

Starke County Planning Commission  
Regular Meeting and Continuation of Two Public Hearings  
April 15, 2009

Attendance: Butch Ritchie, president & citizen member; Lee Nagai, vice president & citizen member; Michael Reetz, executive secretary & extension educator; Daniel Bridegroom, commissioner; Dennis Estok, surveyor; Byron Walters, trustee; Jack Hudgens and Richard Singleton, citizen members; Steven A. Dodge, commission counsel; Bruce W. Williams, administrator/inspector and Pamela J. Starkey, recording secretary. There were (3) three visitors present.

1. Approval of minutes of the March 18, 2009 regular meeting and public hearings: Mr. Nagai made a motion to approve minutes as written, seconded by Mr. Walters. Motion carried (8-0)
2. Continuation of Public Hearing to amend Manufactured Housing Ordinance by adding (2) two new sections 6-12-3-2-3 (H) and (I): Mr. Bridegroom spoke again on not being able to put an age limit on any dwelling. Mr. Dodge asked where Ms. Carusco's authority is on this subject and the section that it is in only applies to mobile home parks and subdivisions, not in the county. Mr. Nagai stated that the language is very vague and can be misconstrued to allow us to have that restriction on there.

Mr. Hudgens was told that he is not suppose to attend this portion of the meeting and he stated that he disagrees and spoke on behalf of the conflict of interest. He stated that he should not have had to leave the meeting last month and should be able to stay. All contractors should be construed as a conflict of interest and he is not seeking any financial gain and finally as a citizen he should be able to participate in the meeting and is not going to exclude himself from this meeting. Mr. Nagai stated that he talked to Cynthia Carusco on 4-13-09 and she told him that she has no jurisdiction in county matters and is limited to state executive branch only and would not render an opinion one way or the other, the rules that govern her office specifically prohibit her from rendering an opinion. Mr. Bridegroom stated that she supplied the material that he brought to the meeting. Mr. Dodge stated that Mr. Hudgens has a constitutional right and the right to give his expertise in this area, he is not receiving a financial gain and feels that he has the right to speak and the right to vote unless he can be shown that it will effect him or his business in a positive way.

Mr. Estok made a motion to pass the Manufactured housing ordinance as amended last meeting, seconded by Mr. Nagai. Motion carried (7-1) nay being Mr. Bridegroom

3. Continuation of Public Hearing to add the Unsafe Building Ordinance: Mr. Ritchie asked Mr. Dodge why he is not in favor of adopting the state ordinance. Mr. Dodge read the letter that he sent to Mr. Hudgens. Mr. Estok would like to know the difference between the state ordinance and the proposed ordinance. Mr. Dodge will make copies of the packet and give them to the commissioners and to anyone that does not have copies. Mr. Dodge thinks that the state ordinance provides way to much power to the governing official.

After discussion Mr. Nagai made a motion to reopen the public portion of the hearing, seconded by Mr. Hudgens. Motion carried (8-0)

Mr. Taylor stated that the board should decide what an unsafe building is then use the state guide lines as the enforcer.

Mr. Nagai made a motion to close the public portion of the hearing, seconded by Mr. Reetz. Motion carried (8-0)

After discussion Mr. Reetz would like to form a committee to make changes and another suggestion was to get all of the paperwork together and give it to the commissioners before hand to get their thoughts on the process. Mr. Dodge will email the draft language to Mr. Ritchie and he will make the changes.

Mr. Hudgens asked if the planning commission office could send information out in word so he can make changes without typing it all out. Mr. Singleton and Mr. Bridegroom stated that you can not do that.

Mr. Nagai made a motion for Mr. Ritchie & Mr. Dodge to get together and clean up some of the language of the unsafe building ordinance and have it ready for action at the next planning commission meeting, seconded by Mr. Reetz. Motion carried. (8-0)

4. New Business

a) Bruce passed out his quarterly report

5. Old Business

a) Fee Schedule: Mr. Williams read the changes that he would like to make to the current fee schedule. (will be attached to the minutes in the planning commission office) Mr. Nagai doesn't feel that a business needs to apply for a business permit and would like Mr. Williams to find in the ordinance where it states to do so. Mr. Hudgens gave an illustration on what he feels should be done, and that is to only charge per inspection and determined what it would cost to do so. Mr. Hudgens would like Mr. Williams to forward his figures via email to the rest of the board. Mr. Estok thinks that the commercial and industrial permits should be raised, Mr. Nagai is against this as well. Mr. Williams read the rest of his suggested changes. Mr. Nagai and Mr. Hudgens asked who said that we had to raise our fees. Mr. Dodge tried to explain the reason is to try to cover the cost of the planning commission. Mr. Bridegroom stated that we are trying to become more self efficient. Mr. Dodge suggested that Mr. Hudgens provide the board with his rational reason for his fees and why they should be what he has suggested. Mr. Nagai stated that he would go along with being self sufficient if we had our own line item and the funds didn't go back into county general. Mr. Dodge explained that the danger in that is if the permit applications decline then the office wouldn't be able to fund itself.

Mr. Bridegroom asked what was going on with the animals on S.R. 10. Mr. Williams stated that there is nothing we can do about this. They said that they are raising the animals for their own family, they are not selling anything.

Mr. Nagai made a motion to adjourn the meeting, seconded by Mr. Walters. Motion carried (8-0). Meeting was adjourned at 8:40 p.m.

This meeting was taped and will be on file in the Starke County Planning Commission office. The next scheduled meeting will be held on Wednesday, May 20, 2009.

Pamla J. Starkey  
Recording Secretary