

Starke County Plan Commission
Regular Meeting and Public Hearings
August 9, 2023

- ❖ **Call to Order** – President Jackson called the meeting to order at 5:30 p.m.
- ❖ **Pledge of Allegiance** - Led by President Jackson
- ❖ **Roll Call:** Todd Jackson, president, and citizen member; Mark Allen, vice-president, trustee; Howard Bailey, councilman; Phil Woolery, extension educator; Charles Chesak, commissioner; Todd Lawrence citizen member (Absent), Denise Cultice, citizen member (Absent), and Isaiah Collins, citizen member; Thomas Schouten, Surveyor; Justin Schramm, commission counsel; Wallace (Boz) Williams, building commissioner; Robby Blodgett, code enforcement officer (Absent); and Mary W.J. Beever, administrator. There were (41) visitors present.
- ❖ **Approval of the minutes**
 - Member Schouten made a motion to accept the minutes from the July 12, 2023 meeting as written, seconded by Member Chesak. Motion carried 6-0.
- ❖ **PUBLIC HEARING** - to consider an Ordinance establishing definitions and criteria for Accessory Structures.
 - P.C. Admin. Beever stated that this is the new ordinance that Atty. Schramm drafted and the criteria for what is required for location and parcel size. She went on to say that it includes permitting requirements and goes into deal a lot with carports. She added it has setback requirements also.
 - Bldg. Comm. Boz added that there has been a lot of issues with carports and he went on to state that this ordinance includes the requirements for carports. He went on to state that the ICC (S R309.2) code considers anything with over 2 sides to be a garage. He went on to discuss the footing requirements with the board and the anchoring methods along with soil testing requirements.
 - P.C. Admin. Beever went on to state that this also establishes a clearer ordinance for these structures that is not pieced together from different sections of the current ordinance.
 - President Jackson asked if this is all Indiana Code stuff.
 - Atty. Schramm responded yes, it is and he stated that he went off a lot of what was wanted from the Planning Commission also.
 - President Jackson opened the hearing up to the public and asked if there was any public comment.
 - Audience member Justin Risner stated that he has heard a lot lately about private property rights and to not have the big hand of government put down the rights of people on private property, but he understands where the board is coming from, however he thinks that this is the big hand of government putting their hand down on private property ownership.
 - President Jackson closed the public hearing portion and opened up the board discussion.
 - Member Chesak asked about how many carport issues does the planning commission have.
 - Bldg. Comm. Boz stated that the one that blew over was light weight and they want to call them carports because they are lightweight and just wasn't anchored properly. He asked P.C. Admin. Beever how large it was.
 - P.C. Admin. Beever stated she believes it was approximately 80'x120', she went on to state that the owner came in and stated they were building a carport.
 - Bldg. Comm. Boz stated so we issued them a carport permit. Then it blew over. He went on to state that it's International Code that we go by, and this is where we are getting this information from.
 - P.C. Admin. Beever stated it's also protecting their investment.
 - President Jackson stated to the audience that the vote that is going to take place is not a final decision that this if it does get approved still would have to go before the commissioners for their approval. He then asked the board for a motion.
 - Member Collins made a motion to accept the Ordinance establishing definitions and criteria for Accessory Structures as presented. Member Schouten seconded that motion. Motion carried 6-0.
- ❖ **PUBLIC HEARING** - to consider an Ordinance establishing definitions and criteria for dwellings.
 - Bldg. Comm. Boz informed the board that he wanted this ordinance due to the issues he's been having around the lakes, especially Bass Lake. He went on to explain that now-a-days there are so many ways to prepare a meal that it needs to be clearer. He went on to say that some of these structures have three bedrooms a bathroom and they are calling it an accessory structure. He then stated he wanted to make something to where if you had one or all of the things then it would be considered a dwelling. He then went on to say that we are having structures built with all of this stuff except for a stove and they finding the loop hole around having more than one dwelling on a piece of property.

- P.C. Admin Beever added that people will put bedrooms bathrooms, sinks, a hook up for a fridge, but they won't put a stove.
- Bldg. Comm. Boz added that they'll have microwaves, hot plates, and grills.
- P.C. Admin. Beever added that it is a big issue at the lakes.
- Vice-President Allen stated he's seen these recently.
- Bldg. Comm. Boz stated they are getting away with putting these two buildings on one piece of property, and our ordinance states you can't have two dwellings on one piece of property.
- Vice-President Allen added that he thinks they are probably renting one out and then using the other. He added it's happening more at Bass Lake than any other lake he's seen.
- Bldg. Comm. Boz asked Atty. Schramm, if he is reading it right if there is one or more then you are a dwelling.
- Atty. Schramm answered that this clears up things so that if you have two dwelling sitting on property we can treat them both as dwellings and not one as a polebarn with living quarters and a kitchen in it. He went on to say that Boz reached out to him about this and he found this definition and he believes it works well for us.
- President Jackson opened the hearing to public and asked if anyone had any questions.
 - Audience member Darin Lee asked if the size of the property matters if there is two dwellings.
 - The board responded yes.
 - Audience member Lee then asked if someone had 10 acres if they could have two acres then.
 - P.C. Admin Beever responded no.
 - Bldg. Comm. Boz explained that they can split the property and have two dwellings, one on each property and both properties can be in their name, they just can't have two on one parcel.
 - P.C. Admin Beever explained the minimum requirement is different for each zoning district for what is required to have a dwelling on it. She went on to give an example in reference to Chart 1's restriction requirements.
 - Audience member Debby Wappel asked if there is a tax saving if she gets rid of her stove.
 - President Jackson responded no there is not.
 - Audience member Deb Wappel then followed up with asking if there is a tax saving if it's not a dwelling.
 - President Jackson responded and stated that if this ordinance is passed and moved through, a non-dwelling facility would be for example your shops because your farmers, he went on to explain that there is bathrooms in those shops sometimes for employees and the board understands that. He went on to say that it's for when you start putting in bedrooms, then we know your going to be living and sleeping in them. He went on to give an example of the EMS bases that are classified as dwellings even though that's where the ambulances are kept. They are classified that way because they have bathrooms and bedrooms for the EMS personnel that are on scene 24 hours a day.
 - Audience member Risner stated that he agrees and understands why the board is doing the things they are doing but this is the big hand of the government on private property rights whether it's from the state, the nation, or locally, he went on to say that they should be able to build whatever they want to on it.
 - Audience member Barlog asked if there is actually properties with two dwellings on them.
 - President Jackson answered yes.
 - Audience member Barlog then asked how that was established and asked if they had to seek approval for that.
 - P.C. Admin. Beever stated that there are few of them that have been grandfathered in, that were from years and years ago. She went on to say that there are some that have gone through the board of zoning appeals and sought out hardships. She gave an example of this, and went on to say those are the two main reason there would be two dwellings on one parcel.
 - Audience member Barlog then asked if this new ordinance would stop someone from building a house for their mother.
 - P.C. Admin Beever answered and said no that they would have to go through the BZA to get a variance. She went on to say that is what some one would have to do now, and that this ordinance is just clearing things up and putting things together.
- President Jackson closed the public comment portion of the public hearing.
 - Member Woolery asked what tourist homes are.
 - Attorney Schramm stated that he assumed that they were talking about Air B&B's or VRBO's, he went on to say those are permitted differently.
- President Jackson asked for a motion.
 - Vice-President Allen made a motion to accept the ordinance establishing definitions and criteria for dwellings. Member Bailey seconded the motion. Motion carried 6-0.

