

# Area Plan Commission Regular Session

## June 8, 2023

The June 8, 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, and Barbara Phillips. Also present: Executive Director/Recording Secretary Penney Carpenter, Scott Carpenter, and Roger Meyer.

The May 11<sup>th</sup>, 2023 minutes were examined. Mr. Langley made the motion to approve the minutes as presented. Mr. Stevens seconded. MC

### Old Business:

Old Violations: Mrs. Carpenter stated that Mr. Severt did not have a court date for APC on the case with Jerry & Ginger Fincher and Brittany Swaim and her husband as of this afternoon. Mr. William Grimes has contacted the office about his violation and is working on it. Regarding the Walter Gilman and Frances Gilman violation, Bret Gilman (grandson of Frances) has sent pictures showing the cleaning up they have completed; they are still working on it. Mrs. Carpenter told both Grimes and Gilman that we just need their property to be cleaned up, and as long as they are making progress, we are willing to work with them.

Update on the Zoning Ordinance Update RFP: Mrs. Carpenter stated that she placed the request on the Vermillion County website and on the Indiana Chapter of the American Planning Association website. Mrs. Carpenter stated she has also spoken with Kristy Jerrell. Mrs. Jerrell said there are no grants for Zoning Ordinances only for Comprehensive Plans, and she suggested we reach out to HWC about the RFP. Mr. Mack suggested reaching out to Deckard Engineering in Crawfordsville to see if they might be interested.

Mrs. Carpenter informed the commission that on the Vermillion County website, the link to contact the office by email has not been working. Mrs. Carpenter learned that it was not working when she received a call from an unhappy taxpayer saying they had reached out through the website and had received no response. The problem has been reported to the website administrator, and it should be fixed next week.

### Other Old Business:

Mr. Nogle opened a discussion of the new job description for the Executive Director; everyone received a copy of the draft forwarded in an email from Mrs. Phillips, and has taken time to review it. Following a brief discussion, Mr. Moore made the motion to accept the job description as presented. Mr. Mack seconded the motion. MC. The job description is as follows:

### POSITION DESCRIPTION COUNTY OF VERMILLION, INDIANA

<b>POSITION:</b>	<b>Executive Director</b>
<b>DEPARTMENT:</b>	<b>Area Plan Commission</b>
<b>WORK SCHEDULE:</b>	<b>Full Time</b>
<b>JOB CATEGORY</b>	<b>PAT (Professional, Administrative, Technological)</b>
<b>DATE WRITTEN:</b>	<b>March 2023</b>
<b>DATE REVISED:</b>	<b>N/A</b>
	<b>STATUS: Full Time</b>
	<b>FSLA STATUS: Non-Exempt</b>

**To perform this position successfully, an individual must be able to perform each essential function of the position satisfactorily. The requirements listed in this document are representative of the knowledge, skill, and/or ability required. Vermillion County provides reasonable accommodations to qualified employees and applicants with known disabilities who require accommodation to complete the application process or perform essential functions of the job, unless those accommodations would present an undue hardship.**

Incumbent serves as Executive Director for the Vermillion County Area Plan Commission, responsible for working closely with the Area Plan Commission on development and preparation of major and minor ordinances, administering and interpreting zoning ordinances, issuing Building Permits, serving as Floodplain Administrator, and performing Recording Secretary duties.

### **DUTIES:**

#### **Executive Director Responsibilities:**

- Attends Area Plan Commission and Board of Zoning Appeals monthly meetings. Provides reports on Claims Paid, Fees Collected, Estimated Construction Costs, and Building Permits issued.

