

**Starke County Plan Commission Minutes**  
**Regular Meeting and Public Hearing**  
**February 12, 2025**

- ❖ **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 (Absent); Howard Bailey, councilman (Absent); Phil Woolery, extension educator; Mike VanDeMark, commissioner; Matthew Lawrence, citizen member; 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 18 visitors present.
- ❖ **Approval of the minutes**
  - December 10, 2024 Tech. Comm. meeting.
  - January 8, 2025 meeting.
    - Member Collins made a motion to approve the minutes as written. Member Woolery seconded that motion.
      - Motion carried 6-0.
- ❖ **Public Hearing** - to consider an ordinance placing a moratorium on Solar Energy Systems (CSES) for twelve (12) Months.
  - Member Lawrence made a motion to open the public hearing, seconded by Member Rentz.
    - Motion carried 6-0.
  - Audience member R. Lee spoke discussing the current ordinance only taking into consideration 30% preliminary plans for review, and the review of the plans with the drainage board from engineer Bob Aloï. She went on to discuss with the board loop holes in the ordinance and asked the board to consider the 12-month moratorium on CSES and BESS projects and pause and fix the ordinance. She then asked them to consider also placing a moratorium on data centers, wind, and carbon capture as well. Audience member Kline with Doral renewables spoke and asked the board to sit aside further discussion on the solar moratorium and instead consider updating the current solar ordinance.
  - Member Rentz made a motion to close the public comment portion of the hearing. Seconded by Member Lawrence.
    - Motion carried 6-0
  - Board discussion
    - Member Rentz suggested updating the solar ordinance to include section corners into the road use agreements. President Jackson asked Atty. Schramm whether or not a signed road use agreement could be gone back on and changed at a latter date. Atty. Schramm refused to answer the question due to him rescinding his contract later in the meeting as being the legal counsel for the planning commission going forward after this meeting. President Jackson then asked Member VanDeMark if his understanding of the moratorium included NextEra as part of this stoppage. Member VanDeMark stated it was to include everyone or all companies that are interested in doing work in Starke County that do not have a permit. President Jackson stated he wanted clarification because NextEra has their application for their project submitted into the county already; and he asked if this moratorium would stop this project then. Member VanDeMark stated that his understanding is that is some legal definition that has not been defined up to this point at where a permit begins. He added that he doesn't feel that should affect the planning commissions decision on this tonight. Atty. Schramm stated there are three options for the board they can certify and recommend the proposal, they can amend the proposal and send it back to the commissioners, or they can reject it entirely and send it back to the commissioners.
    - Member Collins made a motion to amend the moratorium to exclude any companies that have an application that is into the county. This motion died.
    - Member Rentz made a motion to accept the moratorium on Solar Energy Systems (CSES) for twelve (12) Months as written. Member VanDeMark Seconded this motion.
      - Motion Carried 4-1. [Members Rentz, VanDeMark, Woolery, and Lawrence were in favor of the motion and it was opposed by Member Collins (President Jackson did not cast a vote.)]

