

**FOUNTAIN COUNTY  
ADVISORY PLANNING COMMISSION**

**Minutes  
Jan 23, 2025  
6:00 P.M.**

**A: Call to Order:**

The Fountain County Planning Commission met Jan 23, 2025 at 6pm at the Fountain County Courthouse in the Commissioner's Meeting Room. Minutes were from the previous meeting were approved: Nov 21, 2024

<b>Motion to Approve Minutes</b>	<b>SECONDED</b>	<b>VOTE</b>
<b>Jake McGraw</b>	<b>Jamie Shonkwiler</b>	<b>5-0</b>

**B. The following members were present:**

<input checked="" type="checkbox"/> Mark Bertolino	<input checked="" type="checkbox"/> Amber Roarks
<input checked="" type="checkbox"/> Jake McGraw	<input checked="" type="checkbox"/> Jamie Shonkwiler
<input checked="" type="checkbox"/> Jim McKee	<input checked="" type="checkbox"/> Jon Schrock
<input checked="" type="checkbox"/> Kenneth Rice	<input checked="" type="checkbox"/> Campbel White

Others in Attendance:

**C. Determination of Quorum -  Yes \_\_\_ No**

**E. Report of Committees and Officers –**

**Appointments & Vacancies**

**Election of Board**

<b>Seat</b>	<b>Nominated</b>	<b>By</b>	<b>Seconded</b>	<b>Vote</b>
<b>Chair</b>	<b>Jon Schrock</b>	<b>Amber Roarks</b>	<b>Mark Bertolino</b>	<b>7-0</b>
<b>Vice Chair</b>	<b>Mark Bertolino</b>	<b>Campbell White</b>	<b>Jamie Shonkwiler</b>	<b>7-0</b>
<b>Secretary</b>	<b>Amber Roarks</b>	<b>Jon Schrock</b>	<b>Kenneth Rice</b>	<b>7-0</b>

<b>Position</b>	<b>Nominated</b>	<b>By</b>	<b>Seconded</b>	<b>Vote</b>
<b>BZA-APC member</b>	<b>Jake McGraw</b>	<b>Amber Roarks</b>	<b>Kenneth Rice</b>	<b>8-0</b>

**Amber Roarks opened asking with clarification on how to move forward and correct APC member Terms. Two members were still operating on 2 years and 3 years. In the beginning of the APC organization terms were staggered so all members end terms were different. The term cycle should have been changed to 4-year terms after completing the first term. She claimed that in 2023 the table she listed she believed to be incorrect, because according to 2020 they were still operating on 2 year and 3-year terms. It was decided to have the Legal Representative look and make recommendation.**

**Jim McKee asked Jamie Shonkwiler if the Extension has reappointed her seat on the APC. Amber Roarks had talked with Adam Tyler and they were going to in the next meeting.**

**The Surveyors Designee was removed as a voting member from the APC by the County Commissioners.**

**It was discussed that the APC and BZA had to follow State Statute over the County Ordinance, and that the County Ordinance may not be compliant with State Statute. It was decided that Legal needs to look at the law for clarification, and if the current ordinance needs to be amended in matters of the APC & BZA organizational structure and term assignments.**

**The County Ordinance states that 1 member from the APC needs to be appointed by the APC to sit on the BZA Board. Amber Roarks nominated Jake McGraw, KW Rice  
Seconded Vote 8-0**

**Roger Azar updated the Board on the progress of updating the ordinances in draft to get new members up to date on what the Board is working on. He discussed the focus has been on Subdivisions, Driveways, Roads and Streets, Flood Hazard, Drainage, and Solar Ordinances and that they are ready for a deep dive into each ordinance. Some of them are large and that if they can't be finished up before the moratorium ends that an extension may be needed.**

**The board made a decision to have a deep dive on subdivision as a working meeting February 27<sup>th</sup> and Solar discussion in March. Roger said the solar is fairly small and could finish in March. Board member Amber Roarks requested that we stop jumping from ordinance to ordinance and finish an item before moving on.**

**Amber Roarks brought up there have been multiple public record request and that personal emails being used by members are still subject to public records request. Jon Schrock discussed open door policy and need to be careful when discussing**

business on email threads. It will be creating emails for members who are using their personal email.

Amber Roarks also asked for a change in the permit process for approval processes that not one person should have sole authority on the approval process. There was discussion on how that process needs to be handled. Amber Roarks made a motion to request a public hearing on starting the process removing or amending the process from the Zoning Administrator to the APC. Roger Azar requested that she read over the Solar Ordinance that there are provisions that will do what she is requesting. As far as building permit, he suggested to develop a small committee that will over see that process. Vote 3-4-1 4 Against 3 For 1 Abstention

Amber Roarks was concerned that the board is just spinning its wheels by not starting something and finishing it, and is afraid that important issues the public have are being missed by trying to pass a large ordinance so there is just one public hearing. She suggests finishing what is started before moving on to the next item.

