

Starke County Plan Commission Minutes
Regular Meeting and Public Hearing
January 8, 2025

- ❖ **Call to Order** – Vice-President Allen called the meeting to order at 5:30 p.m.
- ❖ **Pledge of Allegiance** - Led by Vice-President Allen
- ❖ **Roll Call:** Todd Jackson, president and citizen member (Absent); Mark Allen, vice-president, trustee; Howard Bailey, councilman; Phil Woolery, extension educator; Mike VanDeMark, commissioner; Matthew Lawrence, citizen member; Denise Cultice, citizen member (Absent for the first 11 minutes of the meeting she arrived at 5:41p.m.); Isaiah Collins, citizen member; Gwen Rentz, Surveyor; Justin Schramm, commission counsel; Wallace (Boz) Williams, building commissioner; Robby Blodgett, code enforcement officer (Absent); and Mary Beever, administrator. There were 17 visitors present.
- ❖ **Reorganization of the Board**
 - **President** –
 - Member Rentz made a motion to nominate Member Lawrence as President, seconded by Member VanDeMark.
 - Motion failed 2-0. Members Woolery, Collins, Lawrence, Bailey, did not vote.
 - Member Collins made a motion to nominate Member Jackson as President, seconded by Member Woolery.
 - Motion Carried 5-0. Members Rentz and VanDeMark did not vote.
 - **Vice-President** –
 - Member Collins made a motion to nominate Member Allen as Vice-President, seconded by Member VanDeMark.
 - Motion Carried 7-0.
 - **SCEDF** –
 - Member Bailey made a motion to nominate Member Cultice for SCEDF, seconded by Member Woolery.
 - Motion Carried 7-0.
 - **Building Commissioner-**
 - Member Woolery made a motion to nominate Boz Williams as Building Commissioner, seconded by member Lawrence.
 - Motion Carried 6-0. Member Rentz abstained from voting.
 - **Plan Comm. Admin.** –
 - Member Collins made a motion to nominate Mary Beever as Plan Comm. Admin., seconded by Member Woolery.
 - Motion Carried 6-0. Member Rentz abstained from voting.
 - **Plan Comm. Counsel** –
 - Justin Schramm will stay under contract with the board as legal counsel.
 - **Tech. Adv. Committee-**
 - President Jackson
 - Member Cultice made a motion to nominate Member Collins to the Tech. Adv. Committee, seconded by Member Bailey.
 - Motion carried 8-0.
 - Member Rentz Volunteered. Member Bailey seconded Member Rentz volunteering for the Committee.
 - The board voted 8-0 to have her join the committee.
 - Member Cultice made a motion to nominate member Woolery to the Tech Adv. Committee, seconded by member Lawrence.
 - Motion Carried 8-0.
 - **BZA Appointment of PC Member-**
 - Member Bailey made a motion to appoint Mark Allen to be on the BZA from the Planning Commission Board, seconded by Member Cultice.
 - Motion carried 8-0.

Starke County Plan Commission Minutes
Regular Meeting and Public Hearing
January 8, 2025

❖ **Approval of the minutes**

- September 30, 2024 Tech. Comm. meeting & November 13, 2024 meeting.
 - Member Collins made a motion to approve the minutes as written. Member Lawrence seconded that motion.
 - Motion carried 8-0.

❖ **Public Hearing-** to consider unsafe structures pursuant to I.C. 36-7-9-7, on property owned by Thomas DeCola and described as follows: Pt Lot 2 In Ne S35 T33 R4 10 acres, Parcel number 75-04-35-200-010.000-011, located at 7310 W 250 S North Judson, IN 46366.

- Member Cultice made a motion to open the public hearing, seconded by Member Collins.
 - Motion carried 8-0.
- Property owner DeCola was not present.
- Vice-President Allen stated that Mr. DeCola has had numerous problems with this structure and continues to set it on fire. PC Admin. Beever added that he has set it on fire 10/28/2024, 12/5/2024, & twice on 12/28/2025. Atty. Schramm added that Mr. DeCola had sent a letter to the San Pierre fire dept. in early December stating he'd be setting the structure on fire, and that he responded back to him stating that he'd have to get a controlled burn permit through IDEM. He went on to inform the board that from their stand point they need to look at it as an unsafe structure, he added that there are other agencies involved and he's been working with them as well as the county Attorney on this matter. Atty. Schramm stated that he recommends continuing with the public hearing for the unsafe structure and present the evidence for it so that if Mr. DeCola ever appeals the decision made by the board that it is part of the record for it with a finding. He went on to explain to the board the process of the unsafe structure when demolition is being asked of the property owner. There was discussion among the board on clarification of which property of Mr. DeCola's this was. It was clarified by PC Admin. Beever that this is a different structure on a different piece of property that was not under code enforcement that he decided to burn.
- Member Cultice made a motion to open the hearing to the public for comment, seconded by Member Collins seconded the motion.
 - Motion carried 8-0.
- Vice-President Allen asked if anyone in the audience had any comments regarding the hearing. No one voiced any comments.
- Member Woolery made a motion to close the public comment portion of the hearing, seconded by Member Cultice.
 - Motion carried 8-0.
- Board discussion.
- Member Collins made a motion to have Mr. Decola get a permit within 60 days for the demolition and clean-up of the unsafe structure and if he doesn't then to start fining him on day 61, seconded by Member Lawrence.
 - Motion carried 8-0.

❖ **Public Hearing** - consider the following: an ordinance establishing definitions and criteria for standards for commercial solar battery energy storage systems.