- ❖ **PUBLIC HEARING** - to consider an amendment to The Code of the County of Starke, Indiana dated 1991 6-12-3-5-E is amending the sub section (6) for use of Semi Van Trailers and intermodal shipping units as permanent storage structures.
 - President Jackson read the above hearing.
 - P.C. Admin. Beever stated that this ordinance is only changing in section B with the acreage requirements. She went on to say that for example the requirements went from 1.99 to 2 acres and instead of 4.99 it went to 5 acres.
 - President Jackson said so they just got rounded up.
 - P.C. Admin. Beever answered yes.
 - President Jackson opened the hearing to public and asked if anyone had any questions.
 - Audience member Korus asked if that was with tires or just sitting on the ground.
 - Bldg. Comm. Boz answered it's just sitting on the ground. He went on to say that the other ones would have to be plated and it states that in there also somewhere.
 - Audience member Korus then asked if they aren't plated if they count then as on the ground and would you need a permit for it.
 - Bldg. Comm. Boz replied no but you probably shouldn't have it. He went on to say if the code enforcement officer goes out there and sees it then she'd write you a letter about it.
 - Audience member Risner asked if it said that they couldn't have any cracked paint or rust on it.
 - Bldg. Comm. Boz answered yes.
 - Audience member Risner then asked if the board didn't think that to be a little much.
 - Bldg. Comm. Boz replied that they should probably paint it up and make it look decent like you would a shed, because it's going under a shed permit. He went to state that around the lake and that there are a bunch of people and neighbors.
 - Audience member Risner went on to say that he understands, and that the aesthetics and things do affect your neighbors and stuff like that but when it comes right down to it, if he has a storage container and it has some cracked paint on it are they going to come write me a ticket.
 - Bldg. Comm. Boz replied and said that when you get a permit for it, he's going to go out there and look at it and do inspections on it.
 - Audience member Risner then said over time the paint is going to crack and then he's going to get a ticket.
 - Bldg. Comm. Boz added that at that time of inspections is when we want it nice and pretty.
 - Audience member Risner then asked so sooner or later we're going to get a ticket for cracked paint.
 - Bldg. Comm. Boz stated that sooner or later probably but it's probably going to be an unsafe structure. He went on to say that the it states that the locks and handles should be working.
 - Audience member Risner then stated that he completely understands but there is a point where it's the big hand of government coming down on private property rights.
 - Audience member Roberta Lee then asked if she was understanding right that the cracked paint is because it's more of an eyesore for the neighbors.
 - Bldg. Comm. Boz answered and said most likely yes. He went on to say that it became an ordinance somewhere along the line, way before his time for a reason.
 - Audience member R.Anderson asked if this has anything to do with shipping container homes.
 - Bldg. Comm. Boz stated that you can't have them as homes, he added that in the ordinance it states that you can't have plumbing in them. He went on to say that you can have electric in them but you can't have plumbing.
 - Audience member S. Anderson asked about all the old barns sitting around, and if we are going to start writing people up for those that are in bad shape that people can't afford to fix.
 - President Jackson stated that the we have an unsafe structure ordinance and if the barn is falling down or has holes in the roof, we can then go out and do an investigation on that property. He went on to say that then if it falls with in the regulations of that ordinance then we are able to start our process from there.
 - Audience member S. Anderson said he was referring to painting it, he went on to say what if someone can't afford to paint it are we going to write somebody up who can't afford to paint it.
 - Bldg. Comm. Boz answered and stated that it has to be falling down or something for it to be an unsafe structure. He went on to say that he's not going to be saying you have to paint this or that. He went on to say that if your neighbor has a problem with it then he can take you court over it or whatever he's got to do but it wouldn't be him.
 - President Jackson closed the public comment portion of the public hearing.
 - Member Chesek asked what is actually getting changed in the ordinance.
 - Bldg. Comm. Boz stated it's basically the acreage.

- P.C. Admin. Beever showed the board on the screen the section that has changes in it.
- Bldg. Comm. Boz went on to say it's going from 1.99 to 2 acres and 4.99 to five acres.
- P.C. Admin. Beever added that is literally all that got changed.
- Bldg. Comm. Boz added that you can have one shipping container from 2-5 acres.
- Member Chesek stated so it's always had acreage on it.
- P. C. Admin. Beever responded yes.
- Member Schouten stated so you just rounded up the numbers.
- P.C. Admin Beever answered yes and went on to explain that they are only allowed in agricultural zoned areas as a permitted use. She went on to say in R-2 and R-3 districts they would still have to go through the BZA in order to have them there and then at that point the BZA would be able to put stipulations on them if need be.
- President Jackson asked for a motion.
 - Member Woolery made a motion to accept the amendment to The Code of the County of Starke, Indiana dated 1991 6-12-3-5-E is amending the sub section (6) for use of Semi Van Trailers and intermodal shipping units as permanent storage structures. Member Collins seconded the motion. Motion carried 6-0.
- ❖ **Code Enforcement Officer Report**
 - President Jackson stated that Code Enforcement Officer Blodgett isn't at the meeting due to illness and that we will move on.
- ❖ **New/Old Business & Violations**
 - **April Roberts – Property at 8722 S. Sycamore St. Monterey, IN 46960**
 - President Jackson asked for an update.
 - P.C. Admin. Beever informed the board that she called Ms. Roberts today to inform her of the meeting and she stated that Ms. Roberts said that she has been sick and unable to attend the meeting due to having issues with her gall bladder and that she will be having surgery to remove it. She went on to say that at the last meeting that the board had requested for her to get an estimate for the demo on the property.
 - President Jackson asked if she had that.
 - P.C. Admin Beever responded no.
 - Bldg. Comm. Boz asked if that is the one who was going to sell it.
 - P.C. Admin. Beever answered yes.
 - Member Schouten asked if that's the one that had fallen in on it's self in the basement.
 - P.C. Admin. Beever answered yes.
 - President Jackson asked where Robby was with that property.
 - P.C. Admin Beever stated that it's now up to the board what they want to do, she went on to state that the board had given her a month to come in with a quote for demo on it or we take it to public hearing.
 - President Jackson asked the board what they want to do.
 - An audience member stated it just needs paint.
 - President Jackson asked if the board again what they wanted to do, if they wanted to wait for her to get over her illnesses or take it to a public hearing.
 - Member Schouten asked if she indicated on the phone at all if she'd be willing to be here next month.
 - P.C. Admin. Beever stated that she told Ms. Roberts when next month's meeting was and she didn't say whether or not she'd be able to attend that meeting or not.
 - Member Bailey added that basically she is showing no interest at all in cleaning it up. He then went on to ask if he was correct in thinking that we've given her 30 days to get an estimate on getting it cleaned up.
 - P.C. Admin. Beever responded yes.
 - Member Bailey made a motion to take the case to public hearing. Vice-President Allen seconded that motion. Motion carried 6-0.
 - **Noakes Update**
 - P.C. Admin. Beever stated that he is continuing to make his payments. She went on to state that she received a check from Atty. Schramm for \$1100 that he received from the clerk's office about this matter.
 - President Jackson asked how far are they from getting it paid off.
 - P.C. Admin. Beever stated she was unsure.
 - **2735 E. US 30 Trucking Company Update**
 - President Jackson stated that Atty. Schramm was sending out a letter last month to them.