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- President Jackson stepped down from his position as president and member of the planning commission he added that this decision is based on some legal counsel he received. He also added that since he is the President of the board he is unable to cast a vote in opposition to this moratorium. He went on to add that he will not be compliant in a possible unlawful act that shows willingness and compliance to going against Indiana IC code currently. (At point he got up proceeded to leave the meeting.)
- Member VanDeMark asked if he was resigning completely, and he responded yes, he's done.
- Member VanDeMark then asked if they still needed to carry on with the meeting. Atty. Schramm answered yes, and that they need to certify that vote. P.C. Admin. Beever stated that there is still five members present so they still have a quorum.
- Member VanDeMark made a motion to certify the vote for placing a moratorium on Solar Energy Systems (CSES) for twelve (12) Months. Member Rentz seconded the motion.
  - Motion carried 4-1. (Members Rentz, VanDeMark, Woolery, and Lawrence were in favor of the motion and it was opposed by Member Collins.)
- Member VanDeMark asked if they could take a recess and evaluate how to move forward. Atty. Schramm stated they could and they will need to take a motion to appoint a chairperson.
- Member VanDeMark made a motion to take a recess for a 10-minute recess and to resume at 6 p.m. Member Rentz seconded that motion.
  - Motion carried 5-0.
- Meeting Resumed
  - Member VanDeMark made a motion to resume the meeting at 6:00p.m. Member Rentz seconded that motion.
    - Motion carried 5-0.
- Chairperson Nominations
  - Member VanDeMark made a motion to have Member Woolery assume the role as acting chairperson for the rest of the February 12, 2025 meeting. Member Lawrence seconded that motion.
  - Motion carried 5-0.
- ❖ **Public Hearing** - to consider an ordinance placing a moratorium on Battery Energy Storage Systems (BESS) for twelve (12) Months.
  - Member Lawrence made a motion to open the public hearing, seconded by Member VanDeMark.
    - Motion carried 5-0.
  - Chairperson Woolery asked if there were any comments from the public. Audience member R. Lee stated she had already given her comments with the previous hearing. Member VanDeMark made it clear to the audience that this hearing is on the Battery Energy Storage Systems now.
  - Member Collins made a motion to close the public comment portion of the hearing, seconded by Member Rentz.
    - Motion carried 5-0.
  - The board discussed their options. Member Collins asked why this was tabled at the last meeting. P.C. Admin. Beever stated at the last commissioner's meeting the ordinance was tabled because it excluded certain companies from it. Atty. Schramm agreed and stated it excluded the Hoosier and the NextEra project. There was some discussion on whether the ordinance last time was split into two or not and which ordinance had died and what had changed and which ones were tabled or past. After much discussion Atty. Schramm clarified that the planning commission put forward two separate moratoriums for the Commissioner's to approve back in December, but they denied it entirely so it died. P.C. Admin. Beever stated that in January the ordinance for batteries was put forward, but it was not passed. Member VanDeMark stated that he believes if everyone works together on this that he thinks this could get done a lot sooner than the 12 months. He went on to say that a lot of the language is developed but just needs to be more defined.
  - Member Collins made a motion to close the public comment portion of the hearing, seconded by Member Rentz.
    - Motion carried 5-0.
  - Chairperson Woolery stated that the options are to accept the moratorium as written, amend it and send it back to the commissioners, or reject it.
  - Member Rentz made a motion to approve ordinance placing a moratorium on Battery Energy Storage Systems (BESS) for twelve (12) Months, seconded by Member VanDeMark.

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- Motion carried 5-0. (Members Rentz, VanDeMark, Woolery, Collins and Lawrence were in favor of the motion.)
- Member VanDeMark made a motion to certify the vote for an ordinance placing a moratorium on Battery Energy Storage Systems (BESS) for twelve (12) Months. Member Rentz seconded the motion.
  - Motion carried 5-0. (Members Rentz, VanDeMark, Woolery, Collins and Lawrence were in favor of the motion.)
- ❖ Code Enforcement Officer report
  - P.C. Admin. Beever stated that Code Enforcement Officer Blodgett is unable to attend the meeting due to the weather. She added that her report is in their binders for them to go over. The board looked through the report and did not ask any questions.
  - Case 512 - Greg Wireman 4104 S SR 39 North Judson, IN 46366
    - P.C. Admin. Beever explained to the board the ongoing situation between the neighbors complaining that there is a trucking company business being ran from this property. Member Lawrence asked if the owner has ever came in and talked with us on it on and P.C. Admin. Beever responded no but she has received communication via text and email from his partner in regards to the situation. She went on to add that she has recommended to her that they come in and talk to the board about it. She added that by the photos they have they know he is parking the trucks there however he does not have a sign out but there is a fuel tank there. She added that a lot of the issues between the neighbors there are civil issues. Member VanDeMark asked if they should move forward with a public hearing on this. P.C. Admin. Beever stated that some of the messages she's received here lately is that they seem like they might be looking into moving. Member Collins asked what their options are besides a public hearing. Atty. Schramm replied that they don't have to set for a public hearing but they could give him the opportunity to come before the board before they start placing fines. P.C. Admin. Beever informed the board that the check she received does not have this property address on it, but the property owner has not completed the permits either that he has applied for. She added that there is also two shipping containers on this property and with size of the property there he's only permitted to have one shipping container and he has not applied for a variance yet either to keep the other one. Member Collins stated he's seen an advertisement looking for drivers for this company but he can't remember where it was out of. Atty. Schramm recommended that the board send him a letter regarding the situation that we believe they are running a business and ask them to come to a meeting and tell us otherwise. Member VanDeMark agreed that he thought sending him a letter to attend a meeting was a good option to hear his version. The board discussed giving him the option of showing up at two different meetings.
    - Member Rentz made a motion to go with Atty. Schramms recommendation to send Mr. Wireman a certified letter asking him to attend one of the next two planning commission meetings. Member Lawrence seconded that motion.
      - Motion carried 5-0.
  - Case 357 –Anthony Joseph Magiera 9780 E. 500 N. Grovertown, IN 46531
    - P.C. Admin. Beever explained that this property issues started a while back and at this property there is someone living in a shed. She went on to add that there is no home on the property and you have to have a primary dwelling first on a property to add any accessory structures on to it per the district restrictions. She went on to explain that there were several things not permitted on this property after they inspected it. She then stated the property owner came before the planning commission when this was initially discovered, and the planning commission at that time told him he'd have to remove everything from the property or he could try and get a variance through the BZA to live in the shed temporarily while building a home. She went on to state he went through the BZA and they granted him a variance to temporarily live in the shed as long as he got everything permitted and started building a home and to come into compliance. She then stated that he did come in and get

