


FOUNTAIN COUNTY
ADVISORY PLANNING COMMISSION
Minutes
Feb 22, 2024

A: Call to Order:

Minutes last Meeting- Dec 21, 2023

Motion to Approve Minutes	SECONDED	VOTE
Sue Ann Anderson	Glen Walter	5-1 *Jake McGraw late to meeting

When a motion was made to approve the minutes from the last meeting, Jim McKee called into question the Area Plan's compliance with State Code and Local Ordinances as it pertains to the Board's Organization. State Code and Local Ordinances require that the citizen members must not have more than three members from the same political party and that from 2017 – 2023 the members did not meet that criteria. He also calls into question the legality of drafting and passing of revisions, and amendments to the County Ordinances for County Zoning, in the questioned time period, and suggest that it needs to be adjudicated. Legal counsel informed him that if he wants to do that, he would need to do that himself. *adjudicated* 

B. The following voting members were present:

<input checked="" type="checkbox"/> Sue Ann Anderson	<input checked="" type="checkbox"/> Jamie Shonkwiler
<input checked="" type="checkbox"/> Mark Bertolino	<input checked="" type="checkbox"/> Tim Shumaker
<input type="checkbox"/> Laura Bush	<input checked="" type="checkbox"/> Glen Walter
<input checked="" type="checkbox"/> Jim McKee	<input checked="" type="checkbox"/> Campbell White
<input checked="" type="checkbox"/> Jake McGraw	

Others in Attendance: Keenan Wilson, Brenda Hardy, See attached sign in sheet

C. Determination of Quorum - ☒ Yes ☐ No

D. Report of Committees and Officers –

APC Terms Requirements

Terms expire on first Monday of January of the first, second, third, or fourth year after members appointment. Vacancies: Appointing Authority will appoint a member, within 90 days, for the unexpired term of the Vacating Member. Absences: a member who misses 3 consecutive meetings maybe treated by appointing authority, in its discretion, as a resignation. No more than 3 members can be from the same party.

BZA Terms Requirements

Terms expire on first Monday of January of the first, second, third, or fourth year after members appointment. Vacancies: Appointing Authority will appoint a member for the unexpired term of the Vacating Member.

2023

APC 2023 (9 Voting Members)					
Requirement	Appointed By	Term	Date Start	Date End	
Commissioner Member	Commissioners	1yr			Shumaker, Tim
Council Member	Council	1yr			McKee, Jim
County Engineer	Commissioners	1yr			Azar, Roger
Surveyors	Designee	1yr			Tuggle, Nancy
Extension Educator	Extension	1yr			Shonkwiler, Jamie
Citizen Member	Commissioners	4yrs	1/1/2021	12/31/2024	Anderson, Sue Ann
Citizen Member	Commissioners	4yrs	1/1/2021	12/31/2024	Bush, Laura
Citizen Member	Commissioners	4yrs	1/1/2020	12/31/2023	Crowder, Kyle
Citizen Member	Commissioners	4yrs	1/1/2021	12/31/2024	McGraw, Jake
Citizen Member	Commissioners	4yrs	1/1/2022	12/31/2025	Walter, Glen
APC Officers 2023					
Requirement	Appointed By	Term	Date Start	Date End	
Chairman	APC	1 Yr.			Crowder, Kyle
Vice Chairman	APC	1 Yr			Shumaker, Tim
Secretary	APC	1 Yr			Anderson, Sue Ann

2023

BZA Requirement (5 Members)					
Requirement	Appointed By	Term	Date Start	Date End	
APC Member	Commissioners	2yrs.	1/1/2020	12/31/2023	Kyle Crowder
Not APC Member	Commissioners	Yearly	1/1/2023	12/31/2023	John Allen
Not APC Member	Commissioners	Yearly	1/1/2023	12/31/2023	Open
Not APC Member Apt by Council	Council	4 Year	1/1/2021	12/31/2024	Rodney Norman
APC Member	APC	Yearly	1/1/2023	12/31/2023	Nancy Tuggle, Jake McGraw

