

APC MINUTES

March 18, 2026

Members present: John Reece, Tom Kerns, Don Calhoun, Coy Applegate, Jim Hufford, Todd Holaday, Abby Journay, Terry Alfrey, Steve Hernly, Amy Alka

Members absent: Will Greer, Adrian Moulton, Jason Brewer

Legal Representation: Jason Welch

Staff present: Debra Johnting, Area Planning Director and Kristi Halloran, Recording Secretary

Others present: Lisa and Brice Blount, Brad Keesling, Barbara Keesling, Nicole and Andy Cowan, Scott and Rachel Mull, Keith and Melissa Ogden, Trena Loudebush, Jim Nunez, Jr., Troy and Cheryl Prescott, Ann Wisener, Tom Glaser, Dan Freer, Neda Lester, Jordan Alfrey, Austin Kirch, Robert Beck, Jr., Mac Lester, Ivan Brumbaugh, Aaron Chalfant, Lisa Myers, Shelley Garrett, Kullen Weiss, Kelly Ballenger, Ed and Claudia Thornburg, Becca Bennett, Tom Griffey, Lona Wesley, Eva Farmer, Jared and Christie Ogden, Jon Peacock, Darla Shore, Brianna Turner, Steve Gregory, Rex Fields, Shane Bragg

President Calhoun: The clock says its past 7:00 o'clock so we will go ahead and get our Area Planning meeting for March 18, 2026 going. Approval of the minutes from the February 18th meeting. Has all the board members had a chance to look at the minutes?

J. Hufford: I make a motion that we accept the minutes as presented.

Vice President Applegate: Second.

President Calhoun: It's been moved and seconded that we approve the minutes from the February 18th meeting. All those in favor say aye.

All: Aye.

President Calhoun: Motion passes. Tonight petitioners will have 15 minutes to present their petition. During this time there will be no interruptions or questions. After the presentation the board may ask questions. Anyone wanting to speak for or against will have three minutes each and then the petitioner will have an additional five minutes to respond to comments. First on the agenda tonight APC2026-7-Z, Shane Bragg on behalf of Kabert Industries Incorporated. Is he here? Okay, you wanted to rezone property from R-2 to C-2. State your name, address, and then tell us what you're wanting to do.

S. Bragg: My name is Shane Bragg and I'm plant manager of Kabert Industries. The location address is 510 West Church Street. On December 16 we had a structure fire at one of our

facilities. Pretty much lost everything. Storage facility where we have our parts and stuff like that. So we was wanting, we need to put a, we need a temperature controlled area to store our product because it's all our stuff is super sensitive to humidity and stuff like that. So we need some place where we can have air conditioner and climate control and we'd like to put that shed in there by our current building.

R. Beck: It's currently zoned as a house. There was a house on that property at one point that we had owned. And we knocked it down. We were not using it anymore. So basically what we're looking to do is to take a shed type box and make it into a, like he said a storage control facility. So we're just looking to rezone it from, rezoning to commercial from residential.

President Calhoun: Board members have any questions.

J. Hufford: And there's lots right next to it that is already M-2. Is that true of that also?

R. Beck: Yes, it is.

T. Kerns: Are you manufacturing in that building next to it now?

R. Beck: We're not manufacturing in that building and the one right next door we are. So the one next door is where we manufacture. The one that we're looking to rezone was a house that we owned that we had knocked down. We want to just put a shed there.

T. Kerns: But the one on the corner there is where you are manufacturing next to the empty lot.

R. Beck: Correct. That is correct.

President Calhoun: So looking at the map you still, you've got properties across the alley.

R. Beck: So it's across the street. That's where the building burned. So directly across the street is the building that burned. So that has been leveled obviously we've taken care of that. But we're not looking at there. It's the one right next door.

T. Kerns: Okay.

President Calhoun: Any other questions from the board? Seeing none is there anybody from the audience would like to speak for or against. Would you come up and state your name? You need to come up and state your name.

D. Johnting: Yeah, if you guys would have a seat.

I. Brumbaugh: Ivan Brumbaugh. I live to the east. I live at 508 West Church Street. This will be in between where your manufacturing are and the house.

S. Bragg: Right.

I. Brumbaugh: Where you put the little pole barn thing or whatever.

S. Bragg: Yeah that's what it is.

I. Brumbaugh: Okay. That's what I thought was going to be built on the east side.

S. Bragg: No, there's definitely been some confusion on that. I've heard many different stories on that. No, it's just the current thing.

I. Brumbaugh: Okay. I don't have no problems and this stuff you're all the way through those places. Used to have the house there and that was all right.

S. Bragg: Right.

I. Brumbaugh: Okay, thank you.

President Calhoun: Thank you. Anybody else? I would entertain a favorable motion.

J. Hufford: So made.

T. Kerns: Second.

President Calhoun: It's been moved and seconded we have a favorable recommendation. Can we have a roll call vote?

K. Halloran: Okay, Abby Journay, yes. Todd Holaday, yes. Don Calhoun, yes. Tom Kerns, yes. Jim Hufford, yes. Coy Applegate, yes. Terry Alfrey, yes. Amy Alka, yes. Steve Hernly, yes. John Reece, yes.

President Calhoun: That's a favorable recommendation so now it will go to Lynn.

