



# LAPORTE COUNTY PLAN COMMISSION

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Michael Polan  
Building Commissioner

## LA PORTE COUNTY PLAN COMMISSION MINUTES August 27<sup>th</sup>, 2024

MEMBERS PRESENT: Anthony Hendricks                      Joe Haney  
                                 Rita Beaty    Eric Pointon  
                                 Harold Parker    John Watson  
                                 Deb Vance    John Carr  
                                 Earl Cunningham

OTHERS PRESENT: Doug Biege, Attorney; Michael Polan, Recording Secretary; Ashley  
Kazmucha, Administrative Coordinator; Mitch Bishop, County Planner

### PLEDGE OF ALLEGIANCE

Joe Haney asked for a motion to approve the agenda.

Rita Beaty made a motion to approve the agenda as presented.

Earl Cunningham seconded.

All Approved. Motion carries 9-0.

Joe Haney asked for a motion to approve the June 25<sup>th</sup> minutes.

Rita Beaty made a motion to approve the minutes as presented.

Deb Vance seconded.

All Approved. Motion carries 9-0.

### Petitions:

1. **Petitioners Tommy Marsh & Estate of Carl William Carder** respectfully petition the Plan Commission to rezone from R1B to B3 a property located across from 1965 S. 875 E., Mill Creek, IN. Lincoln Twp. Parcel 46-12-09-453-001.000-055. Exhibits attached hereto.

Earl Cunningham made a motion to table it to the end of the meeting in case they show up.

John Watson seconded.

Approved. Motion carries 8-1.

## **Old Business**

### **1. Public Hearing of an Updated Solar Ordinance Draft**

Joe Haney stated the first item under new business is a public hearing to go over the updated solar ordinance draft that they have. They are going to open the public hearing at this time. Mr. Biege, all the notifications and everything else were sent out in timely fashion.

Attorney Biege stated yes. They published in the newspaper for both issues that they are going to address tonight. They have a recent draft of the Solar Ordinance on the website so everybody's had an opportunity to look at it.

Joe Haney stated all right. Thank you very much. He knows everybody on the Board has had a chance and several weeks to review this, as has the public. Are there any Board Members at this time who have any questions before he calls for any public comment?

Rita Beaty stated she would like to remind everyone that they do have a three (3) minute limit since everybody's had ample time to look it over that they'd like to respect everybody's presence here this evening and time them for three (3) minutes.

Joe Haney stated thank you, Ms. Beaty. Yes, they want to make sure everyone who's here tonight who wants to speak gets a chance to speak so at this time, if there's no one else from the Board right now, then they'll call for public comment here in regards to the Solar Ordinance Draft. There will be a separate public hearing immediately following this for the Solar Moratorium. So, if anybody has comments or anything regarding a possible moratorium, if they could save those comments till that portion, because that's a separate public hearing and we're kind of stepping outside their normal meeting to hold this public hearing. They want to keep everything specifically on topic to what they're dealing with in this particular public hearing.

### **Public Comment:**

Steve Holifield stated his address is 6782 E. 100 S., Mill Creek, IN. He knows they've put a lot of effort work into this, but some things that he sees he has concerns about are the setbacks. Other counties have five hundred to a thousand-foot (500' – 1,000') setbacks and they're still getting these projects to come into their attention. So, he doesn't think it's a setback. If they were to go larger setback that would give the people more privacy who are stuck in these areas. He doesn't think that would hurt them one bit at all. He thinks that's something to be looking at. There is also no property value loss in this. They provided documentation free of charge, unlike RWE's paid for speaker who brought in documents saying it increased in value. They provided documents that proved it was not an increase in value, that people are losing value of their homes. That's not included. One (1) other item here is for asphalt pavement for driveways. Explain to him how asphalt is environmentally friendly and they're going to put that back into production in forty (40) years because that's oil and tar and other chemicals in that. There shouldn't be allowed any of that kind of stuff on that ground. The topsoil, he doesn't think it addresses that issue. The topsoil is what they use to grow the crops. Without the topsoil being put

back in there, they're not going to grow crops and topsoil takes thousands of years to create. It doesn't happen overnight. What's to say that topsoil won't be removed twenty (20) years from now and sold off for some project? Again, they've reiterated over and over and over again for the last six (6) months, they are never discussing or not saying or denying that they do not have the right to do what they want with their property, but show him the constitution where it says they have the right to devalue other people's property and take away their right to enjoy their property which was what they purchased it for; to live in the county and not inside of an industrial park. So, he hopes they look into this and don't pass this tonight and think heavily about some things that are being said. Thank you.

