

APC MINUTES
JANUARY 19, 2022

Members present: Amy Alka, Andy Fahl, Tom Kerns, Tom Chalfant, Jim Hufford, Adrian Moulton, Will Greer, Bob Lahey

Members absent: Don Calhoun, John Reece, Terry Alfrey, Steve Hernly

Positions Vacant, Winchester Mayor's Appointment

Legal Representation: Jason Welch

Staff Present: Randy Abel, Executive Director, Debra Johnting, Recording Secretary

Others present: Ed Thornburg, Bob McCoy

V. President Fahl: It's 7 o'clock, we'll call the January meeting of the Randolph County Area Planning Commission to order. The minutes are in front of you, hopefully you've read and reviewed them. Any thoughts or concerns about the past meetings minutes?

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

W. Greer: I second.

V. President Fahl: It's been moved and seconded that we accept the minutes as presented. All those in favor aye, opposed no. Motion passes. The next item is the election of officers for this year. Don is not here tonight. But he has expressed that he would continue being president. So, this time, that being said, if there's any nominations, comments, concerns.

T. Chalfant: I nominate Don Calhoun for President.

J. Hufford: I second.

V. President Fahl: Anyone else? So moved, all those in favor, signify by saying aye, all those opposed, no. Lucky Don. I would be fine with continuing as Vice President, but it's whatever everyone else thinks. Comments, concerns?

A. Moulton: I nominate Andy Fahl for Vice President.

W. Greer: I second.

V. President Fahl: All those in favor say aye, opposed no. Motion carries. Which moves us on to the appointments to the BZA. Our municipal citizen is currently, Jim Hufford.

J. Hufford: I am willing to stay on, but if anybody else is interested I am willing to step aside.

V. President Fahl: Comments, concerns, nominations?

D. Johnting: The three possible would be Jim, John Reece, and the Winchester appointment that is not filled, so. I think John would be happy to have you continue.

V. President Fahl: It's been moved and seconded to keep it the way it is with Jim Hufford. All those in favor, opposed no, motion carries. And our BZA appointment is currently Don, he has expressed that he would like to continue to do that, and the only other person eligible would be myself.

T. Chalfant: I would move that Don be the BZA appointment for this year.

T. Kerns: Second.

V. President Fahl: It's been so moved and seconded to continue with Don Calhoun as the BZA appointment for 2022. All those in favor, aye, opposed no. Lucky Don again. We'll move on to our attorney contract with Jason Welch.

J. Welch: I have to present the conflict of interest statement form, prior to the consideration of it, based on the fact that I am Farmland's attorney, and I have been Losantville's attorney in the past as well as the BZA and the APC.

D. Johnting: You should have both the contract and the disclosure.

V. President Fahl: Any discussion, comments, concerns.

A. Moulton: Motion to retain Jason Welch as the attorney to the APC and BZA.

V. President Fahl: How long have you done it?

J. Welch: Since 2013.

V. President Fahl: We're about due for some multi-year discount then? [Laughter] I think that's a fair question, I just thought I'd ask.

J. Welch: It's the exact same as last year.

V. President Fahl: It is the same? Very good. I will second Adrian's motion. All those in favor signify by saying aye, opposed no. Congratulations Jason, keep up the good work. The next item is the approval of a residential TIF district in Winchester. We have people here who would like to present, correct?

B. McCoy: I guess it's me.

D. Johnting: She said yesterday that she'd be here, and I haven't heard anything different.

B. McCoy: I didn't hear anything from them today. I'm not an attorney so bear with me.

V. President Fahl: Well, we all know who you are, but state your name and address.

B. McCoy: Bob McCoy, Winchester Mayor. What you are approving tonight is what we're calling Willow Ridge III, which is along Huntsville Road, along the golf course, what they call the pony. That