D. Johnting: Yes, Lynn.

President Calhoun: The Town Board of Lynn.

K. Halloran: That meeting is April 1st, 2026 at 5:00 p.m. The Lynn Town Board Meeting so.

S. Bragg: Okay.

K. Halloran: We'll make sure they get all the paperwork they need and.

D. Johnting: And that's at the city building.

S. Bragg: Okay, thank you.

President Calhoun: Thank you. Next on the agenda is APC2026-8-Z, Kelly Ballenger. Tell us what you're wanting to do.

K. Ballenger: Well the one building has to be rezoned. It don't have no zoning at all. That there's a C-2 zoning and to do what I do they said that the C-2 is for light mechanic work and I do like pull motors, put motors in vehicles, parts stuff. I do a little bit of everything there. They said I can't use the C-2 zoning for that. So and like I said the one building when we bought it they were both supposed to be zoned commercial and they said we could do what we want to do there. And it's a different story now.

D. Johnting: The one property was...

K. Ballenger: Was never zoned.

D. Johnting: A city alley so they are not zoned.

K. Ballenger: It's a building on top of it.

D. Johnting: And they vacated it to them and I did find their vacation papers but it never came to us to be zoned. They did not apply zoning when they vacated it so it doesn't have a zone. It never did.

K. Ballenger: So we had it for since 2001 or 2000. The whole time we thought it was commercial you know the whole time.

President Calhoun: Anyone from the board have any questions?

T. Kerns: You're basically wanting to run a salvage yard?

K. Ballenger: No. We have, we just part. That's what we do. Like if someone brings a car in that needs a motor, we'll pull it out of another vehicle and put a motor in it. So and they said that we can't do that with what it's zoned at now. I'll take parts off, sell fenders, sell doors. Same stuff the property was used for when we bought it. It was used as a paint shop whenever we bought it. And they said you can't even paint in it because it was never zoned. Then the town said we had to have a fence up so we put a fence up already. We just got it done yesterday, day before yesterday. So, it's six-foot privacy. They said it can't be over six feet.

D. Johnting: It can go over six feet if you get rezoned.

President Calhoun: Looking at the map you do own property on both sides of you.

K. Ballenger: Yeah, everything right here, almost to the other houses.

President Calhoun: Any other questions from the board? Seeing none is there anybody from the audience that would like to speak for or against?

T. Griffey: I'm Tom Griffey, the Town Board President at Modoc. We approved this at our meeting with my board on the contingency that it doesn't end up being a scrap yard. And what

he's going to do that's what I asked him to build the fence because that's what our ordinance reads of and what you done yesterday so. On our end of it we're all good on our end of it as long as you guys approve. Thank you.

President Calhoun: Thank you. Anybody else?

T. Kerns: Comment you approved other that it don't become a scrap yard.

T. Griffey: With the contingency of it not becoming a scrap yard.

T. Kerns: But once we do the M-1 he will be allowed to do that there correct?

D. Johnting: We had to work with what we have to work. A recycling facility/scrap metal and junk salvage is M-2. That's why we backed off to M-1. These things or similar things.

K. Ballenger: Yeah she said I couldn't even do like motor work. I can't even put a transmission in something because the zoning don't allow it. Its light mechanic is what it is now you can't take parts off of it.

D. Johnting: M-2 is just so much heavier. So much chance for a scrap yard. The state still does have oversight.

K. Ballenger: Yes the state still has to do their thing.

D. Johnting: They'll be state inspections on how you drain fluids and everything.

K. Ballenger: Yeah. I'll still be licensed and everything so.

D. Johnting: You'll have to answer to the town board as well.

T. Griffey: And he's a pain in the butt.

K. Ballenger: Usually everybody loves me.

President Calhoun: I would entertain a favorable motion from the board.

S. Gregory: My name is Steve Gregory. On searching through some stuff I came across the minutes—APC minutes. I didn't know if this was your board that had them before it was on May 22, 2024. Is that? This identifying if that has. We see what is APC. It just has the date right after that. But it was describing all the stuff and it sounded like there was going to be selling in parts not to people who come up to the building but selling parts and scrapping cars to sell parts down little different than mechanic and changing a motor.

K. Ballenger: We don't have customers there.

S. Gregory: No, no customers that's what I'm saying. It wasn't about customers coming but it was the scrap yard where they're selling.

D. Johnting: This is a different petition and a different location. So.

S. Gregory: They're from the one that was here. But the intentions of what he was doing was in there was different so my worry was that that's what they're going to do there. There's been cars sitting back there for years just sitting in there. I would just thinking there's already soil issues. There's pictures of that if you want to look at them online or some from even 2/13 but they were there for years. The house next door and all those others do go right up to. I just wanted to know what the other properties be able to be used like where you going to put if that's what you're doing where you going to have parking? Because there's really no parking for that and it isn't an alley. In the two properties that we're talking about the one right next to it that had a house actually says 219 Maple Street. It is not on Maple Street. These are both on the alley. So I don't know if the difference is how you can even regulate what you're doing when they right next to each other have different street addresses and my dad is on Walnut Street. Which is the real Walnut Street. So all these addresses are kind of confusing. I don't know how you can change zoning whenever this same alley says two different streets as an address. I didn't know if that's an issue or not.

