

STARKE COUNTY COMMISSIONERS' SPECIAL MEETING

11-25-24

Pursuant to adjournment comes now the Starke County Commissioners and meet in special session, regarding the solar moratorium, in the meeting room of the Starke County Annex #1, Knox, IN with all members present and including councilman Todd Leinbacch, Dave Pearman and Bruce Bennett and the following proceedings were held to wit:

IN RE: MINUTES OF PREVIOUS MEETINGS

Mark Gourley moved to approve the minutes of the November 22, 2024 meeting seconded by Charles Chesak with three ayes.

Charles Chesak moved to approve the minutes of the November 18, 2024 meeting seconded by Mark Gourley with three ayes.

Mark Gourley moved to approve the minutes of the November 4, 2024 meeting seconded by Charles Chesak with three ayes.

IN RE: COMMISSIONERS' SALE AGREEMENT

The commissioners signed the agreement with SRI for a commissioners' sale which was approved at the November 18, 2024 meeting.

IN RE: BATTERY STORAGE MORATORIUM

Mark Gourley moved to amend the motion on the battery storage moratorium to exclude those with permit applications made in full prior to the moratorium seconded by Don Binkley with two ayes one nay (Charles Chesak).

Roberta Lee stated that this is a dangerous decision as New Era has not complied with anything they have promised to do. She further stated that all the public has to do is threaten to sue and the commissioners will back down on their decisions.

IN RE: AGENDA FOR THIS MEETING

Todd Leinbach wanted to know why there was no agenda for this meeting. He stated that this lacked transparency. Don Binkley stated that we didn't have an agenda until after the executive session.

IN RE: PUBLIC COMMENT

A public comment was made that people reached out to Next Era about the battery storage and received no answers. Planning Commissioner Boze also reached out and was told not to call anymore. It was further stated that they did a poor job on the road agreement. The planning commission is concerned as should be the county. They are basically sitting this on water as the water table is high there. It was further stated that if there was a fire you wouldn't be able to put water on it. The battery storage is all enclosed by a fence and fire trucks wouldn't even be

able to get to the area, and concerned about toxic chemicals in the batteries going into the water.

Another public comment stated that Next Era had 10 representatives at a council meeting and no one let them speak. Todd Leinbach stated that it wasn't any of the council's business and further stated that no one asked to hear from them or asked any questions.

Dave Pearman stated that there was a training session for the firemen regarding the battery storage and they are planning another one.

It was asked why there are so many adverse comments from the fire departments.

Roberta Lee stated that Todd Jackson, Planning Commission Board President, who is also on the fire department, reported that at a planning commission meeting it was stated that the fire departments wouldn't come if there was a fire.

Bruce Bennett asked who would be financially responsible if there is a fire. Mark Gourley asked what are the financial responsibilities on fertilizer storage, basically saying it would be the same. Dave Pearman stated that claims would be submitted to the property owner's insurance, and if they don't pay they can be sued for payment. Maybe require them to be bonded for this.

Bruce Bennett stated that Next Era was very vague and skated around questions. He would like to see them bonded.

Dave Pearman stated that Next Era could contract with the fire departments.

It was asked if there was a fire and toxic smoke required an evacuation, where would people be able to stay? Dave Pearman stated that LEPC (Local Emergency Planning Commission) would handle this and there could be a resolution regarding it.

Mark Gourley stated that since the meeting seemed to have turned into a question and answer session with the Council President, he moved to adjourn seconded by Charles Chesak with three ayes.

Don Binkley, President

Charles Chesak, Vice President

Mark Gourley, Member

Michaelene J. Houston, Auditor and
Secretary to the County Commissioners