area was a voluntary annexation. I think there was 67 acres total that was annexed into the city of Winchester. And then the area that we are looking at to TIF is just the housing portion. This thing was amended due to the fact that the lot numbers weren't established and the personal ID's at the time, so we had to amend the Resolution. So, currently it changed and it looks like this, maybe the first time you guys saw it, it was just one solid block. So now there's a total of 17 lots along there with parcel ID's and we're slowly getting addresses established as the houses are being built. Currently there are foundations being dug for two of the properties and we're starting the sewer work next week and the water will be run right behind that. So that's what you're basically approving tonight. This TIF area. And, if you've got any questions, I will try to answer them. We've bonded \$900,000 to put all this infrastructure in once we got the voluntary annexation, so this will basically make it where the home owners, once we start building, they will have access to sewer, water, internet as well as gas and electric.

V. President Fahl: Any discussion, any comments by anyone? Seeing none we will proceed ahead for a roll call vote, yes is approval. No, it's not approval.

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

W. Greer: I second.

D. Johnting: Andy Fahl, yes, Tom Kerns, yes, Tom Chalfant, yes, Jim Hufford, yes, Bob Lahey, yes, Amy Alka, yes, Adrian Moulton, yes, Will Greer, yes, and John Reece, Don Calhoun, Terry Alfrey, Steve Hernly are absent, and we have a vacancy. Motion approved.

V. President Fahl: Are you doing the next one too?

B. McCoy: Since they didn't bother to show up, they better not bill me, I can tell you that.

V. President Fahl: Go right ahead young man.

B. McCoy: Because they're not cheap. They will probably bill me for a phone conversation I'm sure. This one is an amendment to a resolution for Vision Park expanded developmental area, which was the area where the wind turbine that the city actually owns on the north end of town around old 27. That area was developed and there was a spec building out there for many years. It finally was occupied and ADP is out there, as well as Headwaters Wind Farm and EDP Renewables. We're looking at further developing that area, possibly a 50,000 square foot facility, as well as running housing down old 27. So, currently the TIF is set to expire in 2027. Which I think they, again, I'm not a lawyer, I think originally when this was set up it was set to correspond with another TIF area. We're actually allowed to go clear out to 2037 per current laws. So, what we're wanting to do is extend that TIF time to 2037, which will allow us to start putting in additional infrastructure. Currently there is sewage to only a portion of it, water to only a portion of it. And if we expand, like I said, a 50,000 square foot facility and put housing in we're going to have to make an investment, and the revenue will come from this TIF area. And again, if anybody's got any questions I will try to answer them.

V. President Fahl: Any comments, concerns, discussion? So, if you're saying you can go to 2027 and you think you can legally go to 2037? Do you have any kind of time frame on this 50,000 foot building?

B. McCoy: Actually, the drawings are being produced and it's being approved by a parent company of the company that is wanting to do the work. The housing is probably going to follow right along with it. It's a project that we look to move forward in the future. And even if this project doesn't move forward, we need to get infrastructure in that area. And another kind of sore point with me is the wind turbine that's out there. We still owe, I want to say over a million, to a million seven on that wind turbine that's been out there for 8 or 10 years. It's been a problem. And I mean, and Jim will attest to attest to the Performance Services history with what went on in Union City, well I think their planning was a little better. You guys don't own yours, we own ours. So we are making payments on it and maintenance is \$30,000 a year. The revenue last year was \$33,000. We also had maintenance costs, the year before was \$110,000, so it bounces up and down, but it's just had a history of not, it's just had a history of breaking even so. A lot of the TIF area out there is actually keeping that payments made. And I mean it's. It is what it is. I mean I have tried to sell it to people and nobody wants to buy it. What's that?

T. Kern: Is that on a payment schedule?

B. McCoy: It's right around that 2037 area, yeah. So, EDP Renewables being out there with the Headwaters, I do have a meeting set up with them in the near future. Microsoft Teams meeting I think next Wednesday, to possibly see if they will service the unit. Right now it's being serviced out of Columbus, Ohio. It's just been a nightmare. I actually when I became Mayor, I put a wireless camera out there. That way I can see when it don't run. And then I'm on the phone saying you need to get here and get it running. So, I mean, I've learned a lot about a windmill and how to turn it on and turn it off. Maybe I ought to go to work for Headwaters, I don't know, but. Anyway, I'm...It's not been a good situation. But you know, we inherited it and we've got to just deal with it.