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all of his permits and they have since then expired, and he has done nothing on the property. She went on to state that back in late November she sent him a letter revoking all his permits. She added that he has not come into the office, and that there are some neighbors in the audience that want to talk to the board and that she has received more complaints since then regarding this property. Audience member Boley spoke referencing IC 36-7-9 for the unsafe building code. He went on to state that it prohibits unsafe buildings and premises. He added that according to the Starke County ordinances these structures do not even constitute a permissible living structure because they do not meet the 900sqft of living quarters. He went on to add this owner's waste water is going into a 5-gallon bucket and then he's unsure where it goes after that and that is against the unsafe building ordinance. He went on to state that his recommendation to the board is that an order to vacate is sent and to have special assessments added to this property and to have it put up for tax sale. He added that there is constant barking from the dogs also on the property all night long. He also added that he thinks this property needs shut down immediately and doesn't understand how this was approved in the first place. Member VanDeMark asked Mr. Boley if he had any evidence regarding where the wastewater in the 5-gallon bucket is actually going. Audience member Boley stated that there is not port-a-john out there so there is nothing. P.C. Admin. Beever stated that the owner previously had informed them at a public meeting that he was taking his waste and dumping it into an old septic system that was on the property. Audience member Huitt spoke as well and stated that there are ordinances for a reason. He went on to add that he's concerned about him not having a well or a septic and where his excrements are going. He went on to add that there are children in the area that worries him. Member Rentz asked what the next steps are and added that this has gone on too long. P.C. Admin. Beever responded that they were waiting for the permits to expire, and that he never started construction like he was supposed to. Member Collins asked if all the permits are now expired. P.C. Admin. Beever answered yes. Member VanDeMark asked about the children he mentioned whether they were the property owners or not. Audience member Huitt stated the children are one of the neighbors next to this property. P.C. Admin. Beever stated that as far as they know he lives there by himself. The board asked Atty. Schramm what their best options are for this. Atty. Schramm stated that there are general nuisance laws they could use but he would recommend them using the unsafe building statute and he explained this to them. The board discussed the structures and sizes of them that are on the property as well as the ownership of this property with Audience Members Boley & Huitt

- Member VanDeMark made a motion to send an unsafe letter for up to 60 days to remove everything. Member Lawrence seconded that motion.
  - Motion carried 5-0.

