

Subject **Re: [EXTERNAL] Citizens in your District are being denied due process.**
From <max@indianaproud.com>
To Senate District47 <s47@iga.in.gov>
Date 2023-06-23 07:13



Good Morning Devon Anderson,

Thank you for getting back with us so quickly.

Just to let you know, yes Tommy is running for the office of Salem Mayor this year. Yes, legal boards for legal hearings is part of his platform. But I am not running this year, but I have been working for over a year to try and correct these boards' illegal behavior.

Looking forward to the Senator's perspective on local government officials not upholding state law.

Thank you,
Max Greene

On 2023-06-22 09:56, Senate District47 wrote:

Hello Max and Tommy,

Our office has received your message. I will be in contact with Senator Byrne to explain your situation and concerns and see if there is anything our office can do to assist and aid in this process. I am under the assumption that you are wanting to run for a local office position, is that correct? When I know something, I will be back in contact.

Best,

Devon Anderson
Legislative Assistant | Indiana Senate
Senator Liz Brown | Senator Gary Byrne
Phone: 317-232-9497
Email: devon.anderson@iga.in.gov

-----Original Message-----

From: max@indianaproud.com <max@indianaproud.com>
Sent: Wednesday, June 21, 2023 3:35 PM
To: Senate District47 <s47@iga.in.gov>
Subject: [EXTERNAL] Citizens in your District are being denied due process.

Greetings Senator Byrne,

The Washington County Planning and Zoning Board The Washington County Zoning Board has 2 citizen members that do NOT own property or reside within the jurisdictional limits of the Board that they serve on as required by IC 36-7-4-216 State Law. This denies all legitimate citizens a voice in the zoning laws being written.

Indiana Planning and Zoning Law states in Chapter 1, section 1.2 County Advisory Plan Commissions Serve the Unincorporated Territory within the County, excluding any extra Territorial Jurisdiction claimed by Municipalities.

The Jurisdiction that 2 of the Board Members live in has been claimed by the City of Salem and relinquished by Washington County in 2010. Simplified example - I have the right to run for County Commissioner, District 3 but not District 1 because of my geographical residence. Also, IC 36-1-8-10 on Party Affiliation of Board Members. There are currently 1 Democrat and 4 Republican Citizen Members on this board.
IC

36-7-4-208 specifies that there can be no more than 3 Citizen Members of the same Political Party.

Multiple presentations have been made before both the County Commissioners and the County Zoning Board itself making them fully aware of their State Law violations. Nothing has been done to correct

this illegal board.

City of Salem Plan (Zoning) Commission

In addition, the City of Salem Zoning Board has 2 Board members appointed by the County Commissioners who are supposed to reside within the 2 Mile Fringe of the City of Salem. Both appointees are Republican which is contrary to IC 36-7-4-214 stating that they cannot be of the same party. Also, one of these appointees does not own property nor reside within the 2 Mile Fringe jurisdiction requirement as per IC 36-7-4-216.

There are also too many Republican Citizen members according to IC 36-7-4-207. They should have no more than 2 of the 4 Citizen members of the same political party and they currently have 3 Republicans. Salem Mayor Candidate Tommy Brown III presented before the Salem City Council what was wrong with this board and how to fix it. But no action was taken to correct this illegal board.

Legal Boards for Legal Hearings

These illegal boards deny legitimate citizens from having a voice on these Boards and opens Washington County and the City of Salem up for legitimate litigation.

We are asking for your support as an elected official to uphold State Law and give eligible citizens their lawful rights back in accordance with Indiana State Law.

Waiting for your response,

Max Greene and Tommy Brown, III