D. Johnting: The town puts on the address. We don't have any control over that.

T. Griffey: Right and what we did after the house got tore down there which we done because the rodent problems. We went with the address that's been getting billed for the water and septic is what we've done because that was with the same property as the building we're speaking of today. So that's why we went with that address because it was already in our system.

S. Gregory: So what happens if it does turn in to the other thing? It won't? It's just going to be different things, just fixing cars instead? Is that?

K. Ballenger: That's all I'm allowed to do there.

S. Gregory: I just needed to know about the addresses. What about the dumpsters and stuff like that that's there? Is there anything about that that has to go in?

K. Ballenger: So I asked them the town if it was there's nothing. They're always empty usually. So there's no rules about parking stuff on my property.

S. Gregory: Is it considered industrial? M-1?

D. Johnting: Yes.

S. Gregory: If I understood, industrial had to follow those certain rules, like trash containers were part of what would be behind and outside.

J. Welch: We're only making a determination tonight as to how to zone this property. Other enforcement would come later if the zone under this property would obviously have to follow all regulations of M-1 zoning so that's not really what we're talking about tonight. I'm just talking about on the zone.

S. Gregory: Okay. That's the main stuff that I had to ask anyway.

President Calhoun: Okay. Thank you.

L. Wesley: I'm Lona Wesley. Stephen Gregory's daughter. He wasn't able to be here because of his health. I'm confused what all the dumpsters are there and there's tires all over.

K. Ballenger: The dumpsters I own. They're mine for my trucks.

L. Wesley: As far as the fence. Why aren't those inside where people don't have to look at that.

K. Ballenger: I just put the fence up yesterday.

L. Wesley: I know. I was there.

K. Ballenger: It's hard to get them in there. They can go in, yes. But whenever I was talking to the town they said that they didn't have to be because it is my property.

L. Wesley: But to me it kind of looks like a junkyard now and he's not even started. So, it just.

K. Ballenger: I'd like to leave them there because it's gravel instead of trying to put them somewhere else where it's muddy. That's the reason I do it. I bought the property to use it for commercial use when we bought it. I mean I could sell the property and let someone else buy it.

L. Wesley: With all the dumpsters, my father ended up getting rats. He's lived there 45 years.

K. Ballenger: But the dumpsters are empty they don't have trash in them. We don't haul trash. The rats came out of the house. We had a renters in the house and they literally destroyed the house. We couldn't kick them out. We had to keep fighting it through courts to get them out. Once we got them out, I told Tom. He said you're welcome to the house. I took an excavator out and put it on the ground.

T. Griffey: Two days it was gone.

K. Ballenger: Two days.

L. Wesley: The whole time he didn't have any rats either.

K. Ballenger: The house was full of rats and when we tore it down they went everywhere.

L. Wesley: Yes they did.

K. Ballenger: The empty dumpsters. The rats aren't going to eat the metal. The rats are coming from somewhere other than the metal dumpsters that has nothing in it. I mean there's no trash in it no nothing. We don't haul trash.

L. Wesley: Are there going to be big trucks going down the alley?

K. Ballenger: I mean my semis will need because we're. But even with what the zoning I have now I can put my semis there.

L. Wesley: Where would you park it?

K. Ballenger: It's not an alley no more.

S. Gregory: It's not a street.

K. Ballenger: They said it was um. The mailbox address now goes clear to the road. That we brought that up before because we plowed that whole back area. So we brought it up to the town like hey you know you have to pay us back for all the plowing that we did over the years if it's an alley and they said it's your driveway. I said okay.

T. Kerns: The alley was vacated?

K. Ballenger: Yes, the building sits on the alley. That's why it's not zoned. The alley used to go all the way through the building. You can't run an alley through this building now.

T. Kerns: So the alley is now private property?

K. Ballenger: The alley is now our property.

T. Kerns: At one point, the alley...

T. Griffey: The alley was no longer getting used and it just sat there until they started taking care of mowing it and plowing it. We just pretty much nobody was back there so we never went back.

T. Kerns: So you vacated the alley. It's private property now.

K. Ballenger: On both sides. We have two lanes coming in and we take care of all that. And then we even like the property we have don't know if you could see it or the property up against the road. That's right up against the house we let those little neighbor kids they ride their four-wheelers. We gave them that. We said you use the property you play with it. You keep it picked up cleaned up. It's your guys is until just don't get hurt so and we don't do nothing like that.

L. Wesley: As for as the alley thing, they haven't been taken care. I mowed them for quite a while and then the mowing, that's not happening so it's a mess back there. I don't mean to be complaining I'm just trying, for my dad, trying to get points across that it looks terrible. And are you saying that the dumpsters will go in.

K. Ballenger: Yes, I can put them in there. It's no problem. It's not a bid deal to me. I had to get the fence up for that reason so.

T. Griffey: He called me prior to put gravel out there and I told him to wait till we see what happens here even with the fence. I was surprised he got the fence until they okayed it. But he did offer all because of what you're talking about the mud mess and all that and that's what he said, I'll gravel it all if that's what you want. Well no need to waste your money until you get approved to. I told him to wait.

J. Welch: Just to be clear as far as what we're approving tonight this is a recommending body. So they will only recommend favorable or unfavorable or no recommendation in order to change the zoning. The town board is actually going to have the final say in that so even if we say unfavorable the town board can still pass it. This is just so you're aware of that this is just a recommendation from the board as to whether or not it should be changed is all going to be doing.