- Provides documentation to Area Plan Commission regarding zoning variance and special exception requests for consideration by the APC and BZA. Prepares “Findings of Facts” documentation for the Board of Zoning Appeals. Serves as staff liaison to the Area Plan Commission and Board of Zoning Appeals.
- Works with Area Plan Commission on development and preparation of major and minor ordinances to be presented to the County Commissioners for consideration. Prepares drafts for review and provides input in developing ordinances.
- Works with APC attorney on preparation of requests for proposal, and coordinates activities of outside contractors and service providers regarding major projects such as development and preparation of Comprehensive Plans, revision of Zoning Ordinances and preparation of accurate Zoning Maps.
- Prepares public hearing notices and arranges their publication. Organizes events and facilitates scheduling, logistics, and preparation for Public and Town Hall Meetings held to acquaint the public with upcoming ordinances and solicit public involvement and feedback.
- Performs the role of Emcee, Moderator and Event Marshal at Public Meetings. Introduces guests or speakers, performs as timekeeper for public comments, and keeps the event on schedule.
- Works with Area Plan Commission and APC Attorney to develop Requests for Proposal for professional preparation of major projects and summarizes submissions for consideration by the Area Plan Commissioners. Examples include the Vermillion County Comprehensive Plan and update of the Vermillion County Zoning Ordinance and Zoning Maps.
- Answers telephone and greets office visitors, including providing information and assistance, responding to inquiries, and/or directing callers to appropriate individual or department.

#### **Zoning Responsibilities:**

- Administers and interprets Vermillion County zoning ordinances, including ensuring compliance with zoning districts, accepting and reviewing changes in zoning requests and petition applications, and coordinating requirements with planning strategies.
- Examines land splits to ensure compliance with zoning and subdivision control ordinances.
- Assists citizens with appeals, special exceptions, variances, alley vacations, and changes in zoning requests as needed. Communicates in person, via mail, and via electronic communication with citizens and other entities regarding the zoning appeals process and requirements.
- Explains, interprets and provides guidance regarding all applicable planning and zoning issues to architects, engineers, contractors, developers, property owners, the public and county officials.
- Performs property maintenance enforcement and zoning enforcement. Investigates complaints and ordinance violations and advises landowners of corrective measures, maintains the inventory of violations, including photographs. Provides status reports to APC commissioners at monthly meetings. Works closely with APC Attorney when violations are advanced to court.
- Coordinates enforcement of zoning ordinances with other related statutes and codes relating to other departments, such as Natural Resources, State Building Commissioner, and Department of Transportation.
- Maintains zoning office, including preparing/presenting annual budgets and maintaining the Zoning Ordinance materials and zoning maps.
- Prepares/presents annual budgets and prepares budget variance reports as requested.
- Attends Area Plan Commission and Board of Zoning Appeals monthly meetings, special meetings, public meetings, and (when needed) the Vermillion County Commissioners Meetings. Most meetings are held during evening hours.

#### **Building Permit Responsibilities:**

- Reviews building permit applications, determines compliance with ordinances and whether zoning variance or special exception is necessary. Issues building permits when all requirements are met.
- Prepares and maintains records of building permits and associated documentation. Works closely with Building Inspector.

#### **Floodplain Responsibilities:**

- Reviews and evaluates floodplain development permit applications for developments located in Special Flood Hazard Areas, including minor and major developments. Verifies locations of constructions relative to floodplains and floodways.
- Reviews development plans and specifications and inspects floodplain constructions to ensure compliance with floodplain ordinances. Investigates violations of the floodplain ordinances and initiates corrective action.
- Provides information related to Base Flood Elevation, advises applicants of other local/State/Federal permits or approvals that may be necessary for developing, and answers general questions about floodplain and floodway boundaries.

- Reviews elevation certificates for completeness and accuracy and identifies/addresses deficiencies before accepting development applications.
- Educates local officials and the public about floodplain management, including discouraging and restricting development in floodplains and floodways.
- Maintains documentation and records of all floodplain activities. Notifies FEMA of any changes to watercourses within unincorporated limits.