➤ Case 471 – Harshreel LLC 2340 E US 30 Hamlet, IN 46532- *Economy Inn*

- P.C. Admin. Beever explained that this property stated that this property was sent an unsafe letter before asking them to repair the structure and they have not complied with that. She went on to state that the last thing they heard was the property owners were supposed to be coming in to get a demolition permit months ago and they have never done that either. Atty. Schramm stated the last correspondence he had with Atty. Sworden was in August 2024 regarding remediation of the building. Bldg. Comm. Boz stated the last he heard from Atty. Sworden was that they were planning on tearing it down and not fixing it. Chairperson Woolery stated that they are in violation then and asked if the next step was to take them to court. Atty. Schramm stated that the prior order not to tear it down it was for them to remediate the building Bldg. Comm. Boz stated that they had insurance and that on it and he wanted to rebuild it. He went on to state they had to get it tested for mold and it's really bad. The board discussed what they were wanting to with Atty. Schramm. Atty. Schramm gave the options of sending an unsafe letter with a specified time frame of when to get things done or to send an unsafe letter requiring demolition. The board discussed what they wanted to do.

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- Member Collins made a motion to send an unsafe letter to demolish the building, seconded by Member VanDeMark.

- Motion carried 5-0.

➤ Cases 445,446,447, 530 – Thomas DeCola Unsafe structures on 250 S.

- P.C. Admin. Beever explained that these are cases that were from a public hearing back in February 2024. She explained to the board that at the hearing they made a motion for Mr. DeCola to tear each of these structures down and remove them from the properties. They gave him 3-month time frames for each of the properties as long as he obtained a demo permit for each one and got the work done within a year. She went on to explain that he has done nothing with these properties. She explained that two of them have unsafe homes on them, one has a burn out trailer frame, and one has a pile of junk and debris on it. She went on to add that from what she recalls the board was wanting to proceed forward with the \$5000 fine and \$700 administrative fee for each of these properties. Member Collins added that he was stripping these houses down at the time he came in for the hearing and he said when the weather got nicer he was going to demo them. Member Lawrence asked the other board members if he was piling things up and burning it too. Bldg. Comm. Boz agreed and added that he burnt one of these properties as well since then. Member VanDeMark added if he recalled right he was told directly in the meeting not to burn things. P.C. Admin. Beever agreed and stated that the most recent one that he burnt is not one of these but he was told not to burn it until he got the proper permits though IDEM and that was all put in a letter Atty. Schramm sent him. Member Collins added that he sent a letter to the fire department stating he was going to burn it. Bldg. Comm. Boz added that the most recent one he caught on fire wasn't even under code enforcement and it actually looked like a pretty decent house until then. Atty. Schramm stated that the next step would be to file a complaint with the court on this one.
- Member Lawrence made a motion to file a complaint in court on this when we have new counsel. Member VanDeMark seconded that motion.
  - Motion carried 5-0.

❖ New/Old Business

- The submission of the Commercial Solar Energy System submission from Dunns Bridge Solar II – (This is dependent on the Tech Committee review mtg. that is held prior to the Planning Commission meeting.) project with Engineer Consultant Bob Aloï.
- Chairperson Woolery stated that the Tech Committee looked at this prior to this meeting. He went on to state that they reviewed it with Engineer Aloï and everything seemed to be in order already except for the drainage board approval and the EDA with the county council. He went on to add that it now needs to be approved or not and then sent to the commissioners. P.C. Admin. Beever stated it does not need to go to the commissioners for approval. She went on to state that the ordinance requires the planning commission to approve the project or not and with any stipulations or not. Member Collins stated that in the Tech Committee meeting they went over everything and if they had any questions they had Mr. Aloï answer them, he added that it looked like everything was in compliance. Member VanDeMark stated that they are still waiting on drainage board approval. Member Collins agreed. Chairperson Woolery stated they could approve it with the stipulation of drainage board approval. Atty. Schramm added that the EDA is completely separate process. Member VanDeMark added that his concern is with the definition of where a permit begins, and where the moratoriums come into play here and the legality of it all. He added that he is still having trouble understanding what is considered the start of a permit. He went on to state that to his understanding there isn't a permit yet for the project. P.C. Admin. Beever added that if approval here is given it is giving them approval to obtain a permit, which is approval based on their submission of their project. Audience member R. Lee stated if they give that approval then they can go in and get their permit. A