L. Wesley: So there's nothing you can do when trucks knock down all the limbs on my dad's trees.

J. Welch: We're only recommending whether to change the zoning or not like it's requested. Then it's going to go to the city.

K. Ballenger: And I told your dad before that I'd have them trees trimmed for him so my trucks could get in and out of there. They're supposed to keep it off the drive all the tree limbs. And I offered to pay to have it all trimmed for him but he never did give me a yes or no answer. Because the guys knock mirrors off the trees.

L. Wesley: He didn't say anything to us. Maybe we can discuss that at some point.

K. Ballenger: Like I said I even cleaned that up for you whenever he had that pile outback. That dumpster, pick it all up for him, moved it.

L. Wesley: That was there and we had to put it in trash bags. That was there because we can't burn them. So we had to take little at a time.

K. Ballenger: I would love to be able to trim them because like I said I knocked the top of my semi off. When I go backing in there. I'd like to get rid of all of them. I don't mind trimming nothing. I don't want to tear my stuff up.

L. Wesley: Okay. All right, thank you.

La. Wesley: I'd like to share. I'm Stephen Gregory's son-in-law Larry Wesley. Lona's husband. I just want to be brief here that the activities that have gone on the last 18 months or so after the people left or you got out of there. It has the activity and appearance of salvage yard going on. Half dozen plus cars, trash truck, tires, stacks of tires going on, transmissions laying around, car big car parts laying around,

K. Ballenger: Well, that's what we do. Work on cars.

La. Wesley: But they're not moving in and out. They just sit, sit, sit. There's a big trash truck that's been there and it's never left. So cars should move in and out instead of staying forever and stuff. Like I said it doesn't have the activity and it's not going to something simple as being described. It's seems like it's being described as something much, much bigger and I'm concerned for Steve and the family. This is going to get a lot worse with industrial zoning. That that is just going to be compounded of what's going on. So, thank you.

President Calhoun: Anybody from the board have any other questions? Anybody from the audience have any questions? Okay. Entertain a motion, a favorable motion.

J. Welch: You would need one for each of the properties separately because there's one that's going to be a rezone and the other one is going to be a preliminary initial zone. So you'll vote on them separately.

President Calhoun: Okay. So the first one would be...

D. Johnting: C-2 to M-1. And the second one is unzoned to M-1.

President Calhoun: So I guess we're taking recommendation on the the first one. Is there a motion.

J. Hufford: I'll make a motion for a favorable recommendation.

T. Holaday: Second.

President Calhoun: It's been moved and seconded. We'll have a roll call vote. This will be for the first.

K. Halloran: Todd Holaday, yes. Don Calhoun, yes. Tom Kerns, yes. Jim Hufford, yes. Coy Applegate, yes. Terry Alfrey, yes. Amy Alka, no. Steve Hernly, yes. John Reece, no. Abby Journay, no. Seven yeses.

J. Welch: It passes.

President Calhoun: Okay so that passes with seven votes for a favorable recommendation. Okay now for the second petition. We're rezoning, we're not rezoning but zoning what used to be part of the town property. Town of Modoc. So we will be zoning it for an M-1 zone. So is there a motion for that one.

Vice President Applegate: I'll make the motion for a favorable recommendation.

J. Hufford: I'll second.

President Calhoun: Been moved and seconded for a favorable recommendation. Roll call vote.

K. Halloran: Okay. Don Calhoun, yes. Tom Kerns, yes. Jim Hufford, yes. Coy Applegate, yes. Terry Alfrey, yes. Amy Alka, no. Steve Hernly, yes. John Reece, no. Abby Journay, no. Todd Holaday, yes. That's seven so it passes.

President Calhoun: So both of them were favorable recommendations so they will go to the town of Modoc.

K. Halloran: The Modoc Town Board meeting is this Saturday the 21st at 10:00 a.m. I'll get the paperwork to them and they'll have it for you.

K. Ballenger: Thank you.

President Calhoun: All right, thank you. Next on the agenda is 2026-1-A discussion and vote on Article II Amendment. Deb if you want to give us a.

D. Johnting: So Article II deals with only nonconforming structures. If you have a house on a lot and it was legally established it's on an acre and it was an acre at that time that's legally established. There are houses/properties in the county that are legally established with something now that is nonconforming which is two homes. So for whatever reason they have a piece of property. They built the first house maybe a grandparent's/parent's house whatever two houses on one lot. If something happens to one house they can't build it back. You can have one lot and one house. So all this changes is anything that is nonconforming. It doesn't mean that if you're sitting on a half an acre and you have a house and you're afraid you can't build your house back. That is not what this is about this is about. This is about, a good example is two acre lot with two houses. One of them gets torn down. Now the lot is completely conforming. This article says you can't go backwards. So we've made a change to say that you can't go backwards with something new, but you can keep what you have. If you have two houses or two acres of land. Everybody knows the required amount is two acres for one house if you're doing something new. This will just allow any house that's sitting out there now basically can be rebuilt if someone decides to tear it down, or it burns down, or it falls down. So the language that we have removed has a strikethrough. What was added is an existed prior to July of 2017. The reason that date is

there is there shouldn't be any sense then because we have looked at new lots being created and all lots created for residential are two acres if they're in Ag. So we shouldn't be doing this anymore. Anybody calling in to build a second house on an acre or on two acres, we turn them down because this is not having what they had before. This is something new. So the other thing we took out, "damage or destruction should not exceed 60% of the gross floor area to rebuild that house." It doesn't say they can't tear it down completely and rebuild but the commissioners requested to take that percentage out. That if your house is, for some reason, just a portion of its destroyed you should be able to rebuild it back without worrying about any percentage. I think that's it. It should not allow any new nonconforming lot but it will protect the ones that are sitting out there right now. Any questions?

