

RUSH COUNTY  
AREA PLANNING COMMISSION MEETING MINUTES  
FEBRUARY 1<sup>ST</sup>, 2023  
6:00 P.M.

President Marvin Rees called the meeting to order at 6:00 P.M.

**ROLL CALL:** Kenny Aulbach, Secretary, Denny Corn, Vice President, Kelly Land, Tom Monka, Mary Richardson, Marvin Rees, President. Also present were Attorney, Geoff Wesling, Director, Mike Holtzback, and Linda Ashwill, Deputy Planning Director. Jeff Amos, Virgil Bremer, and Justin Orme were absent.

**APPROVAL OF MINUTES:** For the January 4<sup>th</sup>, 2023 minutes. All members were giving copies of the corrected minutes from the ones originally sent electronically. Mary wanted to clarify what she had said. She pointed out the correction under the Reports section. Linda pointed out another error she had found and it has been corrected. Marvin asked the Board if there were any additional corrections or additions. Hearing none, he asked for a motion. Kelly made the motion to approved as corrected. This was seconded by Kenny. All were in favor. Minutes were approved as written.

**NEW BUSINESS:**

1. **Virgil Bremer** -He was not in attendance to be sworn in. He has been appointed by the Council to be a representative on this Board.
2. **APC-2023-1** Jay D. Haney request for a rezoning of property located at 11828 North 900 West Carthage from Residential to Commercial.

Grant Reeves was the Attorney representing Mr. Haney. He stated Mr. Haney wanted to voluntarily withdraw this petition at this time for this rezone for a later date. Grant had talked with Geoff on this. Geoff agreed, with trying to do the right thing, we thought the six-months, since this is being voluntarily withdrawn, should be waived. He requested that the six-month time period to reapply for this rezone be waived.

Mary made the motion to wave this six-month time limit requirement. This was seconded by Kenny. All were in favor of this motion. Motion carried. Mr. Haney will be able to reapply for this rezone prior to the six-month delay as stated in the Rules & Procedures page 7.

3. **Clarification** of subdivision and fees in the ag zones.

Mike had the question about our Fee Schedule as printed. All members were given a copy of the Fee Schedule. Mike said this was the only thing he had to go by since he started. He measured a sub-division if it was 40 acres out of 92 or 10 out of 40 as Primary Sub-divisions. The fee of \$300.00. Then you go down to the Non-Residential Secondary Subdivision and it is \$50.00. He has been doing the \$300.00. He is getting a lot of feedback on this and he wanted their input on these charges. Denny asked what it was down in Greensburg. Mike said he didn't remember. Linda said she had the surrounding counties and gave Mike the

chart for such. The fees were not clear. Mike said in Henry County it was over \$600.00 for sub-division. Denny said he didn't think \$300.00 was unreasonable. Mike said he just wanted to treat everybody the same. After discussion it was decided the fee schedule as written would be adhered to on any sub-division or replat as printed.

Kenny had a question on the sub-division secondary. Do you have to pay another \$50.00 to get it approved? Mike said if that has to come through this Board. Mike said we used to have primary in one month and the next month's the secondary. Now they all come through the office. Linda said it was kind of confusing when we went from the ten to the forty-acre rules. We could start doing everything in house almost with this four-acre rule. She stated Gregg was charging \$100.00, because we didn't have to go before the Board. Marion said there is still paperwork that has to be done. Linda agreed with this. Mike said the survey has to be approved by Becky Garner in GIS and stamped. He has to fill out his form so it can be recorded.

#### **OLD BUSINESS:**

Marvin brought up to the Board about the issuing a New Comprehensive Plan for the County. Our last Comprehensive Plan was adopted in July of 2008. He asked how the Board wanted to proceed with this. If he wasn't mistaken the Council wants to have this renewed this year. Mike said all he has heard when he started that this would be addressed in January of this year. Mary said they were going to work on this in the winter when the farmers were not busy. They would be able to work on it. Well, it's February. Mary asked if the Commissioners needed to sort or start this. Marvin said they kind of have. Mary asked if they didn't start with a grant administrator to help with the expense? Marvin said he had no idea. Geoff said they are surely not wanting the Area Planning Commission to be in charge of the Comprehensive Plan. He's not saying they are not a part of the committee. Denny said he thought Ron knows quite a bit about this. He has talked to him quite a bit about it. Kenny stated Virgil was on the committee. Marvin asked Mason Gordon in the audience his thoughts on this. Mason said he thought at some point and time they would try to subsisted a planning person. He's not sure of what stage this is in at the present. Mike asked it's coming from the Commissioner's then to get this started? Denny said he would think so. Mary said they could do an income survey and if it came out right, they can get a grant for it. She thinks getting the money in place is the first step. Denny said they came to the Council and proposed to us several different ways. With Milroy doing their own. Carthage doing their own. They are working on it. That's all he could say. Mary said Milroy is working on their incorporation. Denny said it might be Glenwood then. Mary said anyway, it's not in their court yet, right? Denny said correct.

#### **REPORTS:**

**Attorney:** Geoff Wesling Geoff stated the only one he wanted to talk about was Moscow. He thought it was getting resolved. He thinks at some point us and the Commissioners are going to have figure out what they are going to do with the property. As it is right now, it's just boarded up. He was really hoping that some kind of agreement could be reached with the property owner where he would that the septic out and use has storage. Denny said he believed something has been done. Kenny said notices have been sent out for the demolishing of the building. Geoff said he was hoping the Dyers would come forward and say they still want to use as a shop. Take the septic out of it. Plumping out of it

and go from there. Denny said he thought it was out of this Boards hands. We got it up to the Commissioners and they will handle it from here. Mary said we are pointing fingers at Kenny as commissioner. Denny said he thinks that's the way it is now.

Director: Mike Holtzback Mike said the only thing he had was the property in Arlington. He asked Geoff if he had an updated on this. Geoff stated they had gotten a default judgement. We're in the same kind of situation if we want to do a property clean up or let the property owner if they will. They haven't gotten a response from him as yet. Denny asked if it was up to them (this Board) to decide that. Geoff said he thought probably should do was to advise the Commissioners and ask for their guidance on this. If they would like to have this property cleaned up. Sending out bids, etc. The looks go to Kenny again. He states he low man on the totem pole. Geoff said we have the ability to go on the property and remove anything that's not of the real estate. Kenny said he thought both of these were having the owners contacted. This is their intention anyway. Geoff said we are going to have to store the materials. He would get guidance from the judge in what to do with all the stuff. Denny asked even the one in Moscow? Geoff said no we don't have any guidance on that. We have the ability to tear it down. We are not going to gain any money. In do diligence he wouldn't just throw everything away. Maybe salvage some materials, if possible. This makes sense too him. Kenny said the Sheriff was wanting to do this in one day. Geoff said we might have that opportunity then. Denny said once you tear down and put in a pile, there's not much you can do with it.

Marvin asked if there was anything else. This is all that was on the agenda. Hearing nothing he asked for adjournment.

**ADJOURNMENT:**

Kelly made the motion to adjourn. This was seconded by Denny. All were in favor. Meeting adjourned 6:23 P.M.

Marvin Rees  
President

Kenny Aulbach  
Secretary Ika