

**Decatur County Area Plan Commission**  
**Minutes May 3, 2017**  
**1<sup>st</sup> Floor Meeting Room of Decatur County Courthouse**

The regular scheduled meeting for the Decatur County Area Plan Commission was called to order by Albert Armand at 7:36 p.m. on Wednesday, May 3, 2017. There were 9 voting Board members present at the meeting in addition to Krista Duvall – Decatur County Area Plan Director, Debbie Martin – Administrative Assistant, Melissa Scholl – BZA & APC Attorney, and Kenny Buening – Decatur County Building Commissioner.

A copy of the meeting agenda and the attendance registrar is attached to these minutes and incorporated by reference. By consensus, the APC Board approved the minutes for the meeting on April 5, 2017 as written and mailed.

**\* APC Petition 2017-11 – Authentic Properties / George Mitchell** is petitioning to “subdivide” 1.545 acres out of 3.09 acres and to “rezone” 1.545 acres from an A-1 zoning classification to an A-2 zoning classification for construction of a single family detached dwelling. The property is owned by the petitioner is located at 3572 S CR 180 E, Greensburg, **Marion Township.**

George Mitchell stated that they wanted to rezone the property to build a home and that they have met all of the requirements. He also said that it should be a good source of tax revenue for the county when the home is completed. A board member stated that it looked to be a good location and scored well. There is also rural water down that road as well.

With no additional comments from either the board or audience Tom Hunter made a motion to vote on APC Petition 2017-11; Albert Armand seconded. All 9 members present vote yes.

**\* APC Petition 2017-12 – Donna Tewmey** representing Michael & Barbara Greiwe is petitioning to “rezone” 2.99 acres out of 9.65 acres from an A-1 zoning classification to an A-2 zoning classification for construction of a single family detached dwelling. The property is **owned by Michael & Barbara Greiwe** and is located just East of 395 W CR 300 S, Greensburg, **Marion Township.**

Kirk Duerstock stated that he was looking to buy the land to build a single family dwelling. **Board;** did you make a decision on the driveway entrance, where you are going to be putting it? **Kirk;** I will place it where the County Highway Dept. suggested. **Board;** that property is currently being farmed but it is a narrow piece of ground and scores fairly well on our score sheet and rural water is available. **Board;** the arial maps shows a lot of rough and rolling ground in that area. **Board;** I thinks it’s a great place to do this and it looks like it worked well with our scoring system and you have the driveway cut worked out.

With no additional comments from the board or audience Andy Scholle made a motion to vote on APC Petition 2017-12 with the condition that the driveway is placed where the Decatur

County Highway Dept. has recommended; Bill Dieckman seconded. There was 1 board member who abstained and 8 board members voting yes.

### **\* Decatur County Comprehensive Plan**

Adam Peaper gave a presentation on the changes made that were sent in by the Board and committee members. We have addressed your changes and made corrections as requested. Most of which were grammar typos, condense what may have been wordier sentences or separating one long sentence into two. Also separated some paragraphs for more clearly defined thoughts. I will also point out that even as of today when I printed out a hard copy to bring, I have a couple of other corrections that I might recommend. One being on **page 5** under the Commissioners, I think it may be beneficial to leave John Richards on the list as a past Commissioner and then add Mark Koors as a current Commissioner. Second being on **page 10** correction the wording of Greensburg Area Plan Commission to Greensburg Advisory Board. Board; it would probably work well to leave those who were on the committee when we started and just add current board members. It has been a lengthy process and we have had quite a few changes on the board as this has gone through. This boards due diligence is to try to get this done. There are a lot of people in the background that have also assisted in getting this comprehensive plan completed. We all know that this is an important document.

Comments from the board:

- We just got this information on Friday, haven't had time to read through this again. I have concerns, as I continue to read through it I find more things that I think would be beneficial to change. I would like to have the time to read over this again so I would like to see it tabled.
- Personally I think it's been out there a long time. I think the comments and the changes that were recommended, I don't know if it will change the whole language of the Comprehensive Plan. It still has to be adopted by this board and then be passed on to the Commissioners. Missy, does it need to be hard cast at this stage or can it be adopted with these changes and other subtle changes? Missy responded that she would recommend that we know what the content is. If you are just adding names, those can be stated but if there are any other changes then I would think you would need to observe them and review them.
- I have read through the items on this list of edits and I thought they have all been appropriately addressed.
- None of them really changed the language or how it reads.
- Adam Peaper stated that both he and Cynthia had written sections of this plan and they have different writing styles. This is your document so I want to make sure that you are comfortable with this. I will also just add based on the comments at the last meeting in April that were maybe more content or significant changes, I don't know if we want to talk about those or if we are OK to proceed as is. Jay asked him to go on further with what he is talking about. Adam stated that there was a discussion in the industrial flex area west of New Point. I don't think it was resolved as far as I was concerned. Relating

to the water quality in policy 14, there were statements for and against it. So at this point we are not going to make a decision to make substantial changes there but I didn't want to leave those comments hanging out there and act like we didn't hear the..