T. Holaday: I have a question. On the issue with the floodplain definition. I think you've said in the past that changes from time to time. Right?

D. Johnting: It does.

T. Holaday: We can't do anything about that. So how does the homeowner know whether or not. Let's say they've got a property they're considering tearing down on thinking they're going to be able to build that back. Is there a place they can go to get the?

D. Johnting: Well they should come in and get a demo permit before they tear it down. At that time we'll be able to tell them. I don't have much control over what happens in the floodplain. If there's a house sitting in their floodway and it burns down, falls down, or they tear it down they may not be able to build in that spot. That would not be from the county that would be from DNR.

T. Holaday: If they get that demolition permit they can then find out from your office whether or not ...

D. Johnting: Before they do it they can find out if maybe they should think about fixing it up and not tear it down. They'll pay flood insurance possibly if there's a loan on it.

President Calhoun: Any other questions from the board?

D. Johnting: But we do we maintain what they call best available, current best available maps are in our office. So we always know. So you can vote on this.

J. Welch: This would be for recommendation then it'll go to the legislative bodies for approval. So we're going to recommend that the this language be changed in the zoning ordinance but the legislative bodies have the final say. So this would be either a positive recommendation or an unfavorable recommendation.

T. Holaday: I make a motion for a positive recommendation for Amendment 2026-1-A.

President Calhoun: Is there a second?

J. Hufford: I'll second.

President Calhoun: So it's moved and seconded. Roll Call Vote.

K. Halloran: Okay. Tom Kerns, yes. Jim Hufford, yes. Coy Applegate, yes. Terry Alfrey, yes. Amy Alka, yes. Steve Hernly, yes. John Reece, yes. Abby Journay, yes. Todd Holaday, yes. Don Calhoun, yes. Okay, passes.

President Calhoun: Next on the agenda, concerned citizens group for Randolph County. Requested time to discuss current proposed solar projects and the solar ordinance.

D. Freer: Hello I'm Dan Freer. As I'm sure most of you have probably heard of the ruling of the commissioners on Monday with regards to a proposed solar park, an additional proposed solar park in Union Township which was voted down by the commissioners. But we as a concerned group believe that there's still some inadequacies in the ordinance with regard to protecting residents and homeowners and also giving guidance to developers with what is proper in the different areas of the county. So we what we're asking is to reopen the ordinance for some additions and amendments. The main points we would like to address and I can go into great detail I'll give you a shortened version at first if you want to ask any questions I'd be glad to do that. The first item is caps on the amount of acres or percentage of acres in each township to be allowed to be developed or placed under you know in solar parks and or other energy projects. And then a cap for the county overall. So a cap for each township, a cap for the county which would better allow development to know whether there's areas that can be developed or should be because especially in our township. We feel like we've been overburdened with the projects. And we're just trying to address that and try to protect our township and since we're the currently the main place where the solar projects are we're also trying to look out for the other residents of the county to give them better I guess better responsibility from development better responsibility you know for what should be done and how it should be done and how much should be allowed. Then along with that we strongly feel that as part of each of these projects they're currently only if they're on Ag Intensive, the vote of the commissioners currently clears most of the thresholds for the project to continue. We feel that it's important to have an additional layer of approval which with what we're would like to see happen is that there either be a special use category for solar projects in the county's categories that we need to be reclassified as or a special exception in each case which is the primary reasons to require another layer of accountability in public discourse. To air concerns in any anything you know you have two weeks after the initial notice. Sometimes it's a little bit difficult to understand the full impact of the project and what how it might affect you individually and that's a little bit of extra time would allow that to happen and if it's a viable project then you know it passes through as it

