

Starke County Plan Commission
Regular Meeting
April 11, 2022

- ❖ Call to Order-President Crase called the meeting to order
- ❖ **Pledge of Allegiance**-Led by President Crase
- ❖ **Roll Call:** Bill Crase, president & surveyor; Todd Jackson, vice president and citizen member; Bryan Cavender, Commissioner; Howard Bailey, councilman; Phil Woolery, extension educator; Mark Allen, trustee; Todd Lawrence, Denise Cultice, and Isaiah Collins, citizen members; Martin Bedrock, commission counsel; Wallace (Boz) Williams, building commissioner; Robby Blodgett, code enforcement officer; and Pamla J. Starkey, administrator. There was (1) visitor present.
- ❖ **Approval of the minutes** of the March 9, 2022 meeting: Vice President Jackson made a motion to approve the minutes as written, seconded by Member Lawrence. Motion Carried (9-0)
- ❖ **New Business and Violations**
 - **Lee Nagai**-Split CAFO off in only 2.44 acres (ordinance states that you need a minimum of 10 acres for a CAFO)
 - Extension Agent Woolery stated that he should have a minimum of ten acres or go through the BZA
 - President Crase asked to have that in a motion
 - After discussion, Member Cultice made a motion that Mr. Nagai have the ten acres as the CAFO Ordinance states or apply through the BZA, seconded by Vice President Jackson. Motion carried (9-0)
- ❖ **Code Enforcement Officer Report**
 - **Egolf**-he did come in and apply to go thru the Board of Zoning Appeal to keep the semi van trailer on the property.
 - **Trusty**-Date of April 19, 2022 has been set for cleanup (Sheriff is letting prisoners help clean up the property)
 - Building Commissioner Williams asked what we should do with the pop up camper, the top is off and in pieces.
 - President Crase asked Attorney Bedrock if it is legal for us to put the camper in the dumpster.
 - Attorney Bedrock stated that there is a procedure that you need to go through with the ordinance that is in effect now and went on to say that the current ordinance is confusing and Boz and Robby want to resubmit the ordinance that he prepared to the commissioners.
 - President Crase asked him again if we can legally remove the disassembled camper and put it in the dumpster.
 - Attorney Bedrock stated that we have to comply with what the ordinance says and if they haven't complied we can remove it.
 - Building Commissioner asked again if we can legally put it in the dumpster or have it towed away.
 - Attorney Bedrock stated that he doesn't know if we can throw it in the dumpster but we can remove it and assess the cost in removing it and cleaning up the property but doesn't know how we are going to collect the money.
 - President Crase said that maybe we could ask the Starke County Highway Department to impound it for thirty days and have it towed there and let the owner know that it is there and they need to pick it up with in thirty days and asked the board what they think, the board agreed that it would be a good idea.

- Vice President Jackson asked if it would be better to have a towing company pick it up and impound it.
- President Crase asked for a motion to impound the camper thirty days and impose the cost.
- Commissioner Cavender made a motion to impound the camper and impose the towing and impound fees, seconded by Member Collins. Motion carried (9-0)
- President Crase said he will check with the highway department and asked Enforcement Officer Blodgett to have it towed to the highway department and maybe call three different towing companies to get estimates and use the best priced one.
- Attorney Bedrock read a part of the ordinance again and it doesn't state on who to call.
- President Crase stated that is why she will call three companies to see what they charge and go from there.
- Kapley property- San Pierre
 - Enforcement Officer Blodgett asked what the board wants her to do with this property.
 - President Crase said that there is a commissioners meeting next week and he will give her an answer after the commissioners meeting.
- Enforcement Officer Blodgett gave a report on some of the rest of the violations that she is working on.
- ❖ **Old Business and Violations**
 - **Unsafe Building Fund**-Board members were to bring suggestions on how to fund the unsafe building fund
 - Councilman Bailey said that he has talked to some of the other council members to see what funds are available, he also stated that he would like set up a meeting.
 - President Crase asked Councilman Bailey to set up a meeting with himself and a couple of council members to discuss what can be done.
 - President Crase stated that all of the money that the planning commission brings in goes directly into the county general fund including the fees that we have taken in from the solar farms and would like to see some of the money go into the unsafe building fund.
- ❖ **President Crase went back to New Business**
 - President Crase let the board know that NextEra has turned in their elevation certificates so there is no reason to hold them up now and asked for a motion to proceed with the permitting.
 - Trustee Allen made a motion to proceed with permitting process for NextEra, seconded by Commission Cavender. Motion carried (9-0)
- ❖ **Old Violations**
 - **Rudd Property**-the only change was they brought in a shed without a permit.
 - Attorney Bedrock stated that he prepared a new order and had Boz sign them having them appear at the next meeting and will have the sheriff's office deliver them and then go from there with the unsafe building ordinance. He also said that as for as the shed we should send a letter to get a permit.
 - Building Commissioner Williams asked Attorney Bedrock if he could use his (attorney) letter head when writing these letters because he believes they would have more effect.
 - Attorney Bedrock and President Crase said that it has to be on the Planning Commission letter head because we are the one enforcing it.
 - Councilman Bailey asked if we can condemn the whole property and tell them they will have to leave.
 - President Crase said there is a process through the unsafe building ordinance and probably would have to get the health department involved to condemn it.