- My opinion now is that we have gone through this over and over and have had ample time to decide the land usage maps are the way that we have intended. I know there were comments about that and we had a petition that addressed it but those have adequate time in my eyes to be handled. The term of kicking the can down the road, it just seems to be more important process after this of changing ordinance and adopting policy this county needs drastically other than continuing to postpone this and go on and on. I think there is a lot more work to be done, not to take this likely, and I respect what Albert says and I know he's been on top of this thing throughout. I'm very sure he is aware of what's in there. Maybe he hasn't read the changes but I'm sure his is aware of the content of this draft. I just want to make sure that the whole board is as comfortable with this process as I am because I feel like we have been a long time at this and time passes and people forget the longer we keep doing this. I also want the content of this board to feel the same way or to tell me that they don't. (**Adam** then shared that the recommendation if to review this on an annual basis, not adopted on annual basis. Can amend for X number of years. We can provide the word documents and all of the editable text and things like that down the road if we need to tweak this policy or this little bit isn't applicable any more.) Yes, they do this all the time without rewriting the whole thing.
- Gary Fischer of Farm Bureau asked if these comments are available for anything that we see here tonight. Or just specifically for moving on or not moving on? Jay stated that the comments would pertain to the comprehensive plan. So then Gary stated that he would like to call attention to page 32; right column last paragraph. During our steering committee meetings, this language was deleted. This designates that there will be agricultural traffic on certain roads. And as Farm Bureau, we strenuously disagree with this position. Patty Fischer stated that as speaking for Decatur County Farm Bureau, we have a voting member survey that was distributed to all voting members that was specifically addresses that the road will be accessible to ag equipment in this county. There is a disparity between this and a request for information. We haven't tallied all of those results but the anticipation is that the membership of Farm Bureau will be inclined to keeping roads accessible to ag equipment. This specific line that Gary mentioned was taken out and then put back in.
- Jay asked Adam what his thoughts are on that comment. I read that and think that the numerous curb cuts was beneficial and I hear your comment about ag being restricted to certain roads or being designated to certain roads. Gary Fischer stated that that is what they are particularly addressing. It could be problematic, has potential of setting a conflict. This is something that was introduced after it had been removed. Adam responded; stated that he does not recall deleting the last sentence of the paragraph. He knows he certainly didn't put it back in. This isn't an attempt to be prescriptive or say that ag equipment and traffic cannot be on certain roads, its priority routes. Obviously every field needs some sort of access but on a higher level it is something that could be explored and identify the roads that may warrant additional investment.

- Tim Ortman stated that Adam is on point to where that came from. There is a need or a desire to widen roads for farm equipment. Some roads are narrow and you cannot pass. That was the intent behind it. Our standard for Dec. Co. roads when we build new roads is 20' wide. There may be a possibility that we need to go to 24', but we cannot do all roads at 24'. The comments that we heard was to get rid of some of the narrow roads to accommodate farm equipment. (Patty stated that her only question to the planning commission here is is it necessary if it could be misconstrued to keep that language in there and that is a decision that you would make. Tim's clarity is much appreciated.) Jay stated that he did not read it that the roads would be restricted. I think all county roads should be accessible to ag equipment. I don't know if it's so simple that we put that in there. NOTE: there were others in the room that thought that it read in a way to restrict farm traffic on certain roadways. There are distractions by drivers that make it scary for farmers to run on the roads during the day, some move their equipment at night. The main concern is safety of all involved.
- Albert stated that he didn't know if it was dropped out or not but my concern is that it may have inadvertently been put back in here and we have missed it. With this just get this on Friday afternoon I haven't had a chance to review it after these changes were made. But also, everyone reads these things differently, Gary and Patty are going to see something different than what each of us do. We don't know what the person down the road who reads this that could misinterpret what it say. (When Patty was asked if there was anything else she stated that it would be nice to have a little bit more time. I didn't know that you wanted to put this thing to rest. My purpose to try to drag it out was on page 32. Gary also pointed out on page 34 & 35 on the multi-use trails and the changes that was not available before. ) Adam thinks they might be talking about what the first draft to the November 9, 2016 draft. I believe these were both discussed in the last steering committee meeting. The trails was inserted before the November 9, 2016 draft. That's why it is not referenced on the page of changes.
- Paul Stone commented that he was pro on the side of a homeowner who wants to put a home on a piece of property in the county. However in discussions in the last couple of meetings here I'm absolutely sensitive to our agricultural producers who may have some resistance against this for some good reason and this is just a comment related to this topic. As residential development spreads out into the county you start adding residents who are not familiar with meeting farm equipment, so as much as I want to see everyone who bring in a petition to build a home in a field and do things like that, some examples of people meeting farm equipment and getting upset with the person driving the implements. I don't know how you have this conversation with those individuals that we remind them that they are entering the farming community. I don't know if there is room in this text for something like that or is it a message we have with the petitioners. Reminding them of the farming community and things like spray drift in the yards and such. That's probably my biggest thing I want to see. The transportation improvement thing is what I have had voiced to me from a couple of farmers. I'm sensitive to what Gary is saying and I don't think it is saying to keep farm equipment off the roads. After more discussion it was decide to remove the entire sentence completely. (Adam then