Joe Haney stated thank you.

Lisa Dan stated her address is 1359 Short Dr., Knox, IN. She would like to pass out some things real quick if possible. She is with the Center for Energy Education and just wanted to provide a little bit of information to help as they're making decisions on their solar ordinance and on moratoriums and that sort of thing in LaPorte County. So, currently, sixteen percent (16%) of Indiana's electricity supply is imported from other states with the number of data centers and other large power users throughout the State coming online. That number will increase exponentially over the next several years if they don't invest in themselves through renewable energy opportunities in their communities. We know that utilities are becoming less reliant on fossil fuels, and as they continue to diversify their utility mix and reduce their carbon footprint, it is imperative that they become self-reliant through these renewable opportunities. In addition to the many economic benefits, one (1) that particularly stands out is the additional revenue that these projects provide to their Indiana counties in the form of unrestricted revenue through economic development agreements between the county and or city and project developers. Many of their more rural communities will certainly benefit from additional revenue. These funds may be used for many things that will improve the quality of life in communities, everything from tourism to K – 12 programs, to infrastructure, to library and school improvements, and improving broadband capabilities in rural areas. Another important point to make is the increased assessed valuation that these projects create. That equals decreased property rates for residents. Many of these developers look at rural communities with vast open areas of land close to the MISO and PJM power grids, which both happen to cross through Indiana, making Indiana an ideal location for renewable energy projects. As a former economic development director in Starke County, she works closely with developers interested in locating in Starke County due to its rural nature, flat topography and proximity to the MISO and PJM power grids. The first phase of the Mammoth Solar Project, the nation's largest project that will eventually span thirteen thousand plus (13,000 +) acres in Starke and Pulaski Counties, has completed construction on the first phase and will begin commercial operations soon. In addition, construction of Phase Two of the Dunns Bridge Solar Project is also nearing completion in Starke County. And a third developer is finalizing their permitting, which will lead the way for an additional project there. She's not sure if anyone is aware, but renewable energy projects in White County, including wind and solar, literally saved Indiana Beach from closing; an Indiana icon that has been there for generations, which was on the verge of closing following COVID. The County provided a large monetary incentive, which came from revenue received from their renewable energy projects via economic development agreements. Today, Indiana Beach continues to thrive in

White County. She encourages the Planning Commission to adopt the Ordinance based on the conditions of approval of the RWE Blue Stem Solar Project. Thank you.

Joe Haney and Rita Beaty stated thank you.

Daniel Straka stated his address is 1845 Azalea Dr., Munster, IN. He is here with the Land and Liberty Coalition. They are a project of the Indiana Conservative Alliance for Energy. There are not many times where he comes to LaPorte County and he agrees with Mr. Holifield on much, but first thing, the asphalt in their plan, with Indiana Land and Liberty Coalition, they believe in preserving farmland. That's why they support renewable energy projects. If asphalt is bad for the land, then maybe it shouldn't be in their ordinance. As far as the setbacks go in their ordinance, he doesn't believe that any developer out there would have a problem with the current setbacks that they have in their ordinance. He is pretty happy with them himself. However, he does believe that the two hundred and fifty feet (250') that they have from the property line rather than two hundred and fifty feet (250') from a dwelling is a little bit innocuous, a little bit too much for what they're doing here. If they're trying to protect the land of a property owner that is not participating in a project, he believes that fifty feet (50') would be more than ample. That goes with the State guidelines which is fifty feet (50') from a non-participating property line and two hundred and fifty feet (250') from a non-participating dwelling. He thinks those numbers are more than ample and do the job of protecting both the property rights of participating landowners as well as non-participating landowners. He knows it's been a long way coming in this County with these changes to their ordinance as well as talking about renewables and solar for a very long time. Just want to say one thing, the farmers and landowners who want to use their land for renewable energy are using that to better their lives. It's not their neighbor's farmland. Their land is not the aquarium of a non-participating landowner. Just because they don't like to look at something doesn't mean it shouldn't be there. Thank you.