V. President Fahl: Any other discussion, comments, concerns? So, we are going to have a roll call vote. Yes is approval, no is a not approval.

D. Johnting: Tom Kerns, yes, Tom Chalfant, yes, Jim Hufford, yes, Bob Lahey, yes, Amy Alka, yes, Adrian Moulton, yes, Will Greer, yes, Andy Fahl, and Steve Hernly, John Reece, Don Calhoun, and Terry Alfrey are absent and there is one vacancy. Motion approved.

B. McCoy: Thank you.

V. President Fahl: Very good Bob, thank you.

J. Hufford: And good luck with the windmill.

V. President Fahl: Our next item would be the Sign Code Amendment. Randy? Do you want to get us warmed up on that?

R. Abel: Your packets probably have two of these, the one that's got the paper with what we ended up doing, Debra was really good with her skills in word and we crammed it all into one page.

D. Johnting: My specialty.

R. Abel: It's the one that's on the one page that's got the, a lot of little tables at the bottom. That's the one we're going to be looking at. It ends with an example of how to figure a wall sign. The square footage. That's the one we're going to be looking at. So we have had a lot of variances, on wall signs,

and on ground signs. All kinds of signs. So, we saw that there was a need to increase some of the square footage on those. So, if you look, in the beginning of the Sign Ordinance it states the intent. And the intent is to accomplish the goals of the Comprehensive Plan, regulate time, place and characteristics of a sign. Avoid the proliferation of signs. Provide businesses with appropriate identification. Create a consistent streetscape. Maintain and enhance the aesthetic environment of the jurisdiction. And eliminate potential hazards to motorists, pedestrians resulting from sign clutter. And the last one is to promote health safety and welfare of the residents of the jurisdiction. So, kind of keep in mind whatever we pass envision in your mind, this what we're passing tonight has got to do with commercial and manufacturing zoning. We decided to just to put those together. So, whatever you pass, just don't forget, this can go in any commercial lot. In any town, any city. Anywhere. So, you pass this sign code it can go all the way around the courthouse, all the way up and down Washington Street. So just remember that what you pass, or what you don't pass, effects all the lots, not just one. What we decided earlier I think kind of the consensus here, was that we wanted to do something that would allow a sign to be proportional to the façade of the building. And so that's what we've done in the first part on that page. Cumulative area is 1.3 times the length of the façade. And we've put a minimum of 30 square feet and a maximum of 300 square feet. Because there's some facades that aren't wide enough, and you put it in that formula you wouldn't even have a 30 square foot sign. So, most of the ordinances that I looked at did a pretty similar calculation for that. You go on down to the maximum area. For a wall sign it is 1.1 x that façade length. And, wall signs get a bonus because obviously the wall of the building could be further back from the road and then cars could be going by faster. So, you have those bonuses that's listed down there later. Freestanding signs do not get the bonuses because obviously they're going to be out by the road. So they're not going to qualify for distance or for the speed because they're right there where the traffic is. Does anybody have any questions on any of those others, anything else in those, did you see the speed bonuses listed down there underneath? Like 45 to 55 is 10%, 55 to 100 is 25%, and then the distances go to 10, 25 and 50%. So, one of the things we had in a meeting last night was about an animated sign or a sign that had the potential to be animated. And those signs also have the potential to have changeable copy. So in all the ordinances that I've looked at, there is a big variety, some do not even allow electronic changeable copy. Some of them only allow manual. And I thought, well, this is 2022, everything is electronic. So, all of them pretty much allowed electronic copy. But they put limits on them. Some of them say like only 80% of the sign could be the changeable copy. That seems reasonable to me, but it's up to you guys what you think is reasonable. Some of them put limits on the sign, like you could only change the copy, which would be text, like you could only change that every eight hours, some said every four hours. I've got a couple in here that say 3 hours. And then there was one, I think it was Clinton County, one of the last ones I looked at, basically it said...it allowed you to change the copy like every ten seconds. So, pretty soon you're getting down to where...you know, you can't text and drive, but when you're changing copy every ten seconds what's that do to your attention span? I mean, if you're concentrating on that sign and waiting every ten seconds to read a message, I'm a little concerned on what attention you're being paid to the road. I know in the past we've done...