- Atty. Schramm responded that he filed complaints on this property and on the Litzkow property. He went on to state that right now we are just waiting to hear back. He then went on to clarify that complaints had been filed in court on both of them.
- President Jackson then asked if there was a representative at all here from that property.
- Atty. Schramm stated that he'd let the board know if they respond or not, and that it will take a couple months to get hearings going.

➤ **Joseph Magiera- 9780 E. 500 N. Grovertown**

- P.C. Admin. Beever stated that Bldg. Comm. Boz called him earlier today and left a message. She went on to say that he was denied at the BZA hearing on December 12, 2022, but the BZA gave him a bunch of stipulations to complete a survey of the property, a soil test, a septic permit, a building permit, two shed permits, a solar permit, and a kennel permit, then they would approve his variance to keep the sheds on the property. (Joseph Magiera's father walked in.)
- President Jackson asked Audience member Magiera if he wanted to say anything.
- Mr. Magiera responded not right now.
- P.C. Admin. Beever went on to state that the BZA gave him six months to get all of this stuff done. She went on to say that he only completed getting the survey done with in the six months, at which time he then came in and asked for extension to get the rest done. The BZA granted him an additional month, she went on to state that during that month he did get a second soil test done and obtain a septic permit. She added that he has had two perc tests done because the first one he had done came back stating he need a mound system and the second one came back saying he could have a conventional system. She went on to state that Mr. Magiera did not come to the July 12th BZA meeting and at that time, they denied his request at that meeting for occupancy, and for not meeting the stipulations within the time limit that they gave him. She continued on to state that now at this time the case now falls back to the planning commission. She stated that he is living in a shed over by Easy Camp. She went on to state that there have been complaints from the neighbors about smelling dog feces.
- Bldg. Comm. Boz added that they are complaining about smelling dead animals also.
- President Jackson asked Bldg. Comm. Boz if he knows or not if there are dead animals out there.
- Bldg. Comm. Boz stated that he hasn't seen anything and neither have the neighbors but they complain that they are smelling stuff.
- President Jackson asked if this is the guy that doesn't have facilities indoors.
- P.C. Admin. Beever answered yes.
- President Jackson went on to state that this is the guy who is going to the bathroom in a bucket and pouring it out.
- P.C. Admin Beever stated correct. She went on to state that he has responded to the board with a letter he has sent. She added that he received his second notice from the planning commission after the BZA denied his request in July,
- Atty. Schramm asked if he received notice of violation yet and if they have assessed a fine.
- P.C. Admin stated that he has received two letters of failure to obtain a permits, She went on to say that he came before the planning commission and they advised him he could either go to the BZA which he did, remove everything from the property, or he could put a dwelling in as long as it conformed to the district restrictions.
- Atty. Schramm. Stated assessing a fine would be the next step. He went on to explain what the fine process would be to the board.
- P.C. Admin. Beever told the board that the failure to obtain a permit letters did not have a fine they just state what the permit fees could be with fines.
- President Jackson asked Atty. Schramm what options we have when it comes to using facilities in a bucket since it's human waste.
- Atty. Schramm responded stating that we could use the EPN ordinance and we could get the health department involved. He went on to then state that you would also cite him for all the other things he's placed on the property with out permits as well. He went on to say P.C. Admin. Beever would be better to state what all those things are.
- P.C. Admin. Beever listed the two sheds, the solar, panels, the kennel permit.
- Member Bailey stated that in his letter it states he lives an hour away.
- Bldg. Comm. Boz added he believes that's with dad.
- P.C. Admin. Beever responded that is where dad lives and dad is the legal owner of the property.
- Audience member & Property owner Magiera spoke up and asked for a delay, because traffic was bad and he's not here yet. He went on to state that his son has all his paper work with him now. He added that things have been difficult due to his wife passing away and that's put them in a bind.