referred to the “Right to Farm” statement on page 40). Andy Scholle later stated to Paul that on every survey that we record, you have to place an ag certificate on them. Maybe we could note it better to people who are getting building permits. A lot of people probably overlook it on their survey. The agriculture certificate reads as follows; *The owners of residential lots in this subdivision and their successors in title acknowledge that the predominate use of adjoining or adjacent real estate is farming and other agricultural uses. The owners of these lots take this real estate with notice that the farming and other agricultural uses may impair or conflict with the residential use of this real estate.* It was noted that we do try to reiterate that when they move in those specific areas and when they apply for building permits.

- Jay stated that every county is facing urban development that will affect the travel patterns and conflicts with the ag community. We are not immune to that, it is just part of it.
- It was asked of Missy if we make a recommendation to the Commissioners and some of these changes that Adam brought up, can this board vote on the condition with minor changes like that or do you have to wait until everything is in place, black and white. Missy stated that if we note the changes that are going to be made that they could vote on it with the changes. You cannot open it up to with any other changes but bullet point the changes. Adam stated yes that they changes could be incorporated into the vote. After some more discussion on the issue on page 32, it was decided to strike the entire last sentence that reads; *In some cases, designating routes for agriculture traffic may be beneficial to highlight the most appropriate roadways and bridges and direct future transportation investments to these roads.* After more discussion it was decided to strike the above sentence completely.
- Jay stated that it doesn't matter whether we vote on the comprehensive plan this month or next month but I still am finding a hard time in saying that we need to postpone this. I don't see the need to do that, if we can make the motion identifying the changes noted in this meeting. Ryan Kennelly commented that he is looking at what else is wrong with it other than those few small points. Is there more changes that need to be made that are bigger than what we just talked about? Adam stated that he did not believe so. The Commissioners can also make amendments if they adopt it with the changes that come back to the APC Board but the ultimately have the final say, but state code says that if the Commissioners make amendments that it comes back to the APC Board to accept or reject. If there are additional items or concerns that come up in the meantime, feel free to provide those to us, we can raise them with the Commissioners at that time.

Jay stated that we have had time to read this draft and have corrected the language to better suit us. Unless someone objects, I'm going to call for a vote on this and pass it through to the Commissioners to move forward with the Comprehensive Plan. So with due respect to Albert and those who may want more time, I don't see the need. I haven't been aware of any major concerns in this and I think it's time to move this one. I will call for a vote to accept the vote and would like the motion to state the changes that were made here tonight.

Andy Scholle made a motion to vote on the Draft copy of the Comprehensive Plan dated April 28, 2017 with the following changes;

- Add Mark Koors as a current Commissioner and to leave John Richards on a past Commissioner on page 5. Also to update the current APC Board members.
- On page 10 change the wording relating to Greensburg having an Area Plan Commission to Greensburg Advisory Board.
- Page 32 Strike the last sentence in the last paragraph on the page for clarity on the road and the agricultural traffic on them. [*In some cases, designating routes for agriculture traffic may be beneficial to highlight the most appropriate roadways and bridges and direct future transportation investments to these roads.*]

Paul Stone seconded the motion. A vote was taken with 1 no and 8 yes.

Krista presented and gave a brief explanation of the annual recap report of 2016 and the 2017 YTD report.

With no other business to come before the board the meeting was adjourned at 8:40 p.m.

Respectfully submitted by Debbie Martin, Administrative Assistant.

ATTEST

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Secretary, Andy Scholle  
Decatur County Area Plan Commission

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President, Jay Hatton  
Decatur County Area Plan Commission