V. President Fahl: Just a second, what did you say about Clinton County, that they do allow a change?

R. Abel: So, they allow change, so here is what it says.

V. President Fahl: Is it ten seconds?

R. Abel: It says, the electronic message board may be used in the place of a message board [inaudible] and it states that copy may not change at intervals of any less than ten seconds. Continuous animation, flashing of lights is prohibited. Scrolling words are not considered animation for this purpose. And

then it says the face must disappear uniformly and simultaneously. If the copy fades in or out, or appears or disappears in a pattern or a spiral, or a movement, or migrates from one part to the other of the sign, it is considered to be a prohibited sign. So, it's the motion they're trying to get away from, and the animation that they're trying to get away from.

V. President Fahl: Clinton County is Frankfurt which has the 65 Interstate that runs through it, so everything you just said makes sense, to their application.

R. Abel: And to these other ones I looked at Noble County, I've got in here, which I can give you all those too. In Porter County, I think Noble County said they don't want the copy change any more than three hours. So if you've got like a menu board on a restaurant you can change your menu to meet I suppose for breakfast, supper and dinner. Something like that? And then all of them allow, obviously time temperature, changes, and they all allow gas prices I think that it is an exception. Oh, and this one allows barber poles, to be lit, I mean it's what can be illuminating. Nothing is written in stone here, so I just took a mid way of what other counties were doing. And I think I put down in here, changeable copy is part of a wall or a ground sign. And some of them do not allow them on wall signs. Some of them do. I don't know what the difference would be, that's kind of up to you also. No more than 80% of the area, and electronic script is allowed, but the copy change is limited to no less than 4 hours. And like I said, things I chose, were just kind of a middle ground from what I read in all the ordinances.

V. President Fahl: Any comments, concerns?

R. Abel: It's all up for discussion.

T. Kerns: Is there anything on any of these about the brightness? The glare?

R. Abel: On a lot of them there is, now you're getting into technicalities, I think for LED it's called NIT, for regular incandescent, fluorescent it's call lumens. And so a lot of these there's so many nits per square meter, lumens so much per square foot, I mean, I guess we need to put something in there that it's not going to be intrusive to people.

T. Kerns: If you have a business next to a home, then their living room is like daylight all the time.

R. Abel: Well, and we didn't want to get into rewriting the whole thing but the big issue we had was that square footage. But, this is going to be an issue also I can see in the future. And, a lot of them don't even allow them within a certain distance of residential. Just because of that factor. But, in my opinion, I've seen lit signs that are out there with fluorescent bulbs in them and with lights shining on them, and I don't know why you couldn't make an electronic sign no more intrusive than those. I think it's possible to do that. And I think, and I don't know how you would word that, or, I know some of the ordinances listed something in there like if there is numerous complaints, that needs to be looked at, and then the people who take the permit out for that sign have to agree that they will have a variable brightness on the sign and will turn it down.

T. Kerns: Can those electronic signs technology wise be turned down? Adjusted up and down.

R. Abel: Yes. And a lot of them will specify that they have to have daytime/nighttime, so a half hour before and a half hour after they have to be turned up and down.

J. Hufford: And is it going to make a difference whether the sign is out in the county or in the city?

V. President Fahl: Do you have a rough idea, in say the last year, how many times this ordinance has been an issue for the BZA, just roughly?