Attorney Biege asked Mr. Haney if he can comment for a moment. He thinks they are misreading the pavement part. It's only fifty feet (50') from the edge of the road that's required and the point of that is, farmers know, and they're careful, is for vehicles coming in and out to reduce the mud and maintain the road shoulder. So, there's no requirement that everything is paved. It's just fifty feet (50') off the road.

Joe Haney stated correct. The exact verbiage here, he'll just read this off real quick, says, "Driveways shall be paved with hard surface asphalt, concrete, pervious pavement, pavers, or other material to provide a durable dust-free surface which meets the minimum specifications prescribed by the County Engineer for the first fifty feet (50') from the edge of the pavement. Interior access drives and interior access driveways are not required to be paved." So, that's where that comes in. From a dust complaint issue, let's say that they've dealt with both from zoning and different complaints at the Commissioner's office as well as well as Building Commissioner's Office when they have trucks coming in and out of there out of these places and there isn't something there to keep the dust down. Those trucks coming in and out can kick up quite a bit of dust so that helps kind of maintain the area and keep all that dust from drifting. There's also some regulations and State guidelines that require air quality standards that the local IDEM actually support for rogue particulate matter in the air.

Earl Cunningham stated the other factor is the wet weather coming and going, tracking the mud out onto the highway so that fifty feet (50') gives them a chance to get the mud off the tires.

Joe Haney stated right. Thank you.

Joe Clemons stated his address is 1785 S. 875 E., Mill Creek, IN. Basically, where they want to put this solar field is next door besides the railroad tracks separating it. He bought that house to retire. He believes that their solar field does not belong in a small town. There's nothing for the town to gain from it. It's an eyesore. He's been to the sites over off north of 20 and it's an eyesore. He just doesn't feel it belongs there. He can't speak for everybody, but he bets that none of them would want this in their yard or to be their neighbor.

*Joe Clemons lives adjacent to Petition #1. There were no plans for a solar field on that property.*

Joe Haney stated thank you. The Blue Stem that he is talking about up there, that matter, is not what they are here tonight for. They are talking about their solar ordinance.

Joe Clemons stated right. He doesn't want a Solar Ordinance passed for there is basically what he is saying. It's in conjunction with what he's here for. That's why he is speaking about it.

Joe Haney stated okay. Definitely stick around for the next portion for the moratorium.

Joe Clemons stated okay. This new to him.

Joe Haney stated that okay. That's perfectly fine. Absolutely. So immediately after this one will be the moratorium portion of the hearing. Thank you, sir. Please, as anybody sees the podium vacate, please feel free to just walk on up.

Maurice Gleser stated his address is 4303 E Scholl Rd., Rolling Prairie, IN. He is going to be enclosed on three (3) sides of his property. He thinks that's a little much. Off the road is not enough. To be enclosed on three (3) sides is more than enough. He was wondering also if the organization was going to compensate him for the difference in price when he does decide to sell from now until the point of sale. He thinks that's an interesting point that they might consider as long as they're approving of solar, which he does appreciate. He knows that life moves on, things move on, things are changing, but he don't think it's entirely fair for all of them. Thank you.

*An unknown gentleman from the audience asked if this is about the solar farm by the school now or is that coming up later?*

Attorney Biege asked the solar farm itself.

*The gentleman stated yes.*

Michael Polan stated that is not up for discussion at this time.

Joe Haney stated they are having a public hearing right now specifically in regard to their Solar Ordinance Draft.

*The gentleman stated they are talking about a moratorium so would that put a moratorium on this solar farm or what.*

Joe Haney stated after this portion will be a second public hearing in regards to a possible moratorium in the County on solar, but that'll be after this portion. This portion is just specifically in regards to their solar ordinance draft and any comments related to the solar ordinance draft itself, either for, against, or any suggestion on how to improve it.

*The gentleman asked if he should wait until they bring it up or can he speak now.*

Joe Haney stated if he wants to talk about moratorium, if he wants to wait until the moratorium portion, and there'll be another public comment period for moratoriums, certainly. Absolutely. Okay, is there anyone on Zoom who would like to speak in regard to the Solar Ordinance Draft? Anyone else here in public who would like to comment on the Solar Ordinance Draft?

