE DAVIESS COUNTY FISCAL COURT**  
**PUBLIC HEARING**  
**DAVIESS COUNTY COURTHOUSE**  
**THURSDAY, JANUARY 7, 2016 - 5:45 p.m.**

***NOTE: Due to equipment failure that would have provided an audio recording of tonight's public hearing for the purpose of producing minutes, the following language does not represent all relative public hearing comments.***

Judge Mattingly explained that tonight's meeting deals with the proposed Property Maintenance Ordinance. In 2015, he stated, "The Solid Waste Coordinator's office received 82 property maintenance complaints dealing primarily with weeds, trash, rubbish and structures. Ninety plus percent of this proposed ordinance is current language that is not being changed. He stated, "I have heard from Face Book that some are stating that the county is trying to slip this ordinance through on us." That is untrue. We (the county) have held numerous, publically advertised, open meetings to discuss this ordinance since September of last year. We want the buy-in from this community and through radio, county speak-up interviews, court announcements, and newspaper articles and publications, we have been active in attempting to encourage citizens to attend these meeting. Those included on our review board encompassed people from all areas of the county and the ag industry. As a result of more and more of our county becoming urban, and the fact that property maintenance complaints are increasing, this court believe it necessary to review the current ordinance. The major change in this ordinance is that ordinance terms are being more defined. This is to clarify the meaning of the ordinance and make it easily interpreted. For those that attended our meetings and made recommendations, they have been considered. We want to have a balance with regard to all property rights. The first charge of this review committee was to "Not cause harm to the farmer"."

Commissioner Castlen noted that an agreement was made not to consider this proposal for a minimum of 30 days, so the public could have sufficient time to review and comment.

Nick Hurter of Philpot wants every county property owner to be able use their county property as they wish.

Claud Porter stated, "Provision of the ordinance..."

Larry Boswell asked that the term unimproved be explained and possibly defined in the ordinance.

Judge Mattingly noted that it means anything that has not been improved - a grassy/dirt area is considered unimproved. An area with a concrete pad or is blocked would be an improved area.

Judge Mattingly stated, "Along with terms being defined, we are also including an appeals process, which I feel is something we all agree on."

Attorney Porter stated, "

Tom Turner questioned the one acre tract.

Joan Hayden asked, "Where do the fees go?"

Judge Mattingly said they go to the court system, just as they do with speeding tickets and court cases.

David Clem asked about those with 1/2 acre lots... didn't like Section 6 regarding mobile homes.

Jeff Coke of Farm Bureau talked about 10 (b).

Bobby Cook had questions involving Section 6.

Tracey Payne asked about unregistered cars and inoperable vehicles.

Cornellius VanMilligan said he is not confident in the appeals process and is concerned that this could affect his 200 acre farm and an unlicensed 1965 truck.

Jamie Castillo of Rand Road asked about the definition of improved surface as it relates to race cars and trailers as he has 4 racecars and a gooseneck trailer.

Pam Leonard mentioned vehicles blocking right-of-ways and supported an ordinance.

Don Peters from Mount Saint Joe expressed frustration that this ordinance does not prevent the truck washing facility owned by Jerry O'Bryan.

Chris Dunn wants something done about his neighbor's property as they have old chicken barns with roof shingles flying off.

Public Hearing adjourned at 6:50 P.M.