Decision to start Subdivisions in February and re-visit in March for finalization. Roger said that he could have someone here in March to take down any notes for editing the subdivisions.

Jon Schrock brought up the process for an extension for the Solar Moratorium because time is running out. It was determined that the APC could not vote on the moratorium but would need to advertise a public hearing for an extension. Council member Kelly Carlson explained what the process was to hold a public hearing. The Board would vote for a public hearing and set the date. The Auditor would notify the paper for advertising and as long as the advertising requirement of 10 days was met you would hold the meeting and then vote. The extension does not need new verbiage it just extends the date. Motion was made by Amber Roarks to hold a public hearing for the extending of the Solar Moratorium on February 27, 2025. Mark Bertolino 2<sup>nd</sup>. Vote 8-0

Jon Schrock read over an educational memo from Purdue University on what the functions of the APC and how it requires Public input and involvement in the local government. He wants the public to call or come to the APC with questions and concerns.

## **Public comment opened**

**Kelly Carlson thanked the board for their hard work and that she understands it can be both rewarding and challenging**

**Dudley Cruea informed the Board that in December the council voted on a 2-year moratorium for ERA and tax abatements for Solar and would like for the APC recommendations on the extension to run for 2 years parallel with the Councils Solar Moratorium. It would be nice if the Commissioners, Council, and APC were on the same page. Ends Dec 2026.**

**Sara Dunsing asked if it was possible for the public to see the draft ordinance. Amber was asked if they could be added to the web page. She stated that she was told drafts were not subject to public review by previous legal council and she would only do so if the current legal council approve. They would check with Legal.**

**Carol Owens is there anything different between an advisory plan commission or and area plan Commission. Jim McKee said that an Area plan Commission would have members who were form the municipal areas. The Advisory is just unincorporated areas.**

**Carol Bruner asked how the county could have a public hearing when the public doesn't know what is in them. Jon said that for a public hearing the documents will be available for public review.**

**Sue Anderson informed the Board that on the Commissioners Agenda the APC was listed as an Area Plan Commission.**

**Advisory board makes recommendation to the commissioners and asked if the Advisory Board has the authority to approve a permit. Campbell said that he was sure if this would be the Duty of the APC. NOT**

**She also explained when the zoning was first put in place it was to be simple. She doesn't under why we need all these ordinances. She understands Solar, Wind, and Subdivisions but for the rest remove permit requirements and keep it simple. Resident should be able to do what they want and build what they want on their land.**

**Carol Owens asked if the public hearing was for subdivision too. It was explained to her it will just be for the Solar Moratorium extension but there would be public comment later for other discussion.**

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**Kelly Carlson asked if there was a conflict of interest how would it be addressed when writing ordinances and input into new ordinances. Jon Schrock will get with legal and review. He mentioned a possible conflict of interest form may need to be filed.**

**Derek May asked how public comment at the public hearing will affect the ordinance if it is already a finalized document. Jon Schrock explained that he will allow public comment in working meetings while discussing the draft, and if there was to be public comment at the hearing that could alter the draft it would be amended before it goes to the Commissioners. He also asked if Dolphin Solar have a time requirement on getting back to Rogers questions. Should there be a time frame to complete their business and if it is not meet, should the permit be void? Roger explained verbiage could be added to keep from having open ended permits. He also asked if changes in permit approval would be retroactive, Roger explained that he believed anything applied before any changes would be grandfathered in.**

**Dee Bentley asked if the Subdivision ordinance would have jurisdiction over the subdivision in Veedersburg. Roger explained that that subdivisions feel in the Veedersburg Fringe. Amber explained that the maps in the binders included for Covington and Attica included the fringe area and Veedersburg didn't. Roger found a map for Veedersburg.**

**Carol Owens asked how the subdivision was done for Grubb lane. Amber explained that the Plat was entered into a subdivision by Covington and then Covington turned the area South of 74 back to the County.**

**Kelly Carlson asked about a property on 28 East of 341 where there are 3 house Trailers on a 4-acre parcel. She asked if there are going to be any ordinances on how many homes on a parcel. Roger explained that the only thing that can be done is contacting the Health Department.**

**H. Communications from Members –**

**Next Meeting**

<b>DATE</b>	<b>TIME</b>	<b>PLACE</b>
2/27/25	6:00 PM	FOUNTAIN COUNTY COURT HOUSE

**Meeting Adjourn**

<b>Motion Made by</b>	<b>Seconded</b>	<b>Vote</b>	<b>Time</b>
KW Rice	Jamie Shonkwiler	8-0	7:40pm

Signature Page:

Jamie Shonkwiler

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2/27/2025

Date

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