

APC MINUTES

October 22, 2025

Members present: John Reece, Abby Jounay, Don Calhoun, Steve Hernly, Jim Hufford, Adrian Moulton, Todd Holaday, Jason Brewer, Terry Alfrey, Coy Applegate

Members absent: Tom Kerns, Amy Alka, Will Greer

Legal Representation: Jason Welch

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

Others present: Ed Thornburg, Scott Fisher, Darrick Ballard, Amy Ballard

President Calhoun: I'd like to call the Meeting of the Area Planning Commission to order. First on the agenda approval of the minutes of the July meeting. Has everybody had a chance to look at those minutes?

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

Vice President Applegate: I'll second.

President Calhoun: It's been moved and seconded we accept the minutes from the July 23rd meeting. All those in favor say, Aye. "Aye." All those opposed, "No." Motion passes. So next on the agenda is APC2025-20-Z, Kevin Scott Fisher. He has approximately four acres southern part of the property at 8901 South 1000 West, Modoc requesting to rezone it from Ag Limited to M-1. Scott are you here? You like to come up state your name and address. While you're doing that I'll read some of our requirements, I guess. 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 additional five minutes to respond to comments. So go ahead and tell us what you're wanting to do on the first petition.

S. Fisher: Okay just to start off, for those that don't know who I am my name is Scott Fisher. Lifelong resident of southwest Randolph County and the Losantville area. I currently reside at 9866 West US 36, Modoc, Indiana and have for the last 25 years. I've been a member of the Randolph County Economical Development Board for the last six and currently set on the Randolph County Council. I own Fisher Construction and Excavating, Indiana Earthworks, and S. Fisher Holdings located at 9922 West 900 South, Losantville. I've been in the excavating business there in Losantville for 40 years now providing a wide range of excavating services to the farmers, homeowners, towns, cities, schools, churches, Randolph County government, renewable energy companies, and the State of Indiana. Some of the services that we provide are

installing and grading driveways and roadways, earth moving, waterway construction, drainage pipe installation, municipality water, sewer, and storm systems, residential sewer, water, service line installation, snow removal, gravel and dirt sales, as well as delivery. I'm here this evening to request a zoning change on three parcels of land that I own near our place of business so that we can continue to operate and grow our business while being compliant with the Unified Zoning Ordinance. I'm not here because I've been getting complaints. I'm here because I would like to continue to use the four acres that is deeded in my name as we have for the past five years for material and equipment storage. The two other tracks located on 900 South are tracks that I've purchased under S. Fisher Holdings this year and last year to extend and expand our parking lot. We would also like to build a new maintenance building facility to service our trucks, equipment, and vehicles over the next couple of years. I have met recently with one of my neighbors Darrick and Amy Ballard who live on 900 South and have agreed to plant spruce trees along the county right of way between the future retention pond and the east property line for vegetation screening. Spruce trees can also be planted along 1000 West north of US 36 to provide a vegetation screen between the four acre tract and the other neighbor located at 8962 South 1000 West, Losantville. These three tracks of land are critical to us continuing to operate and grow our operation. We're operating out of the old fertilizer plant that was a three acre plot when I bought it. The four acres that I'm wanting to change the zoning on was a hayfield up until 2019. In 2020 we began using that field, four acres of it, for material storage, equipment storage, and a temporary concrete plant that was used on the Headwaters II Wind Farm. I had told Randy Abel at the time we did that that if we decided to make that a permanent laydown yard that we would change the zoning at that time. It was acceptable to him to do it that way. I also approached the neighbor on 1000 West and got his approval and blessing before I started using that four acre lot for laydown yard. Unfortunately he passed away a year or two later and another couple bought that. They seem to be objecting to us changing the zoning on it but we were using that property for a laydown construction yard two years before they bought their property. The other two properties I bought just so I could extend my operation. Again I only had three acres with the two buildings and we probably own 50 pieces of equipment and probably 40 trucks or better so that is why I'm here this evening.

President Calhoun: Board members have any questions? So you talked about building a 60 by 80 building on the four acres at sometime.

S. Fisher: At some point. We actually store some construction supplies on that four acres as well as several large stone piles. Yes at some point—not this year. Maybe next year, following year I would like to build about a 60 by 80 to store some of that stuff inside. I take pride in my property and I care what it looks like. And yes we would at some point like to be able to store some of that stuff inside.

President Calhoun: Is there anybody from the audience that would like to speak in favor or against this?

A. Ballard: Are you talking about the parcel in Modoc or the other two in Losantville?

President Calhoun: You need to come up here and state your name and address and tell us what your question is.

A. Ballard: Amy J. Ballard. We're at 9743 West 900 South. Are you asking questions about the parcel with the Modoc address or the ones across the highway from us?

President Calhoun: So this would be...

A. Ballard: The first one listed.

President Calhoun: The four acres on the north side of 36.

A. Ballard: Yeah, that's not anything to do with us but we don't oppose what Scott's doing as long as he puts the pine trees in that we've asked just right across like from our property because we live right on a hill so.

