

**Decatur County Area Plan Commission
November Minutes 2025**

The regular scheduled meeting for the Decatur County Area Plan Commission was called to order by Paul Stone at 6:33 p.m. on Wednesday, November 5, 2025. There were 5 board members present with Todd Mauer, Scott Smith and Tom Hunter absent. Brad Schutte joining remotely. Also attending the meeting was Melissa Scholl – APC Attorney (remote), Doug Westerfeld – Area Plan Director and Debbie Martin – Administrative Assistant.

In the absence of the President and the Vice-President appearing remotely, Paul Stone opened the meeting and served as acting Chair and read the following: *to comply with the Title VI of the Civil Rights Acts of 1964, Decatur County requests that participants in this meeting complete a voluntary, anonymous survey that is available on the table in the back of the room.*

* **Approval of Minutes: September 3, 2025 Sheila Kirchhoff** made a motion to approve the minutes as mailed; **Tom Cherry** seconded the motion with all present signifying aye.

* **Approval of Minutes: October 1, 2025 Tom Cherry** made a motion to approve the minutes as mailed; **Paul Stone** seconded the motion with all present signifying aye.

* **APC Petition 2025-26 - Decatur County Area Plan Revitalization Ordinance**
*****Second Reading**

Doug Westerfeld presented the second public reading of the Decatur County Revitalization Ordinance.

- The ordinance grants the Area Plan Commission authority over blighted properties, including unsafe buildings and nuisances, a responsibility previously held by the county commissioners.
- Should we receive a favorable vote here tonight, then we will begin immediately and start notifying properties that we've already been notified on in that process.
- The procedure is modeled after a successful program in Jennings County.
 - The process begins with a citizen complaint, followed by an inspection.
 - If a violation is found, a certified letter is sent, giving the owner 30 days to respond.
 - Non-compliance can lead to a board hearing and potentially a court order for cleanup, with costs billed to the owner.

There were no public comments.

Sheila Kirchhoff made a motion to vote on APC 2025-26; **Tom Cherry** seconded the motion with all members present and remote voting yes.

* **APC Petition 2025-28 – Nathan Crowell** is requesting to subdivide approx. 5.00 acres out of 160 acres and rezone approx. 2.99 acres from an A-1 zoning classification to an A-2 zoning classification to build a single family detached dwelling. Request falls under Decatur County Ordinance Section Number 915 & 920(7). The property is owned by Stephen & Judy Crowell and is located just East of 2458 E CR 300 S, Greensburg in **Washington Township**.

Nathan Crowell: I was here about 5 years ago, didn't get the survey completed so I'm back asking for rezone, same plan of attack. The septic system is approved and I'm starting to reach out to well drillers.

With the packet being complete. It was noted that there is no rural water in the area. There were no further questions or concerns from the board or the audience.

Tom Cherry made a motion to vote on APC 2025-28; **Sheila Kirhhoff** seconded the motion with all member present and remote voting yes. **Paul;** thank you Mr. Crowell, keep in touch with the office as you begin the building process and they will help you along.

* **APC Petition 2025-29 – Jason Riggs** is requesting approx. 100'x100' from an A-1 zoning classification to an A-2 zoning classification to build a Communications Tower. This request falls under Decatur County Ordinance Section Number 920 (3). The property is owned by Jeff & Lisa Deck and is located at 2545 W CR 400 S, Greensburg in **Sand Creek Township**.

- Ryan Whitley, representing Jason Riggs, requested to rezone a 100x100 ft area from A1 to A2 to build a communications tower.
- The project involves a 171-foot monopole tower for Verizon at 2545 West County Road 400 South. The tower is under 200 feet and will not be lit.
- A local resident, Emily Roell, raised concerns about RF radiation exposure, especially for her children, and asked that the tower be located at least 500 feet away.
- Ryan Whitley provided a sheet on radiation and state the Telecommunications Act of 1996 states that local jurisdictions could not deny an application on the basis of health concerns. At ground level the radio waves are minuscule and fractions of what are allowed by the FDS and FCC.
- **Melissa Scholl;** I don't think we have had that presented to us before, if the Board would like to look at that then this would be an action where you would probably want to table this motion and we could do further research to see if it is such that we are preempted from denying a petition based upon that.
- Jeff Deck stated that this is really rough ground, not farmable or anything like that and citing dangerously poor cell reception in the area, which has impacted emergency communications.

Paul Stone: I would like to ask the board if anyone would like to further investigate the statement about our inability to deny based on health concerns. **Courtland Robertson** asked if with the current location, would there be a secondary location that would be able to get just a little bit further away if that would help ease her concerns at all. **Ryan Whitley** said that he understood her wanting it farther away and that code does not require us to and with the thousands of dollars spent on this project to date, with all the testing, approvals and survey so they would be extraordinarily hesitant to ever move. We have done multiple studies on cell towers and it has been overwhelming that a cell tower has not reduced the value of property in close vicinity to them.

- **Attorney Melissa Scholl** pointed out that over the years we have had numerous towers come into the County and on multiple occasions they have been located within the property to make it more palatable to the neighbors. So if there are concerns that the board is having, I would encourage you to not step back because it may be a financial burden, but to go ahead and pursue the options for other locations of that tower on the property, just so that we can do our due diligence in trying to weigh the benefits of having additional cell coverage with also preserving the value of the property for the adjoining one.
- **Paul Stone:** read the Telecommunications Act of 1996 and it states that it does prevent local denial based on health concerns if FCC standards are met. Asked if there was a primary reason why it wouldn't be located farther away on the parcel from other homes or structures? **Ryan Whitley;** That is an extremely small parcel, I don't know that there's anywhere else. **Courtland:** I assume that the reason you chose this is because it was where the old residence and driveway is. **Ryan Whitley;** it was a portion of the property that they... **Paul;** not a lot of places to move it on the parcel. **Jeff Deck;** I believe the tower is as far north as they can get it because there is quite a drop off down to an old creek bed, or gully.

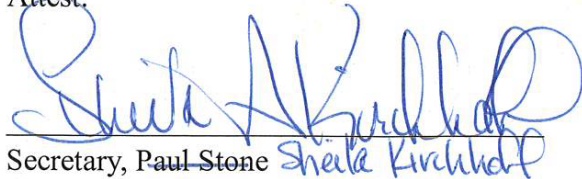
Paul; if a member of the board that has a concern related to this to the radiofrequency emission, that the neighbor has brought to our attention and would like for us to table this, I would like for you to say so. If not, I would look for a motion.

Sheila Kirkhoff made a motion to vote on APC 2025-29; **Tom Cherry** seconded the motion with 4 members present and 1 remote voting yes and 1 member present voting no. **Paul;** your petition passes, thanks for following through.

Sheila Kirchhoff made a motion to adjourn the meeting at 7:11 p.m.

The video can be viewed at: <https://www.youtube.com/watch?v=mLG9D8RUS6M&t=2094s>

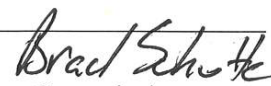
Attest:



Secretary, Paul Stone
Decatur County Area Plan Commission



President, Todd Maurer
Decatur County Area Plan Commission



Brad Scholtz
Decatur County Area Plan Commission