

**Area Plan Commission Regular Session**  
**May 8<sup>th</sup>, 2025**  
**Second Floor, Courthouse**

The May 8<sup>th</sup>, 2025 regular session of the Area Plan Commission was called to order at 6:00 p.m. by President Lary Langley. Those members who answered roll call were Bob Alexander, Lary Langley, Brian Stevens, Phil Cox, Barbara Phillips, Brandon Ruth, Joe Ellis and Ron Mack. Also present: Executive Director/Recording Secretary Penney Carpenter, Attorney Ron Severt, Susan Strole-Kos, Janet Cianteo, Charles Finley, Mike Kelley, Bill Rennels, Shirley Downs, Teresa Langellier, Randy Dreher, Joyce Dreher and Tim Yocum State Representative House District 42.

The April 10<sup>th</sup>, 2025 minutes were examined. Mrs. Phillips made a motion to approve the minutes. Mr. Alexander seconded the motion. MC. The April 28<sup>th</sup>, 2025 minutes were examined. Mr. Ruth made a motion to approve the minutes. Mr. Mack seconded the motion. MC.

**Old Business:**

- a. **Update on the Unified Development Ordinance** – the Tribune Star ran the legal notice on April 26<sup>th</sup>, 2025 Adopting the UDO. So official adoption date.
- b. **Update on Old Violations** - Mrs. Carpenter gave the following updates:
  - Loren Lomax – Has removed some debris and removed one boat but is still in violation.
  - Charles Finley - Mr. Finley’s attorney asked for a continuance again and it was granted. Mr. Finley was present and hostile about the continuance his attorney requested. We go back before the judge On June 3<sup>rd</sup> at 3:00pm. Mrs. Carpenter stated she had emailed Ethan Myers, Mr. Finley’s attorney, pictures earlier in the week showing some of what needed addressed and would follow up at a later date on all the vehicles. Mr. Ellis stated we are not here to take any action tonight
  - Ron Finger Jr - We have court again on May 13<sup>th</sup>, Mr. Severt has a conflict and will be requesting a continuance.
  - Timothy & Danyell Kaperak – Are in compliance and the case was dismissed.
  - Kevin Campbell – Is currently in the hospital in Indianapolis, so we are in a holding pattern.
- c. **Update on the Declaratory Judgement-** Mrs. Carpenter stated she had emailed Mr. Spurr asking him to dismiss the Declaratory Judgement. No response.

**New Business:**

Carbon Sequestration Performance Standard Ordinance 2025-06 was adopted by the Commissioners during their May 6<sup>th</sup> meeting with the potential of requested amendments. Mr. Spurr also asked for Bob Eherenman’s opinion on two items. He is concerned that IC 36-1-3-8 (7) and Senate Bill 457 recently signed by the Governor are potentially in conflict with the legality of a moratorium on non-pilot carbon sequestration projects and has requested a memo from Mr. Eherenman. We made the commitment to the Commissioners that we would prepare an amendment in the event he feels either of those laws are an issue with what we adopted.

Mrs. Phillips stated seeing that our state representative is sitting in the front row. Do you mind if I put you on the spot? Tim, I just wondered if you I came here tonight because, Mr. Yocum cut in saying “I want to be scheduled to get on the agenda. I didn’t know you had a meeting this week. After last meeting we had down there, I there was a lot of unanswered questions. Some things I need to deal with you as a group. You could have me as an executive session or we can discuss some of this in public. It’s up to you.” That would be choice I would like as your representation of State House. In my position I get bombed on everything.

There's a lot of misunderstanding about things. I would like to do is come the next meeting where I can actually address things. Then I'd like for y'all prepare the questions you have for me. To give me time I can research it and answer the questions from a standpoint that I had time. Putting me on the spot. Right now, I'm probably not doing very well. I'm just going to tell you that. Mr. Langley asked, "Do you want like executive/closed doors?" Mr. Yocum stated, "There are some things I think we need to be dealt with." Mr. Alexander stated, "You'll catch on to some things. I got something to add to new business that we need to really look at." Mrs. Phillips stated, "I had asked Tim Yocum after our public meeting on the moratorium if he could find out who was it that there's a person who decided to slip that in the budget. I'd like to know who that person is. Need to know that for how we go forward from here. It doesn't do anything. It doesn't change it. But people need to know."