should. In that also as part of that why we feel that's important at currently these projects are nearly 1,000-acre projects. We feel that's a pretty large project to just be approved by commissioners. We feel there needs to be a little more accountability to the development process for that to move forward. Along with that a little more protection for homeowners. We feel the current landscaping requirements are quite inadequate where it is required and we feel that there are some additional areas where landscaping can be beneficial and help mitigate some of the issues between the homeowners and the land owners or excuse me the development company and the homeowners. I know these setbacks were recently increased. That just trying to look out for their best interest. They don't typically have a lot of leverage in trying to express their opinion and we have some, I can get into some of the specifics of that. That's the overview of what we feel on landscaping. You know there's items other counties require. Property value guarantees for homeowners that are nonparticipating. In these projects their two-year window after the completion of the project if they feel they've been damaged and can't accept what's happened and that they're able to at least get the appraised value out of their home equal to what it was at the time of the beginning of the project. So those are the main points I can talk to anything more specifically and part of it is I'm understanding opening the ordinance it's going to be work-in-progress. I mean with regard to the subcommittee so I'm sure there's going to be you know a little bit of consideration on both sides that has to be addressed and try to work through the issues individually. So I understand not everything that we'd like to have is going to happen but I we strongly feel that the ordinance needs to be updated and strengthened to try to protect especially the overburdening of townships with constant development of projects in very similar areas. We've got a pretty strong corridor almost all the way across the township of solar farms and it's also pretty major presence of the wind turbines and just trying to keep it a place where you'd like to live looks nice and you can drive by every day and not feel that you're just driving through the industrial park. You know and then with especially with regard to homeowners. If they're allowed to surround a home on all four sides they're effectively turning that home into an island in the middle of an industrial area. We feel that those items should be addressed in a way that gives them a few more right in that way the expectations that the development companies have will be addressed at the onset as opposed to trying to fix it afterwards. So that being said you know it's our opinion and my opinion. And I can't speak for everyone. My opinion is that you know stewardship is a constant effort to balance. You know the blessing we have under our control and many people don't have much control over some of the factors that affect them where they're trying to live. We'd like to place a little more responsibility on those who have a little greater influence on how the project moved forward and progress and you know we're as a county we're not alone in losing population but if we continue the road we're down now I don't see how that trend is going to turn around very quickly. It feels to me like we should begin addressing that in some way if we can to try to stabilize that and one

item that I did not mention when I when I talked about the rezoning issue. I feel that it's proper for the county if it's rezoned for solar use I don't see why that different designation for either solar or commercial would not allow the county to increase property taxes on the land which the solar or energy project is above because they're reaping tremendous benefits above Ag use and it's by no means is ag use during the duration of the project. Any questions? I could further any of these items with you but that's the short.

J. Welch: Don I think you can entertain a motion to reopen the ordinance by appointing a committee. Obviously there's a lot of interest in it here today so the board has the power to do that, to appoint a committee to look at the ordinance. They would have to come up with a recommendation that would have to be advertised and then come back here for a vote if there was going to be some change made. But the final say would still be with the county commissioners. So we went through this just a few months ago.

D. Freer: Yes.

J. Welch: But there can be a committee. They can make a recommendation. It's advertised that comes to the board. The board then makes a recommendation on that change and then that goes to the county and they have the final say on whether that gets changed or not. So that's kind of how the process would work but the first step in that would be for the board to make a motion to reopen it and appoint a committee. That would be up to Don to do that.

J. Hufford: Can private citizens sit on that board and with their recommendations and stuff?

J. Welch: The board is going to be appointed by Don and I think the last time we had some private citizens that actually served on that board.

J. Hufford: Okay, that is what you need.

President Calhoun: We need to have a mix of for and against. We need to have board members, a commissioner, somebody that's on the BZA and APC. It's a mix of everybody so that we can come up with something that—and the council—so that we can come up with something that we can all live with. Your area seems to be the spot where it all is.

D. Freer: Well there's reason why it's a hot spot. You know there's capacity on the lines there's an infrastructure in place there's no reason they wouldn't try to continue to develop there because that's the most cost efficient place to do it. There comes a time in our opinion there's a need to be some limits in place to try to manage how much we allow at each part of the town each township. I think each township had should have a limit to protect each one and then the county as a whole because we you know. What we give up 10,000 to 12,000 acres. How many acres do we want to take out of the productive capacity of the county. I mean we're

primarily in agricultural county and we're trying not to squeeze out all of our young farmers that would like to you know be able to carry on that type of a business and move forward.

L. Myers: I have a question about the committee that is going to be picked by Don.

D. Johnting: You need to come up and state your name because this all has to be on the record.

J. Welch: The chairman of the Area Planning Commission has sole discretion on who to put on the committee.

L. Myers: Okay and then they.

J. Welch: That's the way it would work. He appointed a committee the last time and I think what he had discussed this time was to have at least the commissioner, a few members from the board and then he was going to take volunteers so people can leave their name and phone number and then try to select three or four people that are concerned citizens to also serve on that committee as well. And then the concerned citizens could meet separately if they want to have representation they can meet with their representatives and then they can take that into the main committee that's the way to do that.

L. Myers: Okay, my name is Lisa Myers. I live at 3747 South 900 West. We were here four years ago when we had the opportunity to stop this by changing the Ag limit. You remember that? A lady by the name of Cates asked all the board members on here who had been approached by EDP and who had signed up for it. Weren't you on other that said you have been approached by EDP?

J. Welch: We're not, we're not, we're not, we're not, we're not giving anybody under interrogation.

L. Myers: I'm not interrogating anybody but I want to know how that's not a conflict of interest.

J. Welch: This is how our rules work ma'am. If he has a conflict of interest then he's required to recuse himself.

L. Myers: Has he done that?

J. Welch: He has the authority to do that. So you have three minutes to make a comment if you would like to do that but then we have to move on to the next person?

L. Myers: Okay I just want I just that's my question. Did you not say at that meeting that you had been approached to sign with EDP?

J. Welch: We're not questioning board members ma'am. That's not what this is about.

L. Myers: But why are you allowing...

J. Welch: You're not allowed to question board members at this meeting. We're not going to allow that. Do you have any other comments?