Timothy Powers stated his address is 2934 N. Clark St., Chicago, IL. He was a resident of St. Joe County for over fifteen (15) years. Prior to that, just to echo some of the comments on the ordinance that have been made so far, as someone who works in the solar industry, they first of all appreciate their hard work on drafting the current ordinance and revisions. In regards to the setbacks, they would echo Land Liberty Coalition and the fact that they would like to see setbacks that reflect the State standards of fifty feet (50') from adjoining non-participating parcels and a two hundred and fifty-foot (250') setback from residences. They find this very reasonable. Some other comments made earlier about five hundred-foot (500') or a thousand-foot (1,000') setbacks. That, in fact, would likely deter any development of any scale. If it's forty (40) acres, fifty (50) acres, or well above that it would likely deter development in the County. It's a precedent they would like to see not set in LaPorte County as someone who is working in the State and has seen a lot of these things come and go, both in terms of Ordinances as well as the projects that come in behind a reasonable and well-crafted ordinance. Again, they appreciate the hard work and strongly please consider that the State standards do have a good level of research and kind of industry, but also other stakeholders' input. They just like to defer to what that State center is now and hope that you kind of see where that stands and accept that.

Joe Haney stated thank you. This is their last call for anyone on zoom for public comment on the Solar Ordinance Draft. Seeing none there, anyone else here in public for the Solar Ordinance Draft? All right, he is going to close public comment on the Solar Ordinance Draft portion and open it up to Board comments. Really quickly, he'll just kind of kick it off here. So, as a Solar Committee, they were going through setbacks and trying to determine what would be the best median for both protecting the rights of folks who want to lease their land, because it's something to keep in mind, is that the people who are farming this land are farmers. They've owned this, in some cases, their families owned for generations. So, they have to respect their rights as well as just importantly, respecting the rights of the neighboring property owners. So, as he was looking at kind of, and he doesn't want to speak for those others who were on the solar committee or what they've discussed up here, but as he was looking through some of the setbacks, he looked at

certain things. So, for example, say they have a residential piece of property and they haven't quite built their home on it yet. So, there's no setback from any residence so they could, in the case of, for example, the gentleman who spoke earlier, get surrounded on three (3) sides, have a fifty-foot (50') buffer around their property line, and when they go to build their home, they're well within the two hundred and fifty-foot (250') setback that would have been there if their home was actually built. So, trying to weigh those two (2) things is kind of how at least he came to the position of rather than have a setback from just a residence, have the setback from the property line. So rather than go like seven hundred and fifty feet (750') from a residence go two hundred and fifty feet (250') from a property line. That was his thought and obviously, all the members of the Board here have their own thoughts and opinion, but that to him seemed to be a good way to juxtapose the rights of the folks who are leasing their land, as well as the folks who may own residential property that either already have a home or don't have a home built quite yet. There's a lot of folks who like to build a pole barn, for example, and they're saving up money to build their dream home or the home that they're planning on retiring and living in for the rest of their life and they don't have that yet there. So, he thought this was a good way rather than trying to roll the dice, so to speak, putting it by the property line was a good compromise there. It seems like that's kind of splitting the difference down the middle. He knows some of the solar companies aren't a fan of that. They would rather be able to get up a little closer, but at the same time he views it as he's here to protect the one hundred and ten thousand (110,000) residents of LaPorte County first and the solar companies are their companies. He likes companies to do well. He likes flipping on the light switch and getting electricity. That's important to him. They've got a new big data center coming in here from Microsoft. They're going to use a lot of power. At the same time, though, they have we have a vibe and a feel here in LaPorte County that they need to respect. He thinks they already covered the driveways and the fifty feet (50'). One of the other things that he heard here this evening, and he's sure other folks will have comments on other issues, is in regards to topsoil. That was one of the things that he was concerned about, and he knows in their draft he would have to look through here to see exactly where it is, but they do have in there that any materials that are removed from the site, they first have to get permission from the Building Department or Building Commissioner. He doesn't remember the exact verbiage, but they can look through there and find that. There is some verbiage in there preventing a company from coming in and just removing all the good topsoil before they put in the panel. That is something that they had heard from a number of concerned farmers in the area.

Harold Parker stated let them hear about it now. What is it? Did they cover it or not?

Joe Haney asked Attorney Biege if he remembers where that is? They will look through there. In the meantime, he'll open the floor up to the Board for any comments while he is looking for that.

Michael Polan stated Sections N and O he discussed with the County Planner and it appears to be some redundancy that maybe those two (2) could be combined.

Attorney Biege stated he had mentioned to him and he disagrees.

Michael Polan stated okay.