D. Johnting: There were three last night, no four.

R. Abel: I would guess at least, for the square footage at least ten.

V. President Fahl: So, there's an obvious reason that we need to address this.

R. Abel: For square footage for sure. And I will say we didn't get this published in the paper in time so we really can't vote on it tonight. So, we have another month that we can go out and look at this. So, part of what I did, in the last few days, seeing that we had more of an issue with these electronic signs, I went to one here in town specifically. And I drove down Main Street. I'm kind of telling on it aren't I? And it's one of those ones that flashes and rolls and changes, and you know, sweeps off and on. I parked half a block away and there was even screens I could not read at a half a block. And they were continually changing, like in three seconds, in two seconds, in five seconds, ten seconds. Like it wasn't constant every 10 seconds, it was like just jumping all over. And brightnesses and colors. I'm pretty sure that this is why the ordinance says we don't want animated signs, and that's what my definition of animation is. And I know that, I don't believe I'm correct in saying when they got their permit for that sign it was not for an animated sign?

D. Johnting: No, it wasn't. It was for a monument sign, with the letters you put on.

R. Abel: We've had another sign and we approved them, and as a stipulation in the BZA we said, so this isn't going to flash, it's not gong to be animated and they said yes. Guess what's happening today?

D. Johnting: Well, they didn't get a permit either.

R. Abel: And they didn't get a permit either, so. They had a hearing but didn't get as permit and then didn't do what they said they were going to do. So, the animated signs are becoming a big issue. And like I said, most communities say no. And I don't know that they even give a variance for those. But the changeable copy they allow being used on those signs. But not all the animation and sweeping and the bright colors and that type of thing.

D. Johnting: Most of the animated signs in Randolph County that you'll see didn't have hearing and didn't get a permit. I pointed one out last week and someone said well they've had that for a long time. I said unless they've had it since 1999 they didn't have a hearing. Because it's been a rule since '99 we know for sure. No animated signs without a hearing. And then they bother to come to a hearing and then they don't get a permit.

A. Moulton: I guess, I just need some clarification on this whole animation. So, electronic signs, digital signs, you're saying that if you put a message up there electronically, "Open house tonight at 6:00". That's fine, but it can't change, like ten seconds later and say "Chili supper tomorrow night 7:00"?

R. Abel: It depends on what you put in the ordinance, right?

A. Moulton: But, what this is saying right here is, you can put "Open house at 6 o'clock tonight,"

R. Abel: And then underneath it you can put the message “Chili supper tomorrow”.

A. Moulton: But it can’t flash, “Chili supper tomorrow night”?

R. Abel: No, it would have to all be on one screen, one time.

A. Moulton: One time. You guys have one of those at the 4-H grounds? Parker City has a sign. Most schools have signs.

Group discussion.

J. Hufford: We have a big sign at our baseball diamond, and it flashes when someone gets hit.

R. Abel: If you look at the ordinance, those signs are not considered signs. They are exempt from the ordinance. No, score boards are exempted.

V. President Fahl: So, Amy, are you knowledgeable about the sign at the 4-H building?

A. Alka: Yes.

V. President Fahl: So is it okay if we pick your brain for a little bit?

A. Alka: Sure.

V. President Fahl: So, that sign is fairly new and you’re on a 55 mile an hour two lane highway. Okay, so how was your exposure chosen. So, how long before that rotates?

A. Alka: Ten seconds.

R. Abel: Well, actually, there’s three, there’s five, there’s ten and there’s seven.

A. Alka: On that one?

R. Abel: I sat at a Thanksgiving dinner, at Thanksgiving dinner at Husted Hall, I was looking out the door, and it just kept going and going.

A. Alka: Well, we all have access to do that, so, it was probably...because we all work on it.

V. President Fahl: So, you set that exposure time yourself? Or whoever programs it?

R. Abel: Yeah, that’s all programmed.

V. President Fahl: And you picked ten seconds, you thought? So, how did you come up with ten seconds?

A. Alka: Well, I would just go and watch it and look to see if you could read it.

V. President Fahl: So, you would just physically check it.

A. Alka: Yes, I would stand at the handicap door there, if it's one slide it needs to stay up longer. And then there's some things I have that are like three flips and so those might go a little faster.