- Member VanDeMark made a motion to open the public hearing, seconded by Member Collins.
 - Motion carried 8-0.
- Audience member R. Lee spoke about an e-mail that she sent to the board regarding that she believes a 1000' setback may be too much due to fire safety. Audience member Busch asked about the goal of the ordinance or what it's supposed to accomplish. Vice-President Allen added that there will be different criteria and harder setback requirements than the solar ordinance. Audience members Pugh, Bope, Lee, & Barlog spoke. There was discussion in regards to why an ordinance is needed, knowledge of solar batteries, and key components of the ordinance, and why a public hearing was being held on this regarding why the county needed a separate ordinance. Member Woolery went over some of the key components of the ordinance since he sits as a member on the Technical Committee. There was discussion among the board about having an environmental consultant go over the ordinance and possibly getting a quote from one to draft an ordinance. The board also discussed the option to table the ordinance until they could look into some different options. Member VanDeMark agreed to look into some options to see what they would cost to prepare an ordinance on Solar Battery Storage Systems. There was also some discussion on possibly having the solar companies pay for the drafting of the new ordinances and or possibly reimbursing the county for the cost.

Starke County Plan Commission Minutes
Regular Meeting and Public Hearing
January 8, 2025

Representative Baptista from Doral Renewables and Mammoth Solar project addressed the board as well and confirmed that they said from the beginning they were not building any storage system and they have not. The representative also stated that he is not opposed to a battery storage ordinance and invited the board members to visit the project. Audience member R. Lee spoke adding that she'd like to see a clearer permitting process.

- Member Cultice made a motion to close the public comment portion of the hearing, seconded by Member VanDeMark.
 - Motion carried 8-0.
- The board discussed their options
- Member VanDeMark made a motion to table the ordinance establishing definitions and criteria for standards for commercial solar battery energy storage systems, seconded by Member Rentz.
 - Motion carried 8-0.
- Member Woolery made a motion to have Member VanDeMark research consultants to draft an ordinance for criteria for standards for commercial solar battery energy storage systems, seconded by Member Lawrence.
 - Motion carried 8-0.

❖ **Public Hearing** - to consider the following: amendments to the Starke County Solar Energy Ordinance.

- Member Collins made a motion to open the public hearing, seconded by Member Cultice.
 - Motion carried 8-0.
- Member Woolery went over the changes in the ordinance and stated a lot of them were safety related in relation to fire departments and EMS for funding. Audience member R. Lee asked if the well part of the ordinance was supposed to be on the solar ordinance. The board discussed the wells being required on each solar farm and where they would be located at. Audience member M. Barlow discussed with the board the ability of the pumper trucks from the associated fire departments that would be responding and asked if that should be something that is determined by what their trucks can handle. He also discussed testing for contaminants in the wells. Member Woolery stated that the wells they would be locked up per this ordinance. There was discussion on drafting of this ordinance as well with a consultant to get rid of some of the gray in the ordinances and things should be defined more clearly. Audience member and representative Kline from Doral informed the board that there are lots of resources from the State and Purdue on these types of projects. He went on to discuss with the board some of the Agrivoltic & Agricultural projects they are doing and once again invited the board to come and visit their project. He encouraged the board to not prohibit the Agrivoltic and Agricultural projects in any future versions of the ordinances and gave some examples of this, he also stated that he believes there are things that could be tweaked in this ordinance. Audience member Baptista and Representative from Doral also spoke stating it's been four years since started working on their Starke project and here and they are proud of their work here and the relationships even with farmers that they have made. He discussed their work with Purdue on research and the D.O.E. on getting a grant for research and development. Audience member Bope spoke to the board about the agrivoltics on the Mammoth project that he's been involved with for the past two years with sheep and pigs along with raising hay in and outside of the fencing. Audience member Pugh discussed her concerns with the lack of oversight from the county on the road use agreements and audience member Busch proposed having a consultant also do comparisons of the already built solar field projects.
- Member Collins made a motion to close the public comment portion of the hearing, seconded by Member Cultice.
 - Motion carried 8-0.
- The board discussed their options.
- Member Cultice made a motion to table the amendments to the Starke County Solar Energy Ordinance, seconded by Member VanDeMark.
 - Motion carried 8-0.
- **Code Enforcement Officer report.**
 - Whitfield update - 6751 S Lombardy Ln. Knox, IN 46534
 - PC Admin advised the board that she had hired a searcher to do a search on the property and that she gave the results to Atty. Schramm. Atty. Schramm advised the board that the property owner already has over \$5000.00 in liens and that he's currently incarcerated, he added that he needed more time to go over a few things with code enforcement officer Blodgett to determine what the next step should be for this property.

Starke County Plan Commission Minutes
Regular Meeting and Public Hearing
January 8, 2025

- **End of the month**
 - Board reviewed the reports from November & December 2024
 - Annual Report for 2024
 - Member Cultice made a motion to accept the annual report for 2024, seconded by Member Woolery.
 - Motion carried 8-0.
- ❖ **Next Scheduled Meeting-**
 - The next scheduled Planning Commission Meeting will be Wednesday, February 12, 2025 at 5:30 p.m.
- ❖ **Adjournment-**
 - With no further business,
 - Member Cultice made a motion to adjourn the meeting, seconded by Member Collins.
 - Motion carried 8-0.

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.

- ❖ **Approval of the minutes at the February 12, 2025 meeting**
 - Member Collins made a motion to accept the minutes from the January 8, 2025 meeting as written, seconded by Member Woolery.
 - Motion carried 6-0.

Prepared by:
Mary W. J. Beever
Planning Commission Administrator/Floodplain Manager