Attorney Biege stated one (1) refers to drainage infrastructure and one (1) refers to damage to the SES system itself. Same language, but they are talking about two (2) different things. He thinks they need to be set out separately.

Michael Polan stated okay, they'll strike that and he will move on to clarification for the public. The Mill Creek School that the gentleman came up to talk about, that is a petition for a campground and it does not involve solar in any way. Two (2) separate things and that matter is tabled until later to see if the Petitioner shows up. If they don't show up, it won't be on their agenda to discuss.

*The gentleman speaks from the audience but it is inaudible.*

Michael Polan stated they'll wait for them to show up. If they don't show up tonight, then. . .

*The gentleman stated they should be here on time like everybody else.*

Michael Polan stated agreed.

*The gentleman stated he disagrees with giving them extra time to show up. Thank you.*

Harold Parker stated sometimes with this traffic everywhere and all the roads, they have to travel sometimes. Sometimes they don't get the right time. They can give them until the end of the meeting. If they don't show then they'll do that. Thank you.

Michael Polan stated he has two (2) more comments. Another clarification. The RWE Solar that was mentioned; that is not going to be affected by any amendments that may or may not be passed here this evening or moratorium because they have already petitioned and been through the process. So, tonight's proceedings would affect any new solar development proposals going forward. Just to clarify that for the public. Lastly, as far as the asphalt, he personally would be good with anything that would be considered a proper construction entrance approved by MS4. It doesn't necessarily have to be asphalt or paved. It could be number two (2) stone on top of GeoMat™ fabric as long as it is long enough to have enough revolutions to knock off mud to prevent tracking on the road and also like their president had alluded to about the air quality control for dust. So, they would be good with any approved construction entrance. It doesn't necessarily have to be asphalt. That concludes his comments.

Joe Haney stated they could probably tighten up I on Page 7. At the top of Page 7 under I, Councilman Cunningham had a good suggestion to make that a little bit tougher. It should mean that, but adding the verbiage to I of any materials removed from the site are subject to approval by the Building Commission.

Attorney Biege stated if he may, he agrees that they need to strengthen the language on that, but he would rather put it on Page 3 D. *Environmental Impact* and add a sentence at the end of that paragraph. He thinks that is a better place to put it. Where he is mentioning on I is only referring to around the panels. He'd like to be more general.



Earl Cunningham stated the whole parcel.

Attorney Biege stated yes. The whole thing.

Earl Cunningham stated the don't want somebody coming in and selling off all the topsoil and then putting them in.

Attorney Biege stated yes. He would suggest saying something like no soil material may be removed without the direct permission of the Building Commissioner. That way he has a control on it.

Harold Parker asked why wouldn't the owner be involved in that.

Attorney Biege stated they aren't saying they can't be, but they're trying.

Harold Parker stated then put them in there. The building guy and the owner.

Attorney Biege stated okay. They can do that.

Earl Cunningham stated the owner might want to sell off all the topsoil.

Harold Parker stated he might want to.

Earl Cunningham stated that is a very good suggestion, Harold.

Eric Pointon asked if that would be through any time of the project or would that be at the time of application that would be discussed with the topsoil.

Joe Haney stated that would be at any time.

Attorney Biege stated keep in mind too, all of these are going to go in front of the BZA. So, if they haven't caught anything here, the BZA can add conditions just like they did with the last project. So, no topsoil may be removed without permission from the Building Commissioner and the owner of the property. Is that good?

Joe Haney stated that sounds good. Can they get a motion to make that official change?

Earl Cunningham made a motion to add, "No topsoil may be removed without permission from the Building Commissioner and the owner of the property," to Page 3 D. *Environmental Impacts*.

Deb Vance seconded.

All Approved. Motion carries 9-0.

Harold Parker asked about where they want payment if their property is devalued. What did they ever do on that? Anything?

Attorney Biege stated he spent a lot of time on that. He doesn't know how they're going bond for something that they don't know what the dollar amount is going to be, number one (1). Number two (2), generally, the general law, and he's not diminishing any comments, but take it out of solar context. Say one (1) property owner does something to devalue the other property's owner; there's plenty of law covering that. There's no law covering the County somehow protecting specific property rights and ownership rights of value of owners. He thinks it's a quagmire and he doesn't think the County is the correct entity to take care of that.

Harold Parker asked where he would point them.