2024 Appointments & Vacancies

APC Support & Members Appointed for 2024

Position	Nominated	by	Term	Start- End
Admin Records	AmberRoarks	Commissioners	1 yr	1/1/24 to 12/31/24
Citizen	Campbell White -D	Commissioners	4 yr	1/1/24 to 12/31/27
Citizen-finishing Glen Term	Mark Bertolino-D	Commissioners	4 yr	1/1/2022 to 12/31/2025
Extension Educator	Jamie Shonkwiler	Extension	1 yr	1/1/24 to 12/31/24
Surveyor/Eng Designee	Roger Azar	Commissioners	1 yr	1/1/24 to 12/31/24
Surveyor/Vote Designee	Glen Walter	Commissioners	1 yr	1/1/24 to 12/31/24
Council Member	Jim McKee	Council	1 yr	1/1/24 to 12/31/24
Commission Member	Tim Shumaker	Commissioners	1 yr	1/1/24 to 12/31/24

APC Chair

Jim McKee informed the Board that he would not except a nomination as Board Chairman citing that he did not believe that an elected member should not hold that position. No member expressed an interest in the position. Tim Shumaker as Vice President from the Previous year said he would except.

Position	Nominated	by	2nd	Vote	Term	Start- End
Chairman	Tim Shumaker	Campbell White	SueAnn Anderson	8-0	1 yr	1/1/24 to 12/31/24
Vice Chair	Campbell White	Jim McKee	Jamie Shonkwiler	8-0	1 yr	1/1/24 to 12/31/24
Secretary	SueAnn Anderson	Jamie Shonkwiler	Glen Walter	8-0	1 yr	1/1/24 to 12/31/24

BZA

Jessica Anderson, Citizen attending the meeting volunteered to sit on the BZA. Tim Shumaker informed her that the County Commissioners would need to vote on the appointment at the next Commissioners meeting and to leave her contact information with Amber at the end of the meeting.

Position	Nominated	by	2nd	Vote	Term	Start- End
APC-Member	Jake McGraw	Commissioners			2 yr	1/1/23 to 12/31/24
Non-APC Member	John Allen	Commissioners			1 yr	1/1/24 to 12/31/24
Non-APC Member	Open	Commissioners			1 yr	1/1/24 to 12/31/24

APC-Member by:APC	Campbell White	Jim McKee	Jamie Shonkwiler	8-0	1 yr	1/1/24 to 12/31/24
Non-APC Member	Rodney Norman	Council			4 yr	1/1/2021 to 12/31/24

E. Public Comment –

There was a number of citizens that attended the meeting to voice their concerns with the Solar Permits and the Ordinance.

Joanna Sites, addressed the effect that the Solar Fields would have on the Health and Quality of life on her 8-year-old deaf Daughter, and how the electrometric field would disrupt her hearing devices.

Jessica Anderson expressed concerns about elected officials, and members of all its boards compliance with Indiana Code on conflict of interest, and transparency. She claimed that IC is very serious as it pertains to Conflict Interest. She cited “Indiana Code 35-44.1-1-4A public servant who knowingly or intentionally has a pecuniary interest in or derives a profit from a contract or purchase connected with an action by the governmental entity served by the public servant commits conflict of interest, a Class D Felony. An individual’s personal interest could be family, friendship, or financial gain.” She questioned if the county has an affidavit available for its members to disclose any conflict of interest. they may have to Solor or any other financial gain/interest. She explained how Preplanning or creating overlays for solar may be a fairer option to the community, and that special use permits give room for negotiating for the community.

Tammy Highnote first addressed her frustration on the conduct of the Board in regards to being transparent and open with the public. She also expressed her concern of Solar contaminating land and water. She presented the County with an article. Roger Azar explained that the article was misleading and did not apply to what she was claiming as water contamination. The contaminations are from sediment in the water that is contributed to runoff. His technical review and engineering plans would not allow for that to happen and that he does his due diligence on the drainage plans.

Amber Hudson expressed her concern on the verbiage in the Comprehensive Plan and Development of Government Subsidized Housing. Commissioners explained that if this type of housing was to go up in Veedersburg, the City has their own ordinances and that the County would not jurisdiction in the Veedersburg area.

Bill Stonecipher asked what the County used to create the current Solar Ordinance. When discussing Solar was permitted use in agricultural land. Roger Azar explained that he looked at Surrounding Counties ordinances and then tweaked the verbiage for what made since for Fountain County.