V. President Fahl: So have you had any feedback to you? That hey, I couldn't read your sign when I drove by?

A. Alka: No, no.

V. President Fahl: Okay.

W. Greer: I think ten seconds is quite a long time really, if you there and count it out.

A. Alka: Yes, it is.

R. Abel: Here's what I did yesterday, I drove down the road past some of these signs. I started to look and see how far away could I read these signs. You can see these signs a mile away, but how far away could I actually read these signs? I could count off maybe 7 to 8 seconds, but the time I passed the sign. That tells me you're going to read one message at a 10 second message. That's going, like 60 miles an hour down the road. You're going an eighth of a mile in seven seconds. If you can read it at a quarter of a mile, because my vision is not that good, you're talking 15 seconds to read a message. Going 60 miles an hour down the road. I mean that's the time you have to read.

V. President Fahl: So what's your biggest multi word sign out there. Do you try to keep it under, how many words?

A. Alka: Most of the time you get five or six words on one board.

V. President Fahl: That would be maximum?

A. Alka: Yeah, that's about it.

D. Johning: But yours isn't huge either.

R. Abel: No, yours is a pretty small sign.

A. Alka: I noticed coming in tonight I'm like, oh, that one doesn't look good in the dark. I'm going to have to fix that tomorrow, you can't read it.

R. Abel: Yeah, it is pretty small, and it's not that big of a sign.

A. Alka: Six words is about all you can get on one board.

R. Abel: And you have to remember too, it's up high.

A. Moulton: What are the dimensions of the sign?

D. Johning; I don't remember. It's fifteen feet off the right of way, but the right of way there is what?

E. Thornburg: The right of way is a hundred feet out there.

D. Johnting: It's a hundred feet out there? So, it's sixty-five feet off of the center, so, you are reading it 50 or 60 feet away. They may have put it a little bit further back than that.

R. Abel: Yeah, it's not close to the road.

A. Moulton: So is the reason for the changeable text, is that a safety concern? Is that why you would say that text should not change because people are looking at it as they are driving down the road? Or is it because of the neighbors, I don't understand.

R. Abel: I would say it's several things, I don't know what other counties do, but all I can say is what they put in their ordinances is similar thinking to that. I really don't know, I just see what other's have put in and like I said, I just picked an average. The decision is here for you guys to make.

V. President Fahl: And just to be clear, you've also seen electronic signs that scrolls their message correct?

R. Abel: Yes, you mean in the county?

V. President Fahl: Yes.

A. Moulton: You can scroll, you can fade, you can flash.

R. Abel: I have seen them flash, scroll, drop in message, and do all kinds of things. Fade in and out. What you have to understand is, what I said at the very beginning, what you approve in one lot, could happen in every lot around the square in Winchester. Every commercial lot, down the highways. I mean, I think what most communities think, well, if it can be everywhere, then nowhere. But I think everybody knows the value of having text put up to relay messages for business and schools, churches.

D. Johnting: As someone who has stood in the snow and the rain changing the copy on those signs, that's why they didn't change but, maybe every month or so because somebody had to stand out in the rain and snow and change those things, I mean. That's why they didn't change very often.

R. Abel: Did everybody see the menu for Roots tonight? I am assuming the special changes and they just change it every day I imagine.

D. Johnting: I didn't know they had a changeable sign.

R. Abel: I didn't either. I mean it's not changeable because it's flashing. It was solid up there, while I was driving down the road you could read the whole thing.

D. Johnting: How do you change it then, does somebody get out there with a...

R. Abel: No, it's electronic. So I am sure during lunch and supper and whatever breakfast they change their special on that sign. So you know if it's...

D. Johnting: When did they change their sign?

R. Abel: It's the sign out by the bank.

A. Alka: Most of them you really can't even read anyway, like the school signs. I mean.

D. Johnting: You can't read Union School's sign.

R. Abel: Like I said, that one on Main Street, if I sat there, I could read the message. And the one screen. I sat there and sat there, and I could never read it. Why would you even have that message? If you've got to stand four foot from it to read it. Anyway. It's one of those that is just really bright.