Mr. Yocum stated, "I think there's just a lot of talk out here. I, as a representative, you all, I represent you all. And there's many times there's stuff being said, it's just, it's not true."

"A lot of people don't do the research. That's what I want to do. I want to take your questions because I serve you all and you give me the questions. Let me go back and research and then I come to the meeting. I can be more prepared."

"You know, I want to give you the good answers. You know, you got to understand I just started this year in the State House. I went in after everybody already been in. I couldn't do no billing legislations here. What I did mainly this year was just studying listen and learn for next year."

"With that, I will say that from the very beginning of this, I've been the only one that's been public with the people here. That came to a meeting, as an elected official, as a commissioner. As a state Rep I'd also want to say I never did support that from the beginning."

"Other ones, past commissioner, a couple of the other ones wrote, and Mr. Hess sent letters to the state of support for that project. I didn't, and I've been trying to help and I'm kind of confused because I'm getting shot at regardless of what I do, and people don't understand what happened to State House. I'm going to address that at the next meeting. But regardless if you agree with or not, I here to serve you all."

Mr. Langley struck the gavel to get control of the meeting. Mrs. Carpenter stated, "You can only hold Executive Meetings for certain reasons."

Mr. Alexander stated, "If you don't mind Tim on this, let me try to address and then we can address that together and then follow along because it's all going to be public."

Mr. Yocum stated, "I just came in on my way home. I'm not feeling very good, number one. But I wanted to at least let you know I'm here for you. I will do whatever I can and I have done whatever I can. I mean, some people might not understand that, but if they sit down and talk with you, you would understand. Where I'm coming from, but I would like for y'all I'm saying because some of this stuff you don't realize what all those are in the State House. It's much bigger. I mean the county government everything is very I can speak about it and say something about and even vote on two weeks later stuff up for news so very fast and we start off with 1200 bills that was addressing we got down to 200 and some. It's just a different world. I, as the elected official, I would like to go and try to change some stuff at the State House that makes it more open and transparent. But I would like, if that's OK with you guys, at the next meeting. I just like to come

and if you guys send me what questions, I'm hoping to address any questions you have. But I'd just like to add more kind of prepared for it when you put them on the agenda.”

Stormwater Drainage Control Ordinance – Mr. Mack stated the Stormwater Drainage Control Ordinance would be review in July.

Mr. Alexander stated, “what I want to add under new business is as we go through and we’re updating these things, we have done the Comprehensive Plan, the Unified Development Ordinance. I also got a phone call and asked who was running that meeting, the public hearing and I was and it was some questions brought up, do we have rules and procedures how that's conducted? I went back and I looked up that answer. It says right there 1992 when the last time this was updated. There are changes in how we conduct public hearings. This is so vague, I do know the public hearing is for the public, if I were sitting out there attending any kind of a county council meeting, Commissioners meeting and APC meeting and It is not on us to call people out, you never do that. Your meeting is “your” referring to the APC members. Mr. Alexander went on to say if you call out the lady in the back row. Mrs. Carpenter interrupted stating lets be honest Mrs. Carpenter then stood and went to the microphone. Mr. Alexander stated see that’s the problem. This is “our” meeting not yours you record the minutes.” Mr. Langley took control of the meeting. Following a heated discussion about how the public hearing proceeded on April 28<sup>th</sup>, 2025, it was decided the everybody take a look at the rules of procedure. Bring it back to the next meeting with your best thoughts and comments. Fair enough.

A few concerned citizens spoke sharing their concerns and thanked the Commission for all the time and hard work put in on the CO2.

**Claims paid April 10<sup>th</sup> to May 8<sup>th</sup>, 2025**

4/24/2025	Haller Colvin Attorneys at Law	Legal Fees	\$525.00
5/8/025	Tribune Star	Legal Notice	\$106.23

Ms. Carpenter presented the office report and the claims since the last meeting. Mr. Alexander made a motion to approve the claims, Mr. Ruth seconded. MC

With no further business before the commission, the meeting was adjourned at 7:38p.m.

***Penney Carpenter***

Penney Carpenter, Recording Secretary

**Vermillion County Board of Zoning Appeals**

**May 8<sup>th</sup>, 2025**

There was no new business before the board.