

ROLL CALL

|                   |                  |
|-------------------|------------------|
| Harry Baumgartner | Jerome Markley   |
| Angie Dial        | Keith Masterson  |
| Jarrold Hahn      | Mike Morrissey   |
| Bill Horan        | Tim Rohr         |
| Richard Kolkman   | John Schuhmacher |
| Finley Lane       |                  |

Michael Lautzenheiser, Jr., Director

The October 6, 2011 meeting of the Area Plan Commission was called to order at 7:36 p.m. by Vice-President Jerome Markley. Eight members were present for roll call. Jarrod Hahn, Bill Horan, and Mike Morrissey were absent. Bill Horan arrived to the meeting at 7:48 p.m.

**APPROVAL OF MINUTES:**

Tim Rohr made a motion to approve the minutes from the September meeting; Harry Baumgartner seconded the motion, the motion carried 5-0-3 with Angie Dial, Finley Lane, and John Schuhmacher abstaining.

**NEW ITEMS:**

**A11-09-22 Article 15 “Wind Energy Conversion systems (WECS) and Communication Towers” 15-05 (5) & (7)(A)(b) to amend approval agencies to include Wells County Commissioners and Council. Also amend Article 18 “Definitions” to revise the definition of Local Legislative Body and add the definition of Local Fiscal Body.**

Michael Lautzenheiser, Jr. representing the Area Plan Commission office stated that the County Commissioners and County Council reviewed this part of the ordinance, which is who signs and approves the agreements for the road use, drainage facilities, the economic development agreement and the decommissioning plan for the WECS for a commercial project. They wanted to include two bodies, the local legislative body and the local fiscal body. For a town, this would be the same body. It would be the town board. For the county, it would be the County Commissioners as the local legislative body and the County Council as the local fiscal body. One board is in charge of law and one board is in charge of finances. What this revision is doing is stating that both bodies would be signing one document rather each board signing a different document. Also an amendment to the ordinance would be for the definition of local fiscal body to be added and the definition of local legislative body to be revised. An additional amendment to capitalize the terms “Local Legislative Body” and “Local Fiscal Body” throughout the ordinance to reflect that they are defined terms in the ordinance.

Mr. Lautzenheiser stated that Rick Hall, the attorney the county hired for the wind projects, has advised on the revision and reviewed the proposed changes. If passed, the ordinance book will not be re-printed. These amendments would be an addendum to the current ordinance book. There would be a full ordinance copy recorded in the Recorder’s Office. He explained that for an ordinance revision, the Board would make a do pass or do not pass recommendation. Then the

recommendation is sent to all of the town boards for review. The ordinance revision would have to be signed by all of the town boards and the County Commissioners before it would pass and become law.

Conditions: N/A

Do Pass Motion: John Schuhmacher

Second: Finley Lane

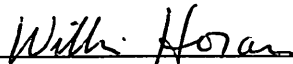
Vote: 8-0

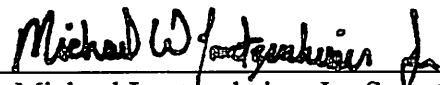
**OTHER BUSINESS:**

Michael Lautzenheiser, Jr. provided the Board with a hand out on how to make a motion. He explained the motion to approve, to approve with condition or commitment, the difference between condition and commitment, motion to deny with reason, motion to continue, motion to table and the difference between a continue and table motion. He discussed the difference between the APC and BZA hearings and when board members can speak with the public about the petitions.

Mr. Lautzenheiser advised that APEX stated that they would be filing their development plan by the November deadline. They will be filing both their phase I and phase II, which are separate development plans. The Southern Wells School is still the proposed location for the monthly board meeting that the wind project development plan will be heard at. He also explained that the ordinance revision information has been sent to the town boards.

The October 6, 2011 Area Plan Commission meeting adjourned at 8:00 p.m.

  
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William Horan, President

ATTEST:   
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Michael Lautzenheiser Jr., Secretary