- Member Bailey asked who actually lives on the property him or his son.
- P.C. Admin. Beaver answered his son Joe.
- Member Bailey asked how the first perc test came with needing a mound and the second a conventual system.
- Bldg. Comm. Boz stated that's more of a health department question but he believes that they tested the soil in a different area on the property.
- President Jackson asked Vice-President why it was approved in the BZA
- P.C. Admin. Beaver stated that it was not approved in the BZA. It was denied with the stipulations that if it did A-E stipulations that then at that point they would allow him to keep his sheds.
- President Jackson asked if this was back in December
- P.C. Admin. Beaver answered yes.
- Vice-President Allen added that this is way beyond what they approved anyways with time frame.
- President Jackson gave his condolences to Mr. Magiera for his wife and asked when she passed away.
- Mr. Magiera said thank you and stated July 11th. He went on to explain the confusion with why his son was not in attendance.
- President Jackson asked what had been done since December.
- Mr. Magiera answered and stated that they have trying to get the septic system figured out and that they are trying their best. He went on to state that his wife has been ill for 2 years now and that has been hard because they've had to take her back and forth to Michigan. He went on to state that his son is trying to comply with the board but it's been hard to get things done in time.
- Bldg. Comm. Boz added that he cannot live in the shed.
- Member Bailey asked how many dogs he has.
- Bldg. Comm. Boz stated that he calls these dogs his employees, and uses the dogs for his business.
- P.C. Admin. Beaver stated she was unsure exactly but she believes it to be around 10 from the last time she talked with Code Enforcement Officer Blodgett about this.
- Mr. Magiera stated no he lost 3 lately. He went on to add that he uses those dogs for his business, that he's an animal control specialist. He added that the dogs help him get the job done faster without hurting the home owners or their property.
- Member Bailey asked for clarification and asked Mr. Magiera if his son lives at the property and if he lives an hour away.
- Mr. Magiera answered yes, almost an hour and a half.
- Member Shouten gave his condolences for his wife and stated that he's had since last September basically.
- Mr. Magiera stated that the whole issue with the septic system has to be done before he can apply for the other permits and that is what has been holding them back. He went on to state that the last letter they received was actually dated the day it was due.
- Member Schouten stated he understands that people can't always come out do things when you want, but he understands that he was given a list and he asked if he went through the whole list.
- Mr. Magiera answered yes, he's gone through the whole list. He went on to state that the one he did get has been kind of screwing him around with getting the drawings for the septic. He apologized for his son not being there and stated that they want to comply, he then went on to say that his son has been living at his home and driving an hour everyday to this property trying to get some things done on it since November. He went on to say that they thought he'd be able to live on the property while getting things done and that would have been a lot easier. He went on to state that now he's spending two hours a day in travel time to get there and back because they say he can't live there.
- Member Schouten stated no he can't live there its unhealthy for him.
- President Jackson asked so he has the ability to put a septic in now right?
- Mr. Magiera answered yes.
- President Jackson asked if he can get it done with in the next 30 days.
- Mr. Magiera stated that he's just got back in town and he doesn't know what he's gotten done in the last 2 days. He went on to ask for an extension on the project.
- President Jackson stated that the BZA can give extensions, and the P.C. can give extension, he went on to say it bother's him that he doesn't have facilities there, he went on to state that the board can give him an extension of 30 days but he'll need to show exactly what he's got done.
- Member Schouten stated he'd like to see a signed contract.
- Mr. Magiera stated he'd like to know exactly what they want done in writing and they will get it done.

- Member Schouten added that a signed contract for the septic system would be a step forward.
 - Mr. Magiera added that he's trying. He went on to explain how his son was dumping his bucket into the septic system on the property.
 - Member Schouten made a motion to give another 30 day extension to Joe Magiera, but he has to be at the next P.C. meeting with all his paperwork including a signed contract from a contractor to do the work that needs to be done, otherwise the board needs to start fining.
 - Bldg. Comm. Boz asked if they are asking for a signed contract from a contractor to build the house.
 - Mr. Magiera asked how many permits do they need.
 - President Jackson asked if all he needs is the septic permit.
 - Bldg. Comm. Boz stated that he has the septic permit, but he still needs a dwelling permit, two shed permits, a solar permit, and a kennel permit. He added that he has the survey done.
 - Mr. Magiera added that he'd apply for them tonight if he has too.
 - President Jackson told Mr. Magiera they would give him 30 days to get all those permits done, and that the next meeting is September 13th and the board will work with them on good faith. President Jackson added that he can not live there either.
 - Member Schouten made a motion to give a 30-day extension to Joe Magiera and that he needs to have all his permits obtained and paid for before the September 13th meeting. Vice-President Allen seconded that motion. Motion carried 6-0.
- Steve & Eve Howard – Split Ordinance
- President Jackson asked if there representative there for this.
 - Mr. & Mrs. Howard were present, along with Maja & Marshall Master.
 - P.C. Admin. Beaver stated that they are asking the board on clarification on what they can do. She added that the ordinance states that you are only allowed to do one split on a piece of property every twenty-four months that is less than 10 acres. She went onto say that they want to do a split on a piece of property that has had a split that is less than 10 acres already done on it in November of 2022. She continued on to state that they would have to wait till November of 2024 in order to do another split on the property less than 10 acres., she added that they are wanting to see if an exception can be made.
 - Mrs. Howard stated that when they made the first transaction that they were unaware that a number of years ago that the property had been joined together for tax purposes but that they were unaware that the previous splits were put back together in the eyes of the county. She went on to state that they were shocked when they found this out. She went on to tell the board that after they gave their kids the property and they figured out that where the house needed to go was densely wooded and if they rounded the property up to 5 acres they could move the house further back would be better. She continued on to state that the new split would actually be behind the property and not on the road. She stated that they have read the ordinance and they believe it's to prevent roadside sell-offs. She went onto explain that she believes that the ordinance is in effect to prevent minor subdivisions from being made without using the subdivision ordinance. Ms. Howard continued on to state that they are not trying to avoid the ordinance in any way, and that they are just trying to get their kids the land they need for their home.
 - Mr. Howard added there was actually 4 separate parcels and that the 2.88 acres that was split off was done back in 2010 and they didn't not think it applied to this because they did it so long ago.
 - Mrs. Howard added that they did not realize it was being added back to the parcel for, they thought it was only for tax purposes.
 - Mr. Howard added that that is what now brought this ordinance into play, He went on to state that basically they are asking to give the kids a few more acres so that they don't have to take down a whole bunch of trees. He went on to say that it would all be listed as one five-acre parcel and that they would not be getting any additional road frontage, he added that they've already had a survey and a deed made up.
 - President Jackson stated to the board that if the board makes this sort of exception for one person that they then are essentially opening up the door then for everyone else. He went on to add that this ordinance has been in effect for way before any of the current members on the board sat on this board. He also added that it's is to also prevent the use of county resources. He elaborated on the subdivision ordinance and that it is to protect the counties resources like the roads, ditches, and culverts and to make sure it's all done the right way. He added that he doesn't believe that what the Howards are asking for is somewhat different, but as soon as they open this door for them then it is opening it up for everybody.

