

The Shelby County Commissioners met on Monday April 28, 2025, at 8:00 a.m., and present were Commissioners Abel, Lawson, Runnebohm, County Attorney and Deputy Auditor.

MINUTES:

Motion to approve April 21, 2025, minutes was made by Lawson, seconded by Runnebohm, approved 3-0.

SHELBY CO FAIR FUNDING REQUEST:

Commissioner Abel advised that Christa Weaver with the Shelby County Fair Board has requested more funding for the 4-H ribbons and trophies. Weaver advised the cost of the awards runs around \$20,000.00 a year. Currently the county contributes \$9,000.00 each year and they are asking if the county could contribute \$12,500 a year. Abel advised after looking over the numbers they have decided to raise their contribution amount to \$12,500.00 a year. Motion to approve was made by Lawson, seconded by Runnebohm, approved 3-0.

SHELBY GO / 1ST QTR. INVOICE REQUEST:

Easter Hall-Beyer is requesting approval to submit their 1st quarter billing to the state for reimbursement. The amount of the claim is \$57,396.00. Motion to approve was made by Lawson, seconded by Runnebohm, approved 3-0.

Easter also asked the Commissioners to sign their 2026 budget for submission. No action was taken on this.

PLAN DIRECTOR/ AMEND COMPREHENSIVE PLAN:

Desiree presented the Commissioners with Resolution 2025-03 amending the Shely County Comprehensive Plan to include the Shelby County Sub-Area Economic Development Plan. This would affect the Morristown area, Moral Township area and the Waldron area Desiree advised they had a lot of good meetings and public input on this plan and feels that everyone is happy with the plan. Lisa Wojihoski-Schaler of 7757 W 700 N, wanted to thank the Commissioner's for all of their support of this group project. The Northwest Citizens group is in favor of this. Michael Buccieri of 1309 E 1200 N is also in favor of this plan and so are his neighbors. Runnebohm advised the county wants growth, but smart growth. Motion to approve Resolution 2025-03 was made by Lawson, seconded by Runnebohm, approved 3-0.

PLAN DIRECTOR/ UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT:

Desiree presented the commissioners with Ordinance 2025-08 to do a text amendment to the Short-Term Rental Standards. This will edit Art. II and add Art. V section 5.86 short term rentals. Desiree advised the State changed the laws on Air BNB's. The original Ordinance grandfathered some owners in but now it has changed to a Sunset Clause that will give owners a year to come into compliance with the state. Runnebohm, asked even if they grandfather owners in, the state would still trump the septic restrictions. Desiree advised yes, state will always trump a county with their rules. Rob Barlow of 2023 E Old Rushville Rd. They are the ones asking for the grandfather clause. Barlow advised this is a very flawed process because they were given directions from Desiree that there were no limitations on Air BNB's. So, his son purchased house down in Flat Rock and turned it into an Air BNB, which also serves as a place for first responders, military personal that are going thru a crisis as couples or families for counseling or short get aways. And then later we purchased the house across from us on Old Rushville Road to start up an Air BNB. Some of our rentals are for non for profits. Barlow advised he and his family have invested over 1 million dollars in two rentals and went thru the proper steps with the county when they started on this. We started operating in 2024 and in December we receive a