Attorney Biege stated to a private action between the two (2) parties. There's a ton of nuisance laws. They don't know what the issue is just from the solar farm, but there is plenty of law on diminution of property values. There's no law on the County enforcing diminution of property values on behalf of a private individual. He's not sure they could do it. It would certainly be challenged if they try to do. He has looked at and frankly, he doesn't know how to draft it. He hasn't seen it anywhere else.

Joe Haney stated they spent a decent amount of time talking about this. One of the biggest issues, like Attorney Biege is saying is, or like he feels like he is about to say is, is far standing: would the County have standing to act as opposed to the property owner who was actually negatively impacted versus the County? That was one (1) of the issues they ran into. There was a long outstanding issue of some sand removal happening from a property they're all familiar with. One (1) of the issues they came up with where the County, prior to my taking office, had lost the first two (2) go-arounds at legal challenges was the County lacked standing for how some of this went through. They were able to ultimately get a solution to that by taking a different path around. But in something like this, if it's one (1) of the most general tenets of law is they have to have standing. He knows they've bounced this a bunch. He talked to some folks from downstate as well. He couldn't find anything that would bring it for them

Harold Parker stated he still thinks they have a valid concern.

Joe Haney stated it's a valid concern, for sure. It is.

Attorney Biege stated it's an absolute valid concern, but it kind of goes, he will try to explain it another way. As a property owner, they have a constitutional bundle of rights, okay? And they have a right to protect their property and they have a right to not have their property harmed. The County doesn't own the property. So, the County's rights are not the same set of rights that an individual property owner has. So, the County can't just come in and enforce. First of all, the County can't do something to directly affect someone's rights because that's unconstitutional. That's a taking, but the County doesn't have the rights to enforce an individual's property rights. It just can't do it. The courts won't let it do it. It's up to the individual to do it. He's looked at it. He spent a lot of time on it. He doesn't see any way they can get anything that's going to be viable on that issue.

Joe Haney asked if there are any other comments or concerns.

Harold Parker stated he wants to bring something up. Why was this in their packet? It's a letter from John Jackson, Chief Operating Officer of some solar system.

Ashley Kazmucha stated that was remonstrance. If they weren't going to be able to make it here in person, they wanted to provide them with that.

Harold Parker asked why is it in their packet?

Ashley Kazmucha stated it went to all of them because it had to deal with the solar.

Harold Parker asked why they didn't get a representative to put it out here if they couldn't make it. It doesn't make sense to him to have this kind of stuff go through their packets.

Ashley Kazmucha stated she was asked if public comment was allowed to be made and sent to them. She was told yes.

Joe Haney stated during a public hearing, the public has a right to file a written notice of remonstrance as opposed to show up and verbally present. That's why it was included in the packet.

Harold Parker stated not everything's email. If they have a problem, get a person here to say something about it.

Joe Haney stated sure. So, as part of the public hearing process. . .

Harold Parker stated it's another email. That's what that is.

Joe Haney stated he understands his concerns on that. As part of the public hearing process, though, the public has a right to remonstrate and have it recorded in the record and as part of the record of tonight's evening will be the minutes of which people who spoke here tonight will have the minutes recorded, and then they'll vote on and accept the minutes. As part of the public hearing process, individuals, everyone has a right to come forward here.

Steve Holifield asked what that guy said.

Joe Haney stated this is public record. He is more than happy to release this to anybody who wants to. And if they want to hang out after the meeting, they can look at it right here now or they can get a copy of it and email it out or whatever. Everybody has a right to come here and speak what they want, either in person or under public hearing, they have a right to submit correspondence and remonstrance in a written format. So, that's why it was in their packets.

Harold Parker stated still nobody is presenting this out in the public.

Attorney Biege stated it is part of the Indiana Code. The law says that they can file a written remonstrance as a result of the hearing. So, they can do that. Yes.

Harold Parker stated then they should have somebody to read them.

Earl Cunningham stated he agrees.

Attorney Biege stated they have always had them on the record. Plan and Zoning have both handled it the same way over the years. Some of the zoning hearings, they have a pile of letters. They don't have time to read them all on the record; they make them available to the public afterwards, but the people making the decisions get to see them.

Earl Cunningham stated but before they make that decision, there may be some rebuttal from the people that are present to the comments made in this letter. Somebody else got up and ready from a document. That's his position; transparency. It doesn't look like they are going to have as many people here to speak as they thought. He would prefer they read this into the record.

Rita Beaty stated somebody volunteer to read it then this evening if that makes the Board happy.