- Mrs. Howard agreed with President Jackson but added that anyone who wanted an exception would still have to come before the board and ask. She went on to state that their situation is somewhat different in the aspect they are splitting it for their kids, and she added that they are in a crucial situation right now with the banking aspect of it.
- Member Woolery added that he doesn't believe that the board has the ability to grant an exception to the ordinance.
- Atty. Schramm agreed and stated that this sounds more like an amendment to the zoning ordinance what they are asking for and not so much a variance. He went on to explain why their may be a public hearing that would need to take place, due to it sounding like an amendment to the ordinance.
- President Jackson asked if public hearings have to be place two weeks in advance to our meetings.
- P.C. Admin Beever responded ten business days.
- Member Bailey added that he gives them credit because they are here to try and help their family out, they are not here for financial gain. He added that he believes they bring up a very valid point and that the board should do what they can to try and help these people out to try and help them help their family out building a dwelling and live in Starke county.
- President Jackson asked Atty. Schramm if he'd be able to get P.C. Admin. Beever answers if this would need to be a public hearing or not by the middle of next week possibly.
- Atty. Schramm. Answered yes.
- Numerous board discussions happened.
- Maja Masters added that there would be no problem with getting a new permit. She then explained that they are waiting on the decision from tonight's meeting to get the financing through the bank.
- President Jackson stated it sounds like they will need a public hearing.
- Atty. Schramm added yes that he is pretty confident it would need a public hearing, because any ordinance amended needs a public hearing, but he would have to look into how it would need advertised.
- President Jackson asked if it would need that even though, they aren't amending the ordinance and it's just a one-time thing, like a variance.
- Atty. Schramm responded yes because the ordinance doesn't allow for any variation in it so it would be amending it to allow something like this, so it would be a revision.
- President Jackson asked when he'd be able to give us a clear answer on this.
- Atty. Schramm stated it probably could take a couple months for this process because the ordinance would have to be revised by the planning commission and then go the commissioners. He added that he would get them an answer but it may need a public hearing too.
- President Jackson advised the Howards that he doesn't think that's the answer they wanted to hear, he added but coming from our legal counsel we have to cover ourselves, and this looks like the route we have to take.
- Vice-President Allen asked if they could go before the BZA and ask for a hardship.
- Atty. Schramm added that he does not believe this would fall under that because it's not due to how it's zoned.
- P.C. Admin. Beever stated that it wouldn't be a hardship based on developmental standards because they do have the room.
- Atty. Schramm also added that it wouldn't be a change of use either.
- Vice-President Allen asked Mrs. Howard if the property is still in her name.
- Mrs. Howard responded yes.
- Vice-President Allen asked if the loan then would be in her daughter's name.
- Mrs. Howard responded that they were waiting to put it in her daughter's name until it was surveyed and split off again and put into one parcel.
- President Jackson added that right now there really isn't anything that they can do right now until Atty. Schramm gets back with the board on what they need to do, and depending on that they will have to set a public meeting for next month.
- Vice-President Allen asked if since they own the property if they can legally build a house on it then.
- P.C. Admin. Beever answered no because they already have a home on it. She referred the board to the screen and stated showed them the split that was done in 2022. She went on to show what the Howard's currently still own, she advised the board of piece the daughter owns and where she is wanting to build now that is on her parents' property behind the piece she owns.
- Audience member Risner asked a question about placing two dwellings on one property.
- P.C. Admin. Beever stated that you can't have two dwellings on one piece of property.

- Mr. Howard stated that the location of the new house would actually only be around 26' back from where the original back property line was placed. He added that they need enough for the setback requirements.
- P.C. Admin. Beever added that in her opinion the simple solution to all of this would be for the Howards to divide off a ten-acre parcel and give it to the kids, and then after two years have their kids split off the extra eight acres and give that back to their parents.
- President Jackson added but they can't do that now right.
- P.C. Admin. Beever responded yes, they can do that right now. She added that you can split off as many ten-acre parcels as often as you want.
- Vice-President Allen added that she's saying split off a ten-acre piece and then in the future come back and split off the small piece from the ten and give it back. He went on to state that it would solve that problem.
- Multiple board discussions ensued.
- P.C. Admin. Beever proceeded to show the board and the audience her solution to the problem on the GIS mapping system.
- President Jackson asked the Howards which option they would like to pursue more.
- Mrs. Howard asked P.C. Admin. Beever if a new survey would need to be done to pursue her option.
- P.C. Admin. Beever answered no, but she would suggest that they would need to go through a title company or a surveyor, or an attorney to get a legal description of the new ten-acre piece made up. She went on to explain the whole process briefly of what they would need to do. She added that then two years down the road they could split off of the ten-acre piece and deed back to mom the other land not needed.
- President Jackson asked if that is the option they want to go with.
- President Allen stated that would be the faster one.
- Member Schouten added that otherwise they are looking a couple months down the road to do anything, he added that we are trying to give them an out, and that he knows interest rates aren't that great right now.
- Mrs. Howard responded she appreciates that, she added that they really need to move now on this.
- Member Schouten asked if they understood what they were saying.
- Mrs. Howard agreed and stated she did.
- P.C. Admin. Beever stated that Audience member Thomason said that they would need a survey.
- Audience member Recorder Thomason stated to the board that she thought they would need a survey for the new parcel number.
- Vice-President Allen stated that that made sense because they would need a new legal description, for the new deeds.
- President Jackson stated that they may need a new survey according to the recorder's office so that they can get a new parcel number. He added to just let the office know by the end of the week how they wanted to proceed, so if they needed to let their attorney know to prepare something he could.

➤ C.A.P.S. – Solar Issues

- President Jackson stated he knows that they have some concerns they'd like to discuss so he asked that they have one collective speaker voice their concerns since the meeting had already went past the allotted hour. He asked that they give the board a quick synopsis of what they wanted to discuss without abusing everyone's time.
- Audience member Alisha Rios stated that she is a life long resident of Starke county and lives in Wayne township. She went on to state that they are here to ask for a moratorium on the solar development. She stated that they emailed the board has a copy of the nine key points they would like to address. She continued on to state that tonight she would like to only address five of them.
 - Standards in zoning and regulation of solar installations.
 - ◆ She went on to state that Starke county only meets two of the ten standards put forth by Indiana to be qualified as a solar ready community. She added that most counties are rezoning to Industrial or light industrial, and she asked for that to be looked into.
 - Ancillary impacts to neighboring properties.
 - ◆ She went on to state that they have reports and articles stating that the average property value surrounded by solar went down 2-7 percent. She went on to say that is all houses in a one mile radius.
 - ◆ Someone in the audience asked where the data came from.
 - ◆ Ms. Rios stated she can cite for her later but it's all over.
 - ◆ Audience Member R. Lee added that that information doesn't account for someone that is next to solar versus someone that is a mile away.
 - ◆ Member Bailey asked for the link to this information.