L. Myers: Yeah I do. I want to first thank. I want to start by thanking our Randolph County commissioner for listening to the people and stopping the River Start project yesterday. That decision showed our community our voices are still mattered however our work is far from over. We are here tonight to discuss possible changes to the solar ordinance including improved setbacks and caps on how much land can be used for those projects. As residents of Randolph County we need to strongly encourage you to take this opportunity to put a meaningful protection in place before more projects move forward. During yesterday's meeting an EDP representative named Brad spoke out about how solar facilities are quiet and produce very little traffic after construction. While that may sound good on paper it does not reflect the reality of some of us living by there. I live just approximately 0.03 miles from an existing project and my experience tells a different story. The construction phase brought significant noise and destruction including the pounding during installation. Even now that the construction is over I deal with glare from two different locations on the project. In addition, not only myself but at least two of my neighbors who live even closer to keeping a constant humming noise that did not exist before these projects were built. EDP I'm sure is not the only company interested in Randolph County. The question we should be asking is how many more projects are coming and what will our county look like when we don't set clear limits now. This is why it is critical that Randolph County looks closely at stronger ordinances already adopted by counties such as Whitley, Madison, and Huntington, for example. Randolph County deserves the same protection. You have the opportunity right now to protect Randolph County before more projects arrive. These companies will eventually move on. They have taken everything they will eventually move on after they have taken everything they can from us but your residents are the ones who will have to live with the consequences for the decisions every single day. I hope you choose to protect the people who call this place home.

President Calhoun: Thank you. Okay, I would like to entertain a motion from our committee or board to form a committee.

Vice President Applegate: Motion made.

President Calhoun: Is there a second?

J. Hufford: I'll second it.

President Calhoun: Okay, it's been moved and second the APC forms a committee to look at our solar ordinance and changing if we need to. We'll need a roll call vote.

K. Halloran: Okay. Jim Hufford, yes. Coy Applegate, yes. Terry Alfrey, yes. Amy Alka, yes. Steve Hernly, yes. John Reece, yes. Abby Journey, yes. Todd Holaday, yes. Don Calhoun, yes. Tom Kerns, yes. It passes.

President Calhoun: Motion passes. As far as people that are willing to serve on this committee. We'd like to have a Commissioner, Councilman, someone from BZA and someone from APC.

T. Kerns: I will serve and I will bring it up the commissioners meeting and we'll decide which one of us for sure.

T. Holaday: Same. I will do the same thing for the council.

President Calhoun: I've got a paper. Anybody that's willing and wanting to serve on this committee. Dan, I'd like to see your name on it.

D. Freer: Just for interest sake, how many people, do you have a set number that will be on the committee? Just trying to let everyone know.

D. Johnting: I have a suggestion. We tried to go with eight to ten, maybe twelve. However there were people that started early on came to a meeting didn't come back. Someone start we don't want to do it you have to let us know so we don't end up with two or three people at the end.

D. Freer: Absolutely.

D. Johnting: We've also anyone can they listen in on meetings or is it private?

J. Welch: Will be a closed meeting that they can meet with the...if there are concerned citizens representatives that might not be a bad idea to have a meeting with everyone involved who's concerned to make sure that those concerns are brought to the regular committee.

D. Johnting: We're always available for questions. If you have things to bring up?

President Calhoun: I'd say around six or seven.

D. Freer: I mean I just wondered whether you know how large of a representation you're looking for.

President Calhoun: If we get too many people on the committee and nothing gets accomplished.

D. Freer: Nothing gets solved.

D. Johnting: We always lose people. Only people that are willing to put in the time because there will be several meetings. You might have to change your schedule.

President Calhoun: You know as well as I do that we're pushing April.

D. Freer: Yes we are.

President Calhoun: And several of us are going to be in the fields planting.

D. Freer: Yes.

President Calhoun: So we need to take that into consideration. This is something that we need to act on whether quickly I feel.

D. Freer: Yes I agree.

President Calhoun: It's something that I don't want to see drag out for a year.

D. Freer: Absolutely.

President Calhoun: So if anybody is willing to sign up.

D. Freer: And it's open to anyone correct that might be here or anyone that's not here. Is there going to be a period of time with someone's not here that's interested.

J. Hufford: Why don't you talk to the people out there. See who is interested and make a list and just bring it up to the office. I think that'd be the best thing to do. That way you have a chance to talk to one that might be really interesting.

T. Kerns: If somebody that's not here is interested they can call Area Planning.

D. Freer: That might be the best option since we have a lot of concerned people present. If they're interested they can sign up and if there's someone that's I can try to make as many contacts as possible if there's someone that's really wanting to serve. They can try to let you know that and then have the selection process and notification. That's likely to come within a fairly short amount of time. Am I correct in that?

President Calhoun: I'd like to think so.

D. Freer: Okay.

T. Holaday: Will this committee be meeting on Wednesdays approximately the same time like we did the last time?

D. Johnting: Not necessarily. Generally the first meeting is just arbitrary and then if someone says I can never be here on Wednesday night or I can never be here on Tuesday. It just depends on.

T. Holaday: Well I think with that many people we need to set a time ahead, a day and a time that's scheduled ahead of time so that we're not trying to fix you know find a time that works on nine or ten different people's schedule.