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NextEra representative stated that he believes this is why the board is ultimately without a president for the meeting. He went on to state that he asks the boards to approve this because this project does comply with the ordinance that exists, and has complied with it since it was filed back in September 2024. He went on to state that they understand that the drainage board does have their approval coming, however they have postponed things several times. He added that they do not have that approval yet due to how their calendar does not sync up with the planning commission's calendar. He went on to state that he fully anticipates getting the approval at their next meeting. He also explained to the board that any moratoriums that approved at the meeting still have to go before the commissioners for final approval so ultimately, they are not enforceable at this point. Member Rentz added that the drainage board just doesn't postpone things, and that they are waiting on answers that Mr. Aloï is helping them with now. She went on to explain that there was some confuse with the drainage board on where some culverts and borings were going. The NextEra representative added that that information has been available since September and that they have asked multiple times if there were any questions since they submitted their project back in September. Member Rentz added that they are not the engineer and that it's hard for them to ask questions when they weren't explained the proper way. NextEra representative Neff stated that they did put together information back at what he believes was the first drainage meeting and that they did not receive any questions. He went on to state that they did not receive any questions from Mr. Aloï until on Monday of the week and they plan on having a response ready by Friday. He went on to add that they have been trying to work with the drainage board for months. Ms. Rentz asked if he could repeat what he said about the first drainage board meeting. NextEra representative Neff stated that they put together a presentation back at the first drainage board meeting. Member Rentz asked if it was on January 7<sup>th</sup>? NextEra representative Neff responded no last year. Atty. Schramm stated he believes it was November of 2024. Member Rentz added that the drainage board was having a hard time deciding also because there was only 30% drawings and none of them were color coded. She added that they are all in black and white. Member VanDeMark asked if the board could meet in a special session after the drainage board meeting or if they would have to wait till the next planning commission meeting. Chairperson Woolery stated that they could approve it pending drainage board approval. Member VanDeMark added that his thoughts would be to table it and possibly have another meeting after the drainage board meeting. Chairperson Woolery added that when they go through it, it is a yes or a no whether they have it or not and it's not going to change Mr. Aloï's analysis of the project. P.C. Admin. Beever added that it would be redundant in her opinion and the point of having the Tech Committee meeting is to go over Mr. Aloï's review submission of the project, and that they decided at the meeting to move the project forward to the planning commission contingent on the drainage board approval. NextEra representative Neff added that the ordinance does not require the approvals to be obtained before planning commission approval, but just that they have to be obtained. Member Collins stated that he was in the Tech Committee meeting and it seemed that all the requirements were met and seemed to be what we asked for just pending the drainage board approval.

- Member Collins made a motion to move forward with the submission of the Commercial Solar Energy System submission from Dunns Bridge Solar II pending the draining board approval.
- Member VanDeMark added that his thought was to table this due to him being so new to this decision. He added that he wouldn't want to make a decision that would reflect poorly on the planning commission.
- NextEra representative Neff asked board to consider their discretion of the engineer's report. Another NextEra representative asked the board to consider their decision based on the assumption that it had already been approved by the drainage board, what their vote tonight would be. He went on to add that whether it's been approved or not by the drainage board that is what their vote should be and it should be irrelevant to the drainage boards decision because it's out of the scope.