- ◆ Ms. Lee stated the link is in the document they e-mailed.
- Ms. Rios went on to cite the county ordinance setback requirements for CSES equipment from the 2019-10 version and the 2022-017 revised version. She went on to state that it went from 200 feet from a foundation to 50 feet from a parcel property line. She then asked why it was amended.
- Economic Impacts
 - ◆ Farm associated businesses, she went on to state, that they are expecting a 20% decrease in revenue. She then went on to state that in the Dunn's Bridge project that they only list one to three jobs being created. She went on to state that if all of our farming industries loose one person or lay off one person that we've officially lost jobs.
 - ◆ She then added that there is no economic plan in place.
 - ◆ She went on to state that they'd like it detailed on how all this incoming money from solar is going to be spent.
- Fire Safety
 - ◆ She then stated that she has multiple copies of articles, but she then went on to cite a quote from one Jefferson county solar farm that stated that after five days it's still far too hot for anyone to approach the direct area or determine any cause. She then went on to state that our current ordinance allows batteries in our county and to be stored. She went on to state that they would like a very detailed plan of how our firefighters would be trained to deal with this. She then added that she has heard NextEra is coming up with a plan but that they feel it shouldn't just be on the solar company, and that the county should have a plan too. She then added that they feel our county should be putting time and monies into our firefighters to make sure our firefighters know how to deal with this and are safe.
- Preservation of the character and lifestyle of Starke County
 - ◆ She added that she thinks Starke county is a pretty place, and then she went on to say that she believes solar panels are an eyesore. She then went on to say that eyesores are an issue and neighbors can complain about that. She added that she enjoys driving around and seeing fields of green and doesn't want to see fields of metal, she also added that she wants to live in an agricultural place and not an industrial park.
- Ms. Rios concluded with stating that a solar moratorium would allow a pause so that the solar ordinance could be revised to address these points of concerns that they have. She added that four or five counties in Indiana have passed a moratorium to review their own solar ordinances, and asked to be included.
- Ms. R. Lee asked Attorney Schramm in regards to tax abatements and ERA assessments and SBform1UB, she went on to state that when she looks at the five key things it calls out, the Dunns Bridge one only cites 1-3 jobs. She went on to state that she wouldn't consider that an economic revitalization area. She then went on to ask Attorney Schramm to help her understand the four key things it has on it She went on to say the form we have on file they checked no for every single one and she doesn't understand this.
- Attorney Schramm responded to her that he would check into this and get back with her.
- An Audience member Stated that a moratorium would allow a pause for all of these questions to be answered in the future.
- President Jackson responded stating he would like to give the board and himself time now to respond to these concerns. He went on to state that the last point she brought up about the preservation of the character and lifestyle of Starke County, he then asked her what her issue was with that one.
- Ms. Rios added that it was her personal issues with solar and that it's been brought up that neighbors do have a say in what they have to look at across the street. She went on to say that yes it could seem like a stupid point but she does not want to see it or drive through it every day.
- Audience member Luthi asked the board if any of them live around or near where these are going to be.
 - A few members stated they did.
- Audience member Risner added that there is a woman here that is surrounded on all four sides by solar.
- Audience member Watts stated she is the woman he is talking about. She went on to state that she has no options and that she is totally surrounded and that she just heard that across the street from her is going to be another solar. She went on to state that currently she has it on three sides of her property and that the solar company won't even speak to her.

- Audience member Rich Legacy. stated that if we keep adding more and more of these in the county even more are going to pop up, and that is what they are trying to avoid. He then went on to ask if anyone would buy a house that has solar farm on three sides of it.
- Numerous discussions ensued.
- President Jackson asked if anyone from the board would like to address anything.
- Member Chesek stated that when issues start to effect everyday life that we need to take a look at things better. He went on to state that he sees both sides. He continued on to state that when all of this started that no one knew anything about this stuff, but now we've had time. He went on to say he doesn't know what the solution is but he hopes that some things can be changed in the ordinance possibly.
- President Jackson asked Ms. Rios to play a game with him, and went on to ask her if she was the king for the day, and had no one to answer to in this county, what would you do.
- Audience member Rios stated she would change the ordinance so that you can only have solar on two sides of a property, not all four. She went on to state that's not fair. She added that she would also place a moratorium so that everyone can get all their facts right. She then stated that she can google and get one answer to something and the board can google and get the exact opposite answer, she went on to say that they could fight back and forth all day. She added that what they want is a pause to see what actually happens in the county, she wants to see when these solar companies are actually going to start up, when that money is actually going to come into our community, and what our community is actually going to do with it. She then went on to state that there is an issue with the solar grid, and with solar companies getting hooked up to the grid. She added that as of now they are being put on a waiting list, and that Hoosier Solar was supposed to already be up and running and it's not. She went on to ask how long until that happens. She then added that they just want answers and want to see what has already been done to our county, provide good for our county before we continue to give it all away and before we continue to let all these corporations in. She continued on to state that as civilians we cannot do whatever the hell with our land, and she added that she doesn't think it's fair that corporations can come in and do that. She went on to ask that as a civilian if she wanted solar on her land, would her neighbors not have a say because she'd be rezoning.
- President Jackson answered no.
- Ms. Rios stated that she misunderstood that. She went on to say that she would pause and let everyone get their answers straight. She added that we need to come together.
- Audience member Lisa Dan from SCEDF added that if there a pause it would just prolong the time for the county to get their payment from solar. She went on to add that regarding the jobs of 1-3. She went on to state that could be, but the NextEra project is a NIPSCO project and they are actually retraining all their folks at the Wheatfield plant that they are shutting down, how to be able to manage the solar project. She went on to state so with that project the potential for jobs could be a lot in Jasper County, but a lot of those employees will be NIPSCO employees.
- Audience member R. Lee responded stating that they are not trying to stop the projects that are going on right now. She went on to say they are saying let's pause on anything new. She went on to state that they have been told repeatedly by Council members, and Commissioners, that these three Hoosier, Next Era, and Mammoth are all that they are anticipating being on the books.
- Audience member Rios added that our ordinance allows for anyone else to come in here.
- Audience member R. Lee stated we just want to pause anything new. She then went on to state that they have been told that there are no plans for battery storage in Starke County, however she is hearing now that there is no current plan. She added that they would like to see ordinances rewritten before battery storage facilities are brought into the county.
- President Jackson asked when the solar ready communities' documentation was established. He we went on to add that it was in 2023 approved by the state of Indiana. He went on to state that these ordinances were well in effect before 2023. He then went on to explain that the solar ready communities is an opt in program and is not a mandate required by the state of Indiana. He then added that if the county decided to go that route, it would not be done by this board. He added it would be done by one of the other entities for example the economic development foundation or the commissioners making a mandate on that aspect. He went on to state that again that it is not a mandate it's an opt in type of situation. He continued on to address the change of 200ft from a dwelling to 50ft from a property line setback requirement. He added that Bldg. Comm. Boz does not have the authority to step foot on anyone's property with out their permission. He went on to state that they changed the

ordinance from 200 ft from the dwelling to 50ft from the property line, because homes are mandated to keep so far off property lines for setback purposes.