#### **Recording Secretary Responsibilities:**

- Performs a variety of bookkeeping functions to monitor and document Department funds, including maintaining ledgers for Area Plan Commission funds, balancing office ledgers, and preparing/submitting claims to Auditor's Office and Area Plan Commission.
- Performs various clerical duties for Area Plan Commission and Zoning Administration, including filing/maintaining documents, preparing records of building permits, certificates of occupancy, and providing copies as needed.
- Attends Area Plan Commission and Board of Zoning Appeals monthly meetings. Prepares agendas, records minutes, and maintains attendance records. Attends Commissioner and County Council meetings as needed.

Performs related duties as assigned.

#### **I. JOB REQUIREMENTS:**

High school diploma or GED.

Practical knowledge of local zoning ordinances, with ability to administer and interpret ordinances, investigating complaints, and enforcing corrective action.

Working knowledge of standard office procedures, basic computer skills including word processing, spreadsheet, email, presentation and Department-specific software applications, with ability to apply such knowledge to a variety of interrelated processes, tasks and operations.

Working knowledge of budget development and administration and ability to perform simple arithmetic calculations, maintain accurate records, and balance and reconcile accounts.

Working knowledge of basic filing systems with ability to create and maintain accurate and complete Department files.

Working knowledge of standard English grammar, spelling, and punctuation and ability to prepare correspondence and reports.

Ability to properly operate standard office equipment, including computers, calculators, fax machines, copiers, tape measures, telephones, vehicles and other equipment as needed.

Ability to comply with all employer and department policies and work rules, including, but not limited to attendance, safety, drug-free workplace, and personal conduct.

Ability to provide public access to, or maintain confidentiality of, department information and records according to state requirements.

Ability to effectively communicate orally and in writing with co-workers, other County/State departments, and the public, including being sensitive to professional ethics, gender, cultural diversities, and disabilities.

Ability to understand, memorize, retain, and carry out oral and written instructions and present findings in oral or written form.

Ability to work alone with minimum supervision and with others in a team environment.

Ability to work on several tasks at the same time, often under time pressure.

Ability to plan and layout assigned work projects, and apply knowledge of people and locations.

Ability to read/interpret detailed prints, sketches, and layouts.

Ability to prepare detailed reports, such as financial statements and activity reports.

Ability to perform arithmetic operations, such as counting, adding, and subtracting.

Ability to compare or observe similarities and differences between data, people, or things; perform arithmetic operations with data; analyze/evaluate/diagnose data; and make data-driven decisions.

Ability to occasionally work extended hours/evenings/weekends and travel out of town, sometimes overnight, for conferences.

Possession of a valid driver's license, dependable transportation, and a demonstrated safe driving record.

#### **II. DIFFICULTY OF WORK:**

Incumbent operates within general guidelines and rules, exercising discretion and independent judgment in selecting the appropriate guidelines and/or rules to apply to specific cases or circumstances. Incumbent performs a wide array of complex duties involving past precedents and new developments.

### **III. RESPONSIBILITY:**

Incumbent operates within general guidelines and departmental policies, with desired results of work clearly specified. Unusual problems are discussed with the Area Plan Commission, and incumbent is responsible for exercising independent judgment in applying departmental policies in a variety of situations and circumstances. Work product has a significant impact on departmental operations, and quality of work is periodically assessed based on soundness of judgment, adherence to guidelines, and conformity with departmental policies and practices.

### **IV. PERSONAL WORK RELATIONSHIPS:**

Incumbent maintains frequent contact with co-workers, other County/State departments, and the public for the purpose of exchanging information.

Incumbent reports to Area Plan Commission.

### **V. PHYSICAL EFFORT AND WORK ENVIRONMENT:**

Incumbent primarily performs duties in a standard office environment and in the field, involving sitting/walking at will, sitting/standing/walking for long periods. Lifting/carrying objects under 50 pounds, handling/grasping/fingering objects, keyboarding, close/far vision, hearing sounds/communication, and speaking clearly. Incumbent may be exposed to extreme temperatures, walking on uneven terrain, and wet/icy surroundings.

