

Area Plan Commission Regular Session

May 11, 2023

The May 11, 2023 regular session of the Area Plan Commission was called to order at 6:00 p.m. by President Scott Nogle. Those members who answered roll call were Scott Nogle, Lary Langley, Brian Stevens, John Moore, Ron Mack, Barbara Phillips and Phil Cox. Also present: Executive Director/Recording Secretary Penney Carpenter, Scott Carpenter, Randy Grubbs, Mark Swingle, Judi Paloncy, Kylee Yocum, Roger Meyer (new Building Inspector), and Tim Yocum, Vermillion County Commissioner, District 2.

The April 13th, 2023 minutes were examined. Mr. Langley made the motion to approve the minutes as presented. Mrs. Phillips seconded. MC

New Business:

From January 1 through May 11, 2023, there were 13 building permits issued. Last year at this time we had issued 32.

Mrs. Carpenter introduced Mr. Roger Meyer as the new Building Inspector for Vermillion County. At this time there was some discussion on what Mr. Meyer will be charging for inspections. Mr. Meyer stated that Vermillion County is a long county and that he had requested \$25.00 for travel and \$25.00 for the inspection, and hoped he could combine inspections. Mr. Yocum stated that the Vermillion County Commissioners will determine the new fee schedule if needed.

Under new violations, Mrs. Carpenter stated that she has had the VCSD serve papers on two new violations: William Grimes 14396 S 125 E, Clinton, IN 47842 and Walter Gilman and Frances Gilman 13766 S 100 E, Clinton, IN 47842, for maintaining a junk yard. If she does not hear from them prior to the next meeting with a plan of action, their presence will be requested for the June meeting.

Moving on, it was noted that JPGY LLC started building without a Vermillion County Building Permit. Mrs. Carpenter stated that in August of 2022, she had spoken with Mr. Harold Grubbs about rebuilding on the existing foundation where the Wendy's Restaurant had burned down in 2019. Mr. Grubbs did have his construction design release #432125 for the shell building only. Mrs. Carpenter did not hear from him again until the week of April 24th, 2023. At this time it was brought to the attention of the office that the walls were up and Mr. Grubbs still did not have a building permit.

Mr. Randy Grubbs was present to speak on behalf of his father. He acknowledged that he knew he needed a permit and had picked one up from the Auditor's office but had failed to follow through and purchase the permit. Mr. Mark Swingle from Swingle Construction stated that the only work done on the septic system was removing ash from the fire from the drainpipes to try to get a camera into the lines to verify no other damage to the pipes to the new leach field. Mr. Grubbs stated that REMC had been on site and verified that the electric is good to go. Ms. Kylee Yocum from the Vermillion County Auditor's Office was present and stated that she had given Mr. Grubbs the correct Commercial Location Improvement Permit Form and that it was not returned.

Following a lengthy discussion about when and who started the construction, Mr. John Moore made the motion to charge Mr. Grubbs \$200 per day fine from the 5th of April until the framers stopped work on the 19th of April, making his fine \$2,800 plus the permit fee of \$1,360 totaling \$4,160. Mr. Ron Mack seconded; a roll call vote was taken MC, unanimous.

Old Business:

Old Violations: Mrs. Carpenter stated that Mr. Ron Severt will soon have a court date for APC on the case with Jerry & Ginger Fincher and Brittany Swaim and her husband. Jarred Beckman is still a work in progress. It is better than it has been, but burning a few brush piles would help.

Mr. John Moore brought the proposed APC budget that Brenda Furry, the Vermillion County Auditor, had sent to him and Mr. Nogle, where the budget was divided between APC Executive Director and the Building Inspector. There are a few issues, the biggest one being mileage. They only allotted the Executive Director \$100.00; they pay \$0.49/mile so it will not take much to use it up. Mr. Nogle and Mr. Moore will meet with Brenda Furry to discuss the remainder of 2023. Mr. Moore went on to say that Mrs. Furry would like the Executive Director's salary for 2024 to come out of the general fund.

Mrs. Phillips brought up the new job description for the Executive Director of Area Plan, it is agreed that under duties, recording secretary will be added and Mrs. Phillips will present the updated job description during the June meeting for approval.

Other Old Business: The Vermillion County Comprehensive Plan was discussed. There has been some question regarding whether the recently adopted Comprehensive Plan was complete. Mrs. Carpenter reached out to Eric Smith from HWC and this was his response:

Penney,

To follow up our conversation on Friday May 5, I discussed the matter of the comprehensive plan being "complete" with our Planning department leaders. We understand that there is an ongoing conversation about whether to complete additional land use planning in your areas of greatest opportunity, or to work on updating the county's development ordinances. We believe both are important goals and recommend the county take steps toward each priority which are directly related to the comprehensive plan, but not necessarily a part thereof.

The comprehensive plan did recommend developing sub-area plans in areas of the county's greatest opportunity.

For example, it was recommended that a plan be developed for the I-74/SR 63 interchange. This level of detail is more than is included in most comprehensive plans and was not required by OCRA. Toward that end, you would be eligible to apply for an economic development plan from OCRA to help pay for the cost of the additional planning at the interchange and/or other targeted opportunity zones.

However, the comprehensive plan also identified that the county's development ordinances are a limiting factor in attracting new investment. Those items were not included in the scope or corresponding fee for the plan. Before you implement a development plan for the interchange or other areas of the county, you should consider updating your ordinances to current best practices. Those are the areas that we see as incomplete and are generally not part of a comprehensive plan per se, but a necessary element that the County government should address.

Hope this helps – feel free to reach out and discuss if you have any questions or need additional support.

Thanks,

Eric Smith, PE

Vice-President | Director Water Resources Division

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601 S. Third Street, Terre Haute, IN 47807

As we have discussed before we want our comprehensive plan one document and our zoning ordinance to be a separate document that is designed based on our comprehensive plan, and the zoning maps to be another separate document. Everyone agreed that the adopted comprehensive plan is complete, and the zoning ordinance and map will continue to be separate documents. Updating those documents is still needed; Mr. Scott Nogle asked if there were any grants available to help offset the cost. Mr. John Moore made the motion for Mrs. Carpenter to reach out to Melissa Wible to see what grants available and start the process if possible. Seconded by Mrs. Barbara Phillips. MC

Claims paid February 3 to May 11, 2023

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| 3/3 | Canon | Copier | \$116.23 |
| 3/7 | Ron Severt | 1 st Quarter Consult | \$1,000.00 |
| 3/31 | Canon | Copier | \$82.10 |
| 4/28 | Canon | Copier | \$136.18 |
| 4/28 | Ron Severt | 2 nd Quarter Consult | \$1,000.00 |

Mr. Ron Mack made the motion to accept the claims presented. Mr. John Moore seconded. MC

With no further business before the board Mr. Langley made the motion to adjourn the meeting at 7:16p.m. Mr. Moore seconded. MC

Penney Carpenter

Penney Carpenter, Recording Secretary

Board of Zoning Appeals

May 11, 2023

There was no new business before the board.