letter saying I have to assist and cease operation or there would be fines. Come to find out there was a complaint from one of the neighbors, so they go before the BZA to meet with them on Air BNB. The BZA asked Desiree to put a committee together to find a solution, the committee to came up with a solution to grandfather existing Air BNB. Barlow advised he thinks there are 17 in the county. Barlow advised he was told they would be grandfathered in, but he could not make the meeting because of a medical procedure that he had to have done. Then the next day they were told they needed to get up to State Standards we have a year to do this under the Sunset Clause. They were shocked. This did come back to the Committee and was voted on 4-1. Again, he advised there is something flawed in this system, when we are given approval from the County and then we are told we have to meet State Standards. What is going to happen, the property in Flat Rock is going to have to be sold, because a commercial septic is around \$200,000.00. The other property we will put a new well in. We are extremely disappointed. Lawson advised the Commissioners guidance was lacking to start with is, but he feels the main point is on the State Health Department. Your point is the problem is the septic and meeting the State Health Department Code. Lawson advised we as a county were not aware of the State's requirements but now, we are. And this has been on going and you would have to meet this requirement even if you were not aware of it. Nothing has been changed to go against you, but it has been brought to the county's attention. Lawson asked if it were based on occupancy, Desiree advised that yes when she talked to the State it was based occupancy, but the state said they would review it, based on the maximum occupancy would be. Typically, they base it on 2 people per bedroom. Barlow asked if he could get a variance on the well from 100 feet to 50 feet. Desiree advised no because this is the State Code. Runnebohm asked if it would be okay if they lowered their occupancy, Desiree said probably on the septic, but as far as the well the would have to be changed. Runnebohm asked even if the county grandfathers them in, the State will restrict us. Runnebohm asked Adam Barlow what the occupancy was at the Flat Rock location, Barlow advised they allow up to 15 people on the property. Barlow also advised is the only way you are profitable is to stay a full occupancy, we cannot compete with hotels. Barlow also advised when he first met with the State, they never mentioned any commercial requirements. They were told this is no different than a long-term rental. Barlow advised they first were looking at doing a wedding venue but that would require a commercial septic. They have had no issues with the septic. They have the largest BNBs in the county. They understand the State is the one pushing this, but he feels the County needs to give some push back on the State and let them know they are putting standards on these big BNB's. These properties are not used all year and do not need commercial septs. At this time Curt Johnson of 2216 Old Rushville Road spoke. Johnson advised this all started one night when his daughter came in and said she did not feel safe outside or at their house. So, Johnson advised he started looking into things and advised what the Barlows have is a motel, if you look at the definition it is a motel. Johnson said this is an ongoing violation and the septic issues from the State was an error. Johnson advised he feels the proposed Ordinance finds some middle ground and gives them a year to get compliant or turn the property into a residence. Johnson advised he did not buy a house next to a motel but now it is there. Karen Barlow wanted to clarify a few things. There is a row of trees between their properties, and she did not even realize his property had a pool. The complaint was they had too many cars in the driveway. The driveway is huge, it was originally designed for farm equipment and as far as I know there is no ordinance on how many vehicles you can have in driveway. The majority of people that rent this property are families and church groups. Because of fair housing laws we cant control who rents our house. We run a very respectable place. This property has two septs and two wells, which one well is 100 feet, and the other one is not, and we will fix that one. What I am asking is that you do not regulate us out of business. We have had zero issues with water or septic. Usually, we are only rented on the weekends. We are neighbors to this property and the reason we purchased it is because this property was eye-sore, and we were tired of looking at it. Desiree wanted to put this on the record that there has been a lot of talk about me giving them permission to do this although there was nothing in writing so I do not have an ability to defend myself, but if you are going to do a multimillion investment, I would get a verification letter. Desiree also does not think anyone is

against short-term rentals and the County has a very reasonable Ordinance. Lawson asked since the state is the one that changed their Ordinance and regulations, should they not be the ones to grandfather them in, not the county. Desiree advised yes. Motion to approve Ordinance 2025-08 was made by Lawson, seconded by Runnebohm, approved 3-0.

SHERIFF:

N/A

HIGHWAY:

Anderson advised they are doing small paving projects before they start down south on the large projects for the year.

CLAIMS:

Refund – Motion to approve a refund in the amount of \$3,957.19 was made by Lawson, seconded by Runnebohm, approved 3-0.

TRANSFER / ADDITIONALS:

Diane presented the Commissioners with 2 additional appropriations and a transfer in the following funds:

Additional Appropriation General Fund 1000-39000-0068 (4-H expenses) in the amount of \$3,500.00, motion to approve was made by Lawson, seconded by Runnebohm, approved 3-0.

Additional Appropriation in Edit Fund 1112-39507-0000 (YMCA Swimming Pool) in the amount of \$200,000.00, motion to approve was made by Lawson, seconded by Runnebohm, approved 3-0.

Transfer in Highway Fund in the amount of \$2,500.00 from 1176-12511-0533 (Non CDL/TD) to 1176-16000-0533 (Overtime). Motion to approve was made by Lawson, seconded by Runnebohm, approved 3-0.

MISCELLANEOUS :

HUMAN RESOURCES:

Donna is seeking approval from the Commissioner's to add a new job description to the county database for an Asst. 911 Director, this job came back as an Exe III position. Motion to approve was made by Lawson, seconded by Runnebohm, approved 3-0.

Donna also let the Commissioner's know if they see employees in jeans this week, this was one of the perks to donating to SCUFFY. This was information only.

MIKE OBERGFELL/ USI – BRIDGE 128:

Mike wanted to give an update on Bridge #128 bid. There was an adding error in the bid turned in by HIS Constructors. Mike advised after talking with HIS, they are willing to adjust their bid by the \$600.00 some error to their bid. No action was needed, this was only information.

BLAKE NEWKIRK:

Blake wanted to thank the Commissioner's for allowing public comment on everything, even though they do not have to.

There being no further business to come before board. A motion to adjourn was made by Runnebohm, seconded by Lawson, approved 3-0.

AYE:

NAYE:

ATTEST:

AMY L. GLACKMAN
SHELBY COUNTY AUDITOR