V. President Fahl: Any other concerns, comments, discussion?

T. Chalfant: It's too complicated for me, I mean, the whole thing is hard for any I think, just an average person with a high school education to understand. What kind of sign, if I wanted to put up a sign, I don't know what I can do.

D. Johnting: What do you think of the flashing signs?

T. Chalfant: Well, I think that gets complicated, electronic, defining them. We will have to have very clear language for that. That gets very complicated. There's just a lot of stuff here to work through.

D. Johnting: In this table, you've been plugging in the signs that people have been asking for. So the variances that people have been getting would fit in the new ordinance. So, with this new table, most of them for the most part would have been ok without a variance. And I counted and there have been a dozen in the last year. And minus a couple of tweaks, they would have just been able to get a permit.

V. President Fahl: Based on this.

R. Abel: Yeah, you wouldn't have to have any variances.

D. Johnting: Right, on the wall signs, on the number of signs, on the cumulative total, everything.

T. Chalfant: So, right now we are enlarging, right now we have a ten square foot maximum on a sign, and now it's 11 or maybe 12 depending on the speed limit and so forth. And if the speed limit changes and then the sign is too big....

D. Johnting: Well, and size of the building, so it's more tailored to that one business.

R. Abel: It's more tailored to the size of the façade of the building. Instead of road frontage. Because you could have a real small building, and a huge road frontage, and you say wow, you could have a 300 square foot sign, when you've got a little tiny building and that didn't make any sense to us. It's pretty simple really. You take the width of the front of the building, and you multiply it by the 1.1 for the wall sign and .6 for the ground sign out front. There's just two calculations basically. Cumulative, yeah when you figure the cumulative, but I have never seen where it's really gone over that either. That allows you a little more flexibility having cumulative in there. Because then you can have different smaller signs going in. And if I want a bigger sign here or there it gives you a little leeway.

D. Johnting: And when Casey's came in they were really hitting hard to get a 60 foot sign. We actually grandfathered their project to the old ordinance and gave them a 25 foot sign. And they still came in. But others who have come in since then are already prepared to go 15 feet high, they are expecting it because that's what every other community is doing. So they don't even ask for a variance to that.

W. Greer: I would want to change the time of changing copy to less than four hours for sure, I think one copy up there for four hours for a school...you're not going to get a lot of information out there for a school if you can only change every four hours.

V. President Fahl: So, due to the legality, we cannot act on this tonight.

R. Abel: No.

V. President Fahl: But you have presented it, let us research it, look it over, whatever, and plan on some type of action on this next month, if possible?

R. Abel: Yeah, that would be fine. Calling to tell me a little guidance, telling me the direction we want to go would be good. To research it. I think everybody should go out and start reading the signs.

W. Greer: But everything is right here, just on this one sheet?

R. Abel: So, that is commercial and manufacturing in together. Our other ordinance had the bigger signs in manufacturing and the smaller signs in commercial. I started reading other ordinances and they actually made the manufacturing signs smaller. Because really, the retailer needs the bigger sign, not the manufacturer. He just needs a semi to pull into the dock, he doesn't need to sell anything. So we just decided to throw it all into one make it simple. And there's just one formula for both so.

V. President Fahl: Any other discussion. Then we're going to move on. Oh, excuse me, go ahead. If you'd like to speak come forward, state your name and address, please.

K. Smoot: Kent Smoot, 1140 North Jackson Pike, Union City. I want you to all think about this. One of those signs 150, 200 feet from your house.

R. Abel: It's 500 from your house.

K. Smoot: I'm sorry.

R. Abel: It's 500 from your house.

K. Smoot: Well, right now it's not.

R. Abel; Yes, the sign now is 500 feet from your house.

K. Smoot: Okay, whatever. Brightness, and think about it in front of your house. All of you. That's our concern.

A. Fahl: Do you have any other suggestions?

K. Smoot: Dimness, as far as the brightness of it at night. I'm not wanting to beat a church up, and I am glad for them. They're doing well over there. But I do not want a sign that's lighting up like a Christmas tree at night.