President Calhoun: Okay so you're on the south side of 900.

A. Ballard: Yeah, right across from. As long as he puts the pine trees we don't have an issue at all.

President Calhoun: All right, thank you. I don't think there's anybody else back there.

S. Fisher: I would like to add a little to that.

President Calhoun: You can.

S. Fisher: When I started using that four acre tract, I had approximately four employees and I had about \$300,000/year in payroll. We currently have 40 plus employees and a \$3.5 million annual payroll. So that's what it's done for the county as well as our operation and I would like to continue to grow that for our community. As I mentioned before there's no one that takes more pride in their property than I do and we're always striving to make it look better.

J. Hufford: On that four acres that we're talking about, will there be any new manufacturing facilities going in there?

S. Fisher: No, there's no chance of that and the reason I say that is I live on the other side of the trees there. That four acres is part of a 16.9 acre tract that wraps around my house. And no there won't be no manufacturing. There won't be no any type of factories at all. If we decide to quit using it for and laydown yard/construction storage if it will be restored.

J. Hufford: I didn't know if you have any secret plans for expanding your operation.

S. Fisher: Well, we would like to keep growing but we're in the excavating and construction business you know. And so I don't know what will happen when I'm gone but I do know that that four acres is attached to another 20 acres that my house sets on and no we don't plan on. Basically I just want to keep using it for what we have been using it for.

President Calhoun: Any other board members have questions? I'd considered a motion.

J. Hufford: I'll make a motion for a roll call vote.

J. Welch: It'd be for a favorable recommendation.

J. Hufford: Yeah, for a favorable recommendation. That's right—different meetings.

Vice President Applegate: I'll second.

President Calhoun: It's been moved and seconded to have a roll call vote so we are only voting as of right now for what would be the four acres on the APC2025-20-Z.

K. Halloran: The one on the west side, the laydown yard.

S. Fisher: The 1000 West address. The Modoc address.

K. Halloran: Yes, that's the first one. Okay. Steve Hernly, yes. John Reece, yes. Abby Journay, yes. Todd Holaday, yes. Don Calhoun, yes. Jim Hufford, yes. Jason Brewer, yes. Coy Applegate, yes. Terry Alfrey, yes. Adrian Moulton, yes. Favorable recommendation passes.

President Calhoun: So the next one would be APC2025-21-Z. The location is 9922 West 900 South. Once again to rezone from Ag Limited to M-1 (light construction).

S. Fisher: That is correct. That is so we can extend our parking lot and we actually have the site design already completed and submitted to the county for their approval. Once it gets approved it'll be submitted to the state and that includes the site work and the layout for the new building.

President Calhoun: Any questions from the board?

D. Johnting: I have a question. The two pieces with the Losantville addresses, are you going to combine those with the building and parking lot to be on those two parcels?

S. Fisher: The two new parcels or the one that's got the identical address to what our office building already is?

D. Johnting: These are the ones on 900 S.

S. Fisher: 900 South right and I don't see any reason why they can't be combined unless the county wants me to have different addresses for different buildings.

D. Johnting: Oh, okay.

S. Fisher: We currently already have two buildings on the track that's the 9922 address and the plan is to build one new building back. I believe that new building will set on the track that we're discussing.

D. Johnting: Okay, you don't have to. I was just wondering.

President Calhoun: Any other questions? Seeing none I would consider a vote or a recommendation for a vote.

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

J. Hufford: I'll second.

President Calhoun: It's been moved and seconded for a favorable recommendation. We'll have a roll call vote.

K. Halloran: Abby Journey, yes. Todd Holaday, yes. Don Calhoun, yes. Jim Hufford, yes. Jason Brewer, yes. Coy Applegate, yes. Terry Alfrey, yes. Adrian Moulton, yes. Steve Hernly, yes. John Reece, yes.

K. Halloran: Favorable recommendation.

President Calhoun: Okay so the next one is APC2025-22-Z. Basically the same thing as the other one. Change it from Ag Limited to M-1. Any questions? Entertain a motion.

A. Moulton: I'll make a motion for a favorable recommendation.

T. Holaday: Second.

President Calhoun: It's been moved and seconded. Go ahead with the roll call vote.

K. Halloran: Don Calhoun, yes. Jim Hufford, yes. Jason Brewer, yes. Coy Applegate, yes. Terry Alfrey, yes. Adrian Moulton, yes. Steve Hernly, yes. John Reece, yes. Abby Journey, yes. Todd Holaday, yes. Favorable recommendation.

President Calhoun: Now the favorable recommendation will go to the commissioners to make the final decision.

S. Fisher: Okay, thank you.

President Calhoun: Any other business we need to attend to at this time? Meeting next month?

D. Johnting: Yes, the Unified Zoning Ordinance. Amendment to Manufacturing; to add carbon capture sequestration.

President Calhoun: Thank you everybody for coming tonight. Good turnout, thank you. Motion to adjourn.

President, Don Calhoun

Vice President, Coy Applegate

Recording Secretary, Kristina Halloran