- Audience member Rios then stated that would then allow a panel to be within 50 ft from a house if a house is closer to the property line. She went on to state that revising the ordinance and keeping it at 200 ft. would keep the people around it happy.
- President Jackson added that they are looking at some of these things. He went on to state he is just wanting to clarify some of these things. He went on to address the farming businesses having a loss of 20%. He added he'd touch on that in a second. He went on to add that the group did state a lot of number and things in their pamphlet, and he read the entire thing. He added as far as the Economic plan he is unable to speak for that because he's not on the county council, there fore he has no dictation where that money goes. He went on to the fire safety plan and stated that he can actually speak fairly well on this, because he is a firefighter in North Judson. He continued on and stated that there is a lot of things happening that are behind the scenes with these solar companies. He added that he is spearheading this. He went on to state that NextEra doesn't have a fire safety plan yet because there is nothing out there yet. He went on to state that when it comes to Mammoth that there is a fire safety plan in place and both fire departments. He added that they are not transmitting any energy yet at this time. He went on to add that there will be county-wide training, He went on to explain how the local fire departments have agreements with each other to aid each other, and that there are instances also where other counties provide aid to us and we to them when it comes to fire departments. He went on to say that the solar companies have been more than accommodating in this aspect with working with them on this. He went on to discuss the 20% business loss for farming associated business, he stated he is a farmer, and that there are several gentlemen on this board that are farmers too. He went on to state that that number is unknow at this point. He went on to discuss the moratorium, he stated it had been put in front of the county commissioners already and it was turned down for the factor of property rights. He stated that they have rights on your property right up to your property line, and if he owns the property next to he has rights on his property right up to the property line as well.
- Audience member Rios then asked if someone was starting a corporation on the property next to her wouldn't it need to get rezoned.
- President Jackson responded yes, however these properties are not having to get rezoned.
- Audience member Rios stated that is their first issue.
- An Audience member brought up the storage containers and painting issue from earlier in the meeting.
- President Jackson stated that he knew exactly where she was going with that and that ordinance was made way back in the day when he wasn't on the board. As for this ordinance he added at the time they took Purdue recommendations. He explained that if this is AG ground then this is technically farming because we are farming the sun, so these properties did not need to be rezoned. He went on to say that he understands that there are some counties that are now requiring rezoning for those aspects going forward but it does not affect anything that has already happened. He went on to discuss battery storage and stated that they are taking a look at that. He added to this, that if they are going to be looking at battery storage for in this county that they will have to come back and repermit that and give the county more money to do that. He went on to state that he is looking at specific storage requirements for those for if they ever do come into our county.
- Audience member R. Lee asked so we are looking at new ordinances.
- President Jackson responded no we are looking at making revisions.
- Audience member R. Lee asked if there would be public hearings for that.
- President Jackson answered there will be as they are developed. He went on to state that the last thing he'd like to discuss is the moratorium or the cap on acres. He went on to say that he's had some discussions with Mr. Chesek the county commissioner and that he has talked with the other county commissioners as well. He went on to add that he asked the king for a day question about this point. He went on to explain that this small county does not have the time or the money to fight a solar company. He added that whether it is a moratorium or a cap on acres that the county would be opening their selves up to a hellacious lawsuit, unless several things are done. He went on to add it would be the economic development and environmental impact studies. He stated that those things would have to be done and be on the books before they could even put a moratorium in place, before they could justify a moratorium. He added that we can't just come in and say we're stopping you for 12 months, because we have no reason to stop it.
- Audience member Rios asked why would we allow them to keep coming in and taking acreage without these plans. She went on to ask if those plans shouldn't have been done before this was started. She added that she is unsure why we should allow it to continue though because those plans aren't in place.

- President Jackson answered and stated that we can't stop it in our current capacity. He gave the example that if she wanted to put up a building he couldn't stop her as long as she followed all the rules and regulations set forth in the ordinance. He gave another example of an unsafe building that we would have to go out and do our investigation on it. He added that we have to make sure the boxes are checked. He went on to state that there is an engineer that goes through it with a fine-tooth comb. He went on to add that the initial ordinance they had was a very gray ordinance and that he has tried to close it up as a group. He added in some aspects they were very successful, but there are some things that they are learning on the way. He went on to state that the board is hearing them, and hearing their concerns, and that some of the people in the counties on these boards have also had some of these same concerns in regards to batteries, battery storage, and setbacks. He stated we've already had some of these discussions and this stuff isn't going to happen overnight. He went on to say there has to be several meetings amongst the planning commission and then it would still have to go out to the commissioners.
- Audience member R. Lee stated that a moratorium would give us that time we need to review our ordinances, and that we aren't against solar we just don't know what the benefits of it are going to be yet. She went on to state that we don't know when they'll be able to hook up to PJM because right now they are out till 2030.
- An Audience member stated that we aren't wanting to do anything to affect the current solar companies, just the same way you passed a new ordinance here tonight, it won't affect people who built their houses before today. He went on to state that the present solar companies should have reason to sue you because we're not asking for anything to do with that.
- President Jackson stated that they have plans and projects for going forward. He went on to state that we as a county entity do not have the ability to set a moratorium.
- An Audience member stated that they were told to come to the planning commission to ask for it.
- President Jackson stated that this isn't an ordinance it's an order. He went on to say that a moratorium is an order issued by the county. He went on to state that if an ordinance for a cap on solar was ever made it would come from this board. He added that a moratorium would have to be issued on a county government level. He went on to state that whether it's the commissioners, or council, that we'd have to have plans in place to have an economic development study and environmental impact study to justify shutting down a project or future expansion.
- Audience member Risner asked if anyone has looked into surrounding counties and how they are doing it, because it sounds like to him that they are all eating lawsuits and he went on to say he would much rather eat the lawsuit. He went on to say he didn't elect people to bow down to inability, and that inability is making that choice. He added that all we have to do is make a choice that we aren't going to sacrifice all of our community to this solar industry. He went on to state that the things they are discussing aren't going to impact us but they are going to impact future generations. He continued on to state that he feels that something that would change and have such an impact for future generations would; he then stated he'd like to see it on a ballot and let the people vote. He then added that that would take out the hand of the government.
- President Jackson went on to say that the things on the ballot currently are the people that are in county government positions currently. He went on to state that he is not an elected official and that he is appointed. He went on to add that a lot of the board members are not elected officials either, and that is why the ordinances they make have to go to those that are elected to make laws.
- Audience member Risner asked who they are supposed to go to then for the moratorium then.
- President Jackson stated that there are a couple county council members here tonight and that there is a commissioner here tonight as well and that they are hearing the words that are being said. He went on to state they are not only hearing them but they are seeing the facebook posts and getting the same phone calls he's getting every day. He continued on to tell them that when there is a squeaky wheel and stuff like that it will drive them to look at the cost and financial benefits and or losses of getting things done. He went on to say that process isn't started with this board.
- Audience member R. Lee thanked the board for listening to them and second of all she said it's good to hear that they are looking at some of these ordinances. She went on to state that with Audience member Risner's point that they'd like to better understand what some of those ordinances and changes are. She went on to state that they'd like to know more about the additional projects that were mentioned. She went on to say that they've been told by commissioners and council members that they've been told that there are no additional projects outside of Hoosier, Dunns Bridge, and the Mammoth project. She added that she'd love to understand these plans, and why we are not putting a moratorium in place. She went on to state that she understands that not all of these projects are even fully submitted to the county yet. She then went on to state that if they haven't even been submitted yet