Incumbent occasionally works extended hours/evenings/weekends and travels out of town, sometimes overnight, for conferences.

### **APPLICANT/EMPLOYEE ACKNOWLEDGMENT**

The job description for the Executive Director – Zoning Administrator describes the duties and responsibilities for employment in this position. I acknowledge that I have received this job description and understand that it is not a contract of employment. I am responsible for reading this job description and complying with all job duties, requirements and responsibilities contained herein, and any subsequent revisions.

Is there anything that would keep you from meeting the job duties and requirements as outlined?

Yes\_\_\_\_\_ No\_\_\_\_\_

\_\_\_\_\_  
Applicant/Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name

### **New Business:**

2024 Budget: The 2024 Budget Estimate Form 1 for Locations 0256 and 0124 were presented for review. Auditor Brenda Furry still wants everything for the Executive Directors/APC budget to be in the General Fund. Prior to 2023 we worked with three different budgets, in 2023 we were working with two budgets, and in 2024 we are down to just one budget in Location 0124. Once everyone was on the same page, Mr. Mack made the motion to approve the budget as presented. Mr. Langley seconded the motion. MC

Mrs. Carpenter presented information on the 2023 Indiana Association for Floodplain and Stormwater Management Annual Conference scheduled for September 13-15, 2023, stating that she would like to attend. Mr. Moore made the motion to allow. Mrs. Phillips seconded. MC

### **Other New Business:**

Mr. Mack presented to the Area Plan Commission a 23-page document from the Vermillion County Drainage Board for consideration while updating our Zoning Ordinance. This document may be examined in the Area Plan office, second floor of the courthouse in Newport, between the hours of 8:00 A.M. and 4:00 P.M., Monday through Friday.

Mr. Nogle brought up the fee schedule for permits and inspections. During the last APC meeting, Commissioner Tim Yocum stated that the Commissioners would take care of the new Fee Schedule. No one on the APC or the Executive Director has heard from Mr. Yocum regarding the fees. Mr. Roger Meyer stated that Mr. Yocum now wants the APC to set the fees for the new fee schedule, which is what the APC wanted to do in the first place. Mr. Meyer stated he would like to see building

inspection fees to be increased to a minimum of \$50 per inspection, and he suggested that the fee should vary considering the square footage of the new building. Mrs. Carpenter stated she would reach out to neighboring counties to see what their fee schedules are, and she will bring information to discuss during our next meeting.

On another topic, Mr. Moore read aloud from the Vermillion County Area Plan Commission Rules of Procedure, Article II, which reads as follows:

Officers, Members, and Employees, Section 6. If a vacancy occurs among the members of the Commission, the appointing authority shall appoint a member for the unexpired term of the vacating member. The appointing authority shall be notified in writing by the Recording Secretary or Zoning Administrator when the member has been absent for three (3) consecutive meetings of the Commission. Such absences may constitute cause for removal from the Commission by the appointing authority under IC 7-4-218 (F).

During the discussion, the 2022 and 2023 roll call sheets were reviewed. During the past 12 months, Mr. Joe Ellis has missed the April, May and June 2023 meetings. In 2022, Mr. Ellis missed the July, October and December regularly scheduled meetings. Mr. Moore made the motion to send a letter to the Vermillion County Commissioners requesting a new appointment be made to replace Mr. Ellis. Mr. Nogle seconded. The motion carried, and the vote was unanimous.

Claims paid May 11 to June 8, 2023:

05/22/23	Canon	Copier	\$82.10
05/25/23	P. Carpenter	Mileage	\$91.14
05/25/23	AIC	2023 Guide to IN Co. Gov.	\$25.00
05/25/23	USPS	Postage	\$250.00

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

With no further business before the board Mr. Langley made the motion to adjourn the meeting at 7:00p.m. Mr. Moore seconded. MC,

Penney Carpenter

Penney Carpenter, Recording Secretary

Board of Zoning Appeals

June 8, 2023

There was no new business before the board.