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- Member VanDeMark that isn't his entire concern, his concern is that this has been going on for a year and he's trying to get caught up on all the situations. He added that he just doesn't want to make a decision without knowing the whole package.
- NextEra representative Neff asked Member VanDeMark what he thinks he'll learn between now and the next meeting.
- Member VanDeMark stated he'd like to review what happened in the Tech Committee meeting and also to follow up on the ordinance to see how it's supposed to progress though there. He added that he wants to do the correct thing on his vote. He then asked again if there could be an additional meeting.
- P.C. Admin. Beever responded and stated that it could be tabled until next months meeting. She then asked when then drainage board meets next.
- Member Rentz replied March 4<sup>th</sup> at 8:30 a.m.
- P.C. Admin. Beever stated it's hard for this board to come to an 8:30 a.m. because some of the board members work during the day. She added that the normal planning commission meeting date is March 12<sup>th</sup>.
- NextEra representative Neff added this board not making a decision due to lack of legal counsel is just postponing it more and that this meeting was supposed to happen within 30 days of submission per the ordinance.
- Member VanDeMark added that they would have to vote on an attorney.
- Atty. Schramm explained that hiring legal counsel could be as quick as finding counsel and having a special session and voting on it, and he gave an example.
- P.C. Admin. Beever added it could be longer if they wanted to advertise for the position.
- NextEra representative Neff asked if procedurally that was still just one motion pending.
- Chairperson Woolery responded yes
- Member VanDeMark stated that for the sake of these guys wanting to get things done, he recommended tabling it till March 12<sup>th</sup>, and meanwhile the board can try and get an attorney set up before then and if the board needs to have an extra session then that's what needs to be done.
- Member VanDeMark made a motion to table till March 12, 2025.
- A representative from NextEra asked if Mr. Aloï is unable to make the next meeting if there were any questions for him.
- Member Collins asked Mr. Aloï if he sees any problems with any of the culverts or anything that the drainage board would have an issue with and say no.
- Mr. Aloï explained that what he agreed to do for the drainage board is locate 5-6 culverts that are in their summary report and that are not graphed on their 30% plan set or they aren't identified or what they are doing with them. He went on to state that he told them, once they identified where they were and what they are if there was some sort of issue with them that they'd have to address that with the drainage board. He went on to state that he agreed to do that for the drainage board so that they could identify if there is or isn't something required by their board further than what was presented to them. He went to explain that it's no different than someone coming in with a driveway culvert issue, and they'd have to go through the drainage board to get that addressed. He added that it's not necessarily a violation of the ordinance, he went on to state that he's just helping them out with this and that would not change his report with adherence to the current ordinance. He went on to add that he told the drainage board that he would attend the Tech Committee meeting and make that suggestion that they could approve the rest of the ordinance subject to the drainage board approval. He

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then stated to answer their question the answer is no, and as far as what the county hired him to do nothing is going to change because he's done what they hired him to do.

- P.C. Admin. Beever added that per the ordinance it does not stipulate that they cannot move forward without drainage approval.
- NextEra representative Neff added the board and stated that if anyone had any questions that now would be a great time to have them addressed.
- Member Collins asked if something did come up with any of culverts if they'd be willing to work with them on that.
- NextEra representative Neff responded that if it was something with regulations that yes and that not only do they have to coordinate with drainage board they also have to go through IDEM, and they have to have a stormwater plan. He went on to add that the drainage overall will improve. He also added that the 30-day time frame for review has been vastly exceeded.
- Member VanDeMark asked when that timeline started.
- NextEra representative Neff responded September of 2024
- Member VanDeMark added that it's exceeded 100 days over.
- Member Collins asked if his motion is still on the table.
- P.C. Admin. Beever responded that she believes so and that no one seconded it, and that we have no motion yet.
- Member Lawrence added that he would second Member Collins Motion.
- Member Collins made a motion to move forward with the submission of the Commercial Solar Energy System submission from Dunns Bridge Solar II pending the draining board approval. Seconded by Member Lawrence.
  - Motion carried 3-2. (Members Collins, Lawrence and Chairperson Woolery were in favor of the motion and it was opposed by Members Rentz, and VanDeMark.)
- Gary Clemons- Worker's Comp. requirement/exemption certificate
  - P.C. Admin. Beever stated that he is not present She went on to explain to the board that the issue is that in the past worker's comp exempt waivers were not enforced for contractors who are sole proprietors to bring them in to the office very well. She added that they have cracked down on it this year and added that if they don't have their waivers at the time of registration that they are not getting registered until they provide that waiver through the state along with their certificate of insurance and their bonds. She went on to explain that this particular contractor is claiming that he does tree work but he's been hired to do a job doing demolition work which is part of construction work therefore, he'd have to abide by our requirements and ordinances requiring that he either needs worker's compensation or a waiver through the state.
- Electronic Meetings
  - P.C. Admin informed the board that July 1st of 2025 that they are required to do electronic meetings and that they do not have any policy set up for how they conduct these meetings and guidelines. She gave examples of attendance, compensation, virtual attendance, and virtual voting. She also added that she spoke with the state representative who helped draft this bill and he informed her that this bills intent was not to have members only attending meetings virtually. She went on to state that he informed her the intent is for the members to still attend the meetings and for the meetings to be more transparent with the community. She then explained to the board that as far as Starke County goes the commissioners and the county council have already set a precedent by creating their own ordinances regarding electronic meetings. She went on to state that they have set a precedent already to where all boards need to draft their own ordinances and rules.