V. President Fahl: So you're main issue with your neighbors' sign is just the brightness of it.

K. Smoot: And the business of that intersection there's been a lot of accidents there. A lot of fatalities there.

V. President Fahl: Thank you. Anyone else. Sure, come forward and state your name and your address please.

C. Brutout: Craig Brutout, 6760 East Greenville Pike, Union City. I guess I have a couple questions.

V. President Fahl: Sure.

C. Brutout: The sign right now that is at the intersection of State Road 32 and Howard Street, Union City, at the Fire Department. That revolves and changes and does all kinds of things, There have been no accidents at that intersection because of the sign. I checked with the Union City police today. No accidents. We have a sign on Highway 32, I believe it's at 400. There in the curve. It flashes, no issues. We have the one out at the fairgrounds that you've discussed, no accidents. This particular intersection we're talking about, I spoke to Indiana State Police Trooper Adam Fisher this morning who worked Randolph County from 1999 to 2008, and he told me that he could only recall one time that he was called to that intersection.

V. President Fahl: You're back to 32 and Howard Street?

C. Brutout: No, I am back to 28 and Jackson Pike.

V. President Fahl: Okay.

C. Brutout: We have asked the Union City Police Department to put together some statistics for us on how many times they have responded. We have also sent out requests to the state, because that is a state highway, and to the federal highway traffic safety and administration board for any information they may have. But I don't think, based on the amount of accidents we see around a sign that is going to be a whole lot closer to the road than what we're proposing is going to be an issue.

J. Welch: This board is not ruling specifically on that issue, this is to determine the ordinance in general.

C. Brutout: I understand.

V. President Fahl: Anything else.

C. Brutout: Yes. With the new ordinance will the other signs in the county have to be brought into compliance?

V. President Fahl: It is my understanding they will be grandfathered, correct?

J. Welch: If they were permitted.

R. Abel: If they were permitted and had hearings.

C. Brutout: And what about the signs that haven't been?

R. Abel: They will be given notices I am assuming.

C. Burtout: And what does that say?

R. Abel: That says they'll have to have a hearing or take them down. And technically I think we will probably tell them to just pillowcase them, or stop the flashing maybe.

J. Welch: Depending on what's decided. If the board allows them in the future, then we just....

V. President Fahl: Then they would need to become compliant.

R. Abel: Yes, if they haven't had a hearing or gotten a permit.

V. President Fahl: Okay, that makes sense.

C. Brutuout: Thank you.

V. President Fahl: Thank you very much. Anyone else? Okay we're going to move on to Mr. Matt Dirksen. Matt are you here or any representative for him? Okay, I would like the minutes to reflect that he did not show up.

D. Johnting: He called today and said if he wasn't here to apologize for him, he had changed his mind.

V. President Fahl: I would like the minutes to reflect that he did not show up tonight. Thank you. Any discussion about any of that. If there is any? Seeing none, we will move on to old business. If there is any. Seeing none we will move on to new business.

D. Johnting: There is a hearing next month.

V. President Fahl: And what is the date for next month's meeting?

D. Johnting: 2/23/22.

R. Abel: I would encourage **all** of you to figure out what you want to do on this and kind of email us, give us a little idea of which you all are leaning. Can we write up what we decide at the meeting, and then vote on it?

J. Welch: You should have a form ready, and then if there are amendments to the form we can make those changes.

R. Abel: So we can amend it in the hearing. Ok, that's fine.

V. President Fahl: Does anyone have anything else, anybody? I will accept a motion to adjourn.

J. Hufford: So made.

V. President Fahl: I second, we are adjourned. Thank you everyone. See you next month.

President, Don Calhoun

Vice President, Andy Fahl

Recording Secretary, Debra Johnting