D. Johnting: That's different from what we've always done but that's up to the committee. I don't know. It's up to Don. Sorry Don.

T. Holaday: That's just my opinion. Well before people sign up for our committee I think would be a good idea to.

President Calhoun: Name, phone number, and maybe a night that would work the best for you to meet.

D. Freer: Okay.

J. Hufford: A lot of people working or got jobs you know someplace else and they're not going to be able to make meetings during the day. That's all has to be settled out.

D. Freer: I hope that they would be evening meetings to better facilitate most of the people, most that might be interested. That's your call.

President Calhoun: Evenings works best for me. Would you be willing to pick names out with me?

D. Freer: Yes I would be glad to do that.

N. Lester: Hi my name is Neda Lester and I guess when we get all this decided. How will you notify when the meetings are and the times because some things in the past have slipped through and I didn't even know things was kind of going on. They said it was in the paper but what if you don't read paper where if you don't get the paper. How is the best way to let our community know when the meetings are and where they going to be held?

D. Freer: What she's speaking to I do know with this most recent meeting there were certified letters sent out. We can't really trust our postal system like we used to be able to trust our postal system. I got contacted in the middle of the meeting of one individual that got his letter that day that was in Missouri. I believe there's a member present that never received their letter.

D. Johnting: We have proof of mailing of every letter.

D. Freer: Yes, I understand that but that's that's what I'm.

D. Johnting: And that's all we can ask is that the letter gets mailed...

D. Freer: Just saying it's a challenge so we need to at least have.

D. Johnting: Three weeks before the meeting. So that's the best I don't know.

T. Kerns: It's going to be kind of new your groups want to have to take on themselves to make sure you try to notify.

D. Freer: We'll do our best.

T. Kerns: It will be in the paper. We really we'll have to do a recommendation here once again once we form this ordinance and then we'll come back to an open commissioner's meeting.

D. Freer: Currently the way it will be set up these meetings will just be private meetings, correct? They're not public meetings for the discussion of the ordinance.

President Calhoun: And most likely the meetings will only last about an hour.

D. Freer: Yes.

T. Kerns: Then it will come back to an open meeting of this board.

D. Freer: Then it will come back to an open meeting and if it's approved by you. I just want to make sure I understand properly. If it's approved by your board or committee or whatever you're considered, then it goes to the commissioners and they can if they approve or deny can they approve or deny the whole thing or parts of it as far as the changes.

D. Johnting: They can make a recommendation that...

J. Welch: They can recommend changes back. So they can make an amendment. In fact, that's what happened the last time.

D. Freer: It will come back?

J. Welch: If we make a favorable recommendation, it goes to the commissioners and they pass it, that's the end of it. It goes into the UZO.

D. Freer: Okay.

J. Welch: If they deny it or if they recommend that it be changed to something else then that will come back here and will be another meeting with the Area Planning to decide whether to take that recommendation or to kill it.

D. Freer: Okay, I understand. I just wanted to more adequately understand the process and how the different steps work.

D. Johnting: And those meetings, if there is a meeting here it will only be the third Wednesday of the month at 7:00 o'clock in this room. I've got a schedule in my office. It will be in the paper and of course it will be you know advertised that way. Anyone can call the office and see if there is a meeting that night. If we don't have business like we had tonight and the committee's not ready to do anything then there may not be a meeting but that's the only night it will be if there is one that month.

D. Freer: Are notices like that posted on the county's site?

K. Halloran: Yes, they are on the calendar at the bottom of the home page. I put them on the calendar and if we don't have a meeting I take them off.

D. Freer: Okay.

K. Halloran: So they can look. In fact they're on there for the whole year and then I just take them off as needed.

D. Freer: But that's just the meeting correct?

K. Halloran: This meeting, the APC.

D. Johnting: And the agenda...

K. Halloran: And the agenda is also posted.

D. Freer: How far in advance usually?

K. Halloran: Usually a week, ten days.

D. Freer: Okay, I just wanted everyone to know the process and what's posted.

D. Johnting: There's a notice outside this room that will say that we will meet or we won't meet and we can get an agenda from us anytime and you can call.

D. Freer: So they can call anytime? I just one to try to inform those who are here.

D. Johnting: Anybody who wants on a call list, I'll do my best.

D. Freer: Okay, thank you.

T. Loudebush: May I ask a question? Trena Loudebush. I'm with EDP. I am in no way suggesting through this question that we sit on this committee but I would encourage you to seek someone that is proficient in development to speak to those kind of issues. What I've seen in other counties and in other states that's gone through similar exercises something that sounds good on paper huge setbacks for example in practice have real consequences to the local community. A lot of wasted land, pushing projects into a much larger footprint than intended so just somebody that can be on that committee to kind of give that perspective and help make sure that we don't inadvertently cause other consequences. If I could help connect you with folks let me know. I'm happy to help with that decision thank you.

President Calhoun: I would like to thank everybody for coming and listening tonight. I want to make strides on getting something for both sides can be apparently come close to being happy with it. I mean we can't make everybody happy but this is what we're wanting to get

accomplished and we're going to open it back up and see what we come up with. So thank you thank you for coming everybody. I would entertain a motion to adjourn.

Vice President Applegate: So moved.

President, Don Calhoun

Vice President, Coy Applegate

Recording Secretary, Kristina Halloran