that she doesn't understand how we'd be in any kind of situation for a legal lawsuit with these companies if we were saying that what you got going is good, but anything moving forward we are pausing till questions are answered.

- President Jackson responded stating that he thinks his words may have been misconstrued. He went on to explain that there are no other solar companies looking to come to Starke County right now. He went on to state that not all the acres they are seeing on those maps are not going into solar. He went on to explain that some of those are phase 1, phase 2, and phase 3 and so forth. He stated that the solar companies are out there currently building on properties but they are also looking for future expansion, because of the NIPSCO plant in Wheatfield closing. He added that there is so much energy that can be put on these transmission lines and right now Wheatfield is taking that up, but if NIPSCO ever reduces their power output that they are putting on the transmission lines it opens up the transmission lines for more power to be put in. He added that these solar companies are planning for future in these areas.
- Audience member R. Lee added that there is nothing to keep them from continuing from that future in the new ordinance.
- President Jackson responded correct, but there needs to be an environmental impact study and economic development study, he added there is nothing stopping them from looking down the line but if it starts to hurt the community economics or the environment in certain ways to the point where we can cap those acres then we will. He went on to say that if it starts effecting agricultural businesses that they spoke about or other businesses then we have the power and the leverage and authority to go in there then and cap it at so many acres or a percentage of AG ground in Starke county. He added that right now we don't have that capability.
- Audience member Risner added that our NIPSCO bills are about to raise next month. He stated that they cited it was because of the solar projects.
- Audience member Rios asked who writes up these economic development studies and environmental impact plans.
- President Jackson answered stating that the county would have to hire a firm to do something like that, and he is unsure if it would be the county council or the commissioners to do something like that.
- Audience member Rios asked if those can be done if requested.
- President Jackson stated that if the county is willing to pay for it or if the county sees the need to slow this down then it can be done. He added that the planning commission board doesn't get to make that decision.
- Audience member R. Lee asked if they need to go back to the commissioners then.
- President Jackson responded yes and that the planning commission board writes ordinances and at the end of the day it all gets approved through the elected officials in the county government.
- Audience member Risner stated they told them it had to come from the planning commission.
- Atty. Schramm stated that they are partially right and that the two ways to originate revisions to a zoning ordinance is either they start with the commissioners or they start with the planning commission and they get set for public hearings with both. He went on to state that when the commissioners voted on this only one wanted to send it down to the planning commission so it died there. He went on to explain that even if the planning commission wanted to send something up to them it would be essentially dead on arrival because of how they already voted. He continued on to give them a couple different scenarios examples of this.
- Audience member Rios stated that she has an active petition, and that they were told to start with the planning commission and that the planning commission would send it to the commissioners.
- President Jackson responded that knowing two commissioners have already said no for these reason that, in his mind and the boards mind is that they've put many hours of effort into this that, the two commissioners said no for that reason.
- Numerous discussions took place.
- Audience member Risner added that he heard that the one commissioner that changed his mind only changed it because of the voicemails and calls that week.
- President Jackson stated if they express to the board that there is a possibility, then he'd be more than happy to have this board put together something.
- Audience member Risner stated he thinks we should send it to them and if they vote it dead again then they vote it dead.
- Audience member R. Lee stated that they are now coming at this differently and stated that now with the documents they have and gave to the board that they should go back to the commissioners and present their case again to them, she added that it's nice to hear that the board is taking in to consideration some changes to the ordinance.

- Audience member Christina Blount from Hoosier solar stated that there are some very valid concerns being voiced here about being surrounded by solar panels. She went on to state that that sort of thing just doesn't really set well with them as a developer. She went on to state that she wanted to show some respect to the board with the concerns being brought to the board. She added some additional information that they brought to the table that the center for energy was doing a one-day seminar to help educate public officials outside of the developers. She went on to explain that this is a huge learning curve for everyone in Indiana. She added that the board developed their ordinance the best they could when they did and everyday everyone is learning and is going to continue to learn. She went on to say that she believes that they can accomplish attending to some of these concerns without a moratorium. She went on to state they can bring in more educational resources and agreed that the county may need to amend their ordinance to meet some of these concerns without having a moratorium that would have to later be reversed. She went on to explain that they have taken a pause on their own because they have listened and they are putting together a standard for an 800-foot setback for a property owner that is not in favor of the project and that they will not have a property surrounded on three sides.
- Numerous discussions ensued.
- Audience member R. Lee stated that they do understand that Hoosier Solar seems to have more flex. She went on to state though that Jody has been waiting to hear from NextEra for months and can't get a call back. She then thanked them for making those potential changes but we aren't just dealing with Hoosier Solar.
- Audience member Christina Blount from Hoosier solar responded and asked that everyone keep in mind that the path for solar in Starke county is mandated more by the capacity in the grid. She went on to explain that once the capacity is full the attractiveness to Starke County goes away. She also explained that there is more acreage in Starke county that any of the companies could use.
- Numerous discussions ensued.
- Audience member Christina Blount from Hoosier solar asked the audience to give them a chance and let them talk to their neighbors and address their concerns. She went on to say that right now they trying to cite this project so that it is livable.
- An Audience member stated that she is only one of three.
- President Jackson thanked everyone for their time.
- **Tech Committee meeting.**
 - President Jackson tabled this item for the following month.
- ❖ **End of the month**
 - Board reviewed the reports from July 2023.
- ❖ **Public Comments**
 - President Jackson asked the Audience members that were there if they had any comments.
- ❖ **Next Scheduled Meeting-** will be Wednesday, September 13, 2023 at 5:30 p.m.
- ❖ **Adjournment-**With no further business, Vice-President Allen made a motion to adjourn the meeting seconded by Member Collins. Motion carried 6-0.

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 Wednesday 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.

Mary W. J. Beever
Administrator