There were many questions that followed on the current revisions for the County Ordinance and how that process would move forward. Roger explained that he created the draft and then it would go to the Area Plan Commission. The Area Plan Commission

would discuss and make suggestions to what they would like to be edited or added. The Area Plan Commission would then set a public hearing to hear public input. The Area Plan Commission would then vote to send to the Commissioners with or without recommendation and the Commissioners would make the final decision. Tim Shumaker announced the public meeting that will be held at the Attica High School on Solar with Dolphin on Feb 29th at 6pm.

Jacob Martinek spoke on having more transparency with publishing meeting dates via social media. He also had concerns about the companies coming in and building these solar fields with government funding because its available and the County being left holding the cards for an unsustainable utility. Discussion continued into the Bonding and decommissioning of these facilities, and if there was any scientific data on the land after 40 years of Solar.

When asked if any changes to Solar were being considered, Tim Shumaker said no, Solar will not be revised.

F. Old Business-

- Ordinance Draft-
 - Board decided to put off any further discussion on the Ordinance draft in order to get new members up to date and give them time to look over the materials. Amber requested that we get copies of the Draft to the newly appointed members for there review.
- Zoning on Parcel Cards-
 - Amber updated the board on updating the zoning code on the property parcel cards. We have coded all properties that fall in the Municipal Fringe areas of Attica, Covington, and Veedersburg. These areas can now be easily identified on property cards and by reports.
 - Amber has informed the city of Covington that the new subdivision created by Ratcliff Inc on Grubb Lane is in fact the Jurisdiction of Covington. This subdivision has not yet been signed off and properly brought the county for division in the GIS system. Homes
 - Covington Fringe- Brad Crain expressed interest of returning all land South of 74 back over to County Jurisdiction. He was informed that the City Council would need to pass a resolution and redraw their jurisdictional map.
 - Veedersburg Fringe- Is now coded to the City of Veedersburg on the parcel cards
 - Attica Fringe-Is now coded to the City of Attica on the parcel cards.

G. New Business —

- Letter of Indemnity – County Attorney - Approval by NPIP (National Flood Insurance Program) County attorney is still working on this item
- Special Use Permit- Animal Shelter “Home For Friendless Animals” (exempt) in Agricultural Land
 - John Mills, Mountain Road 23-17-09-401-001.000-005
 - Requires Public Hearing with the BZA, Advertisement in Paper, & letters to adjacent land owners- TBD in March

H. Communications from Members –

Next Scheduled Meeting

DATE	TIME	PLACE
March 21, 2024	6:00 PM	FOUNTAIN COUNTY COURT HOUSE

Meeting Adjourn

Motion Made by	Seconded	Vote	Time
Sue Anderson	Jim McKee	9-0	7:45 pm

Sue Ann Anderson Sue Ann Anderson

Mark Bertolino Mark Bertolino
~~Laura Bush~~

Jim McKee Jim McKee

Jake McGraw Jake McGraw

Jamie Shonkwiler Jamie Shonkwiler

Tim Shumaker Tim Shumaker

Glen Walter Glen Walter

Campbell White Campbell White

Signed this 21 of March, 2024

SIGN IN SHEET

All attendees must sign in before entering meeting room

NAME	TOWNSHIP or ADDRESS	PHONE #
Tammy Hinojosa	Vanburen	[REDACTED]
Mark Phillippo	Shawnee	[REDACTED]
Dave Phillippo	Shawnee Township	
Campbell White	Wabash	
Ted Fruits	Richland	
Carol Owens	Troy	
Sandy Seyfert	Troy	
Terry L Henry	Bogen	[REDACTED]
Christine Brunner	Wabash	
Bill Stoeneken	Troy	
Joan [unclear]	501 N. 6th ATTICA	[REDACTED]
Kay [unclear]		
Jina Holmes		
David Jacob		[REDACTED]
Joanna Sichts	Shawnee	[REDACTED]
Cathy Hunt	Wabash	[REDACTED]
Wayne Deery	525 S Meridian St Indianapolis	[REDACTED]
Amber Hudson	Van Buren	
Debby Allen	Troy	[REDACTED]
Mike [unclear]	Fontaine	
Dave Phillips	Richland	
Jacob Martinek	Veederburg Vanburen	[REDACTED]

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