- Councilman Bailey stated that when they come in on May 9th we should have the legal documentation in order and let them know that we are condemning the property and they will be ordered to leave the premises if the mess is not cleaned up within thirty days.
- President Crase stated that he will get a hold of the Bass Lake Fire Chief and Boz and himself will call Alan Fry and will make the connection to get ready for this and this will be their last opportunity to get it done.
- Vice President Jackson asked if they have to allow us to get on the property.
- President Crase stated it might come down to getting a court order but believes that there is a clause in our unsafe building ordinance that gives us permission to get on the property but he will check to make sure.
- Councilman Bailey stated that we want to make sure we get our money back after cleaning it up.
- Administrator Starkey stated that we do have more money in the unsafe building fund than she thought as there was a deposit from another clean up that was done a couple of years ago that she was not informed of until recently.
- Nokes Property
 - Attorney Bedrock stated that he went to small claims and wanted to file another proceeding and she advised him that the Judge does not like them to be filed until they are 2 to 3 months behind and at that time it was only a month so after this week he will go back to see if they made any payment and if not he will file it.
- Admin. Starkey asked the board if they would be okay with Code Enforcement Officer Blodgett working part time for her because her current part time person (BZA Secretary, Mary Beaver may be leaving)
 - The board agreed that it would be okay
- Public Nuisance Ordinance (Boz asked Attorney Bedrock to review the ordinance)
- President Crase stated that we need to ask Commissioner Cavender to take the ordinance that Attorney Bedrock prepared back to the commissioners instead of the one that was prepared for us by the commissioners previous attorney.
 - After some discussion, Commissioner Cavender said that he would take it back before the commissioners at their next meeting.
 - Administrator Starkey stated that she will make sure that Attorney Schramm gets a copy of both of them.
- ❖ **Other Business from the Board**
 - Commissioner Cavender asked about the road use for the Solar Companies
 - President Crase stated that the tech committee is working on the road use agreement and will add that it will need to be approved by the Starke County Commissioners and the Starke County Highway Department
 - President Crase also stated that they are going to work with Purdue Extension Agent Woolery and Member Lawrence for seed use and the spacing on the tree planting, also measurements will be taken from the property line instead of the nearest foundation.
- ❖ **End of the month reports**
- ❖ Member Lawrence asked about the solar farm that is going in south of Hamlet.
 - President Crase stated that it is just in the beginning stages
 - Larry Wickert spoke a little on that project stating that they have new people working on it and have a better handle on the project
 - President Crase stated that Boz and himself had a meeting with the people with Mammoth Solar and the only disagreement they had was the style of fence they had but our ordinance doesn't specify what type to have and they are constructing it to the height requirement so

there really isn't anything we can do, but that will be one of the changes that will be in the new ordinance. He went on to say that Boz and himself got safety certified and got their stickers for their hard hats and vehicles so they can enter the solar sights to do inspections with no problems.

- Building Commissioner Williams stated that they want to have a sit-down with him and President Crase once a month to go over things and thinks that is a good idea.
 - President Crase stated that if any of the board members would like to go to one of those just let him or Boz know and would like all of them to go out and take a look at the project.
 - Larry Wickert let the board know that NextEra has an invite the end of April.
- ❖ **Next Scheduled Tech Committee Meeting-** will be Tuesday, April 19th, 2022 at 3:00 p.m.
- ❖ Member Cultice asked if there are any grants that we could get for the unsafe building fund.
- President Crase stated that he has looked into that and they only have grants for towns and cities and he calls Edward Baswell from KIRPC every now and then to see if anything is available for the county such as the blight elimination.
 - Councilman Bailey stated that with all of the money that is coming in with the solar farms (\$30,000.00 so far and \$30,000.00 more coming soon) that is going into the county general that maybe some of that could go into the unsafe building fund.
 - President Crase stated that we take in around 80-100 thousand dollars in permits without the solar farm permits.
 - Councilman Bailey asked how much of that comes back to the planning commission.
 - Admin. Starkey and President Crase said none, it all goes back into county general.
- ❖ **Time and date for the next meeting will be Monday May 9th, 2022 at 5:30 p.m.**
- ❖ **Adjournment-**With no further business, Member Cultice made a motion to adjourn the meeting seconded by Commissioner Cavender. Motion carried (9-0)

This meeting was recorded and will be on file in the Starke County Plan Commission Office.

Unless stated otherwise all Plan Commission meetings will be held on the second Monday of every month at 5:30 p.m. with the Board of Zoning Appeal meeting on the same night the latter of 6:30 p.m. or the conclusion of the Plan Commission meeting.

Pamla J. Starkey
Administrator