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- Member Lawrence added that in his opinion that you need to be there in person to vote. Member Collins asked if you could then make a quorum just by attending on zoom. Chairperson Woolery then asked if that would work. P.C. Admin Beever added that she doesn't think that would work because if they wouldn't be allowed to vote virtually then they would not have a quorum then. Atty. Schramm added that he drafted one a couple of months ago for the city of Knox that he believes would work here. He added that he would send it over for the board and they could adapt it as they see fit. P.C. Admin. Beever asked the board what they would like to see in it so she could adapt it for them. Member VanDeMark asked if that had to be decided now. Chairperson Woolery stated that he believes she just wants ideas now. P.C. Admin. Beever added that she would prefer it sooner than later because it will need to go to a public hearing and then be approved by the commissioners. Chairperson Woolery asked if P.C. Admin. Beever if she knew what the commissioners and council are doing with theirs. P.C. Admin. Beever stated she has seen theirs. Chairperson Woolery stated he believes voting in person would be preferred. P.C. Admin. Beever asked if they only want paid if they are there in person. Member Lawrence agreed to that. Chairperson Woolery added it's an incentive for them to come. Member Lawrence added that way too you have their full attention. P.C. Admin. Beever stated that she would go off of what Atty. Schramm has and adapt it for them.

➤ Attorney Schramm- Contract termination

- Atty. Schramm explained to the board that it had been brought up at the last commissioners meeting about conflicts of interest with him representing the county and the planning commission. He went on to state that tonight's meeting is a good example of this where the commissioners have a proposal before the planning commission and the planning commission may respond contrary to their proposal. He then explained that even though it's the attorney's job to give advice based on statute and not discretionary you could see how a conflict could arise. He went on to add that the commissioners thought it wouldn't be a bad idea to have a separate attorney from the county attorney. He went on to state that it's not a bad idea either to have a couple attorneys on board that advocate for the county. He then added that there is no under current here and doesn't want anyone to think he's being pushed out or anything. He went on to state that based on the commissioner's thoughts there that they feel it would be best to have the planning commission represented by their own separate attorney. He then explained to the board that he is under contract with them so it would require them to agree with him to rescind his contract. He went on to then ask the board if they would mutually rescind his contract respectfully. He added that he would still help with the transition.
- Member VanDeMark agreed with everything that Atty. Schramm stated and added that he would like to add that he believes Atty. Schramm getting involved with the planning commission was almost an accident from what he's gathered. He added that moving forward it wouldn't be a bad idea for the planning commission to bolster their legal representation. He went on to state that the only thing he would recommend with the termination of his contract he would recommend that it extend till February 28<sup>th</sup> 2025 to finish out the month. Attorney Schramm agreed to that and stated he'd help out with whoever they may have ideas of whom may want to take this spot. Member Collins asked if they have to public advertise for it. Atty. Schramm stated that they do not have to advertise for it or bid it out. He went on to add that they can advertise for it but they don't have to.
- Member Collins made a motion to terminate Atty. Schramm's contract with the planning commission, seconded by Member Lawrence.
  - ♦ Motion carried. 5-0.

➤ Member Cultice's Resignation letter.

**Starke County Plan Commission Minutes**  
**Regular Meeting and Public Hearing**  
**February 12, 2025**

- P.C. Admin. Beever informed the board that she has included Member Cultice's resignation from the board and that she is also resigning from the BZA. She added that she just received the letter in the mail on Monday. She went on to explain that she went over this with Atty. Schramm and that there were some discrepancies on the BZA board and explained to the board the positions that would need filled now.

❖ **End of the month**

- Board reviewed the reports from January 2025

❖ **Additional Comments**

- Member VanDeMark added that it was discussed at the previous meeting to have a company possibly help with a new solar ordinance. He went on to add that he got information from the company just prior to the meeting, and P.C. Admin. Beever has printed out copies of them for the board to look at as well.

❖ **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 Collins made a motion to adjourn the meeting, seconded by Member VanDeMark.
  - Motion carried 5-0.

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 March 12, 2025 meeting**

- Member VanDeMark made a motion to accept the minutes from the February 12, 2025 meeting as written, seconded by Member Woolery
  - Motion carried 6-0.

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