Earl Cunningham stated he would be more than happy to read it as long as there's a motion to do it.

Harold Parker stated he thinks that's the attorney's job.

Joe Haney stated without objection, please.

Attorney Biege stated he can certainly read it, but he wants to make this clear. They want to be consistent with all of their petitions and everything they're doing. They have had instances where they've got twenty-five to fifty (25 – 50) letters. So, they only have one (1) tonight and that's fine, but what happens next time when they get twenty-five to fifty (25 – 50) letter? Are they going to read them all?

Harold Parker stated exactly. What are they going to do? He doesn't like this forum. They can't come and they can't read it themselves.

Attorney Biege stated that part doesn't matter. That's what the law says that they can do it. So, do they want him to read it or not?

Joe Haney stated he has no objection.

Deb Vance stated not if it's going to affect if they have to read all of them in the future. That should factor it.

Rita Beaty stated exactly.

Earl Cunningham made a motion that their attorney read the letter into the record for this instance only.

Eric Pointon seconded.

All Approved. Motion carries 9-0.

Ashley Kazmucha asked if they could take a moment. She is getting comments in the Zoom. If they would like to speak, they need to speak aloud during remonstrance.

Attorney Biege stated is nobody hearing him? The law says that they can do this. The comments don't matter. The law says that they can file this with the office.

Joe Haney stated all right. So, in this one-off situation please go head and read it so that everybody knows.

Attorney Biege stated procedurally, he doesn't think they took a vote.

Joe Haney stated they did.

Attorney Biege stated he missed it. Alright.

*Attorney Biege reads the following correspondence into the record:*

*Dear Members of the Commission,*

*My name is John Jackson, and I am the Chief Operating Officer for Inovateus Solar. Our Corporate office is located the next county over La Porte County, in South Bend, IN Indiana. We are a local EPC and Solar Developer that has been based in the Hoosier state since our founding in 2008. Quite a few of our employees are Hoosiers that live, work and play in the local community.*

*I am writing to support the responsible development and implementation of solar projects within La Porte County that will help create local jobs and diversified revenue streams for the communities where they are sited.*

*We are currently concluding the neighboring Honeysuckle Solar Project in New Carlisle, Indiana which has employed many members of the LaPorte County community. Honeysuckle is a 188.5MW project (approximately 1000 acres) and has been under construction since December of 2022. We are in the process of commissioning the project and releasing the project to our customer within the coming month.*

*We have partnered with local contractors for the entire labor force on this project. Honeysuckle is a union labor project, and our experience with our local labor partners and the union has been excellent. We now have trained and experienced solar installers residing in the area (we had a limit of acquiring labor from within a 75-mile radius), where those workers will be looking to move onto new projects to continue their career growth. Future La Porte County solar projects will provide the opportunity for contractors in the Hoosier state to work close to home and provide further financial*

*benefits to their communities and workforce capabilities.*

*The Honeysuckle Solar Project has (at peak) supported approximately 250 local workers at the site. These jobs included electricians, operators, installers, engineers, construction supervisors, and additional support personnel. Our experience has been positive in North West Indiana, as there is clearly a competent and accessible pool of labor in the area. Overall, the local contractors and the local labor pool have exceeded our expectations, and our team is both optimistic and enthusiastic about future local projects to utilize this workforce. We ask that LaPorte County members take careful consideration in any conditions that would negatively affect the responsible and feasible development of solar projects.*

*While I understand the concerns that communities may have around any kind of large energy development site in their area, I believe a moratorium would not be consistent with the best interests of the community as a whole. Additionally, the proposed 250-foot setback from non-participating property owners in the revised solar ordinance under consideration is beyond the national and state average setback distance. Such an excessive setback rule very much threatens the financial and location viability of projects by removing otherwise suitable land from project premises. More specifically, this setback from adjoining, non-participating farmland significantly hinders reasonable solar development.*

*I would propose that La Porte County consider implementing a minimum standard of 75 - foot setbacks with the ability to determine on a project by project basis any additional setbacks along different parcel boundaries bordering any areas of concern. This is a permit and zoning structure which we, as well as many others in the industry, have worked with local communities across the country to find informed and reasonable compromise for setbacks and county ordinances.*

*I do not believe it is in the best interest of any community to indicate an unwillingness for solar development. These projects take years for developers like us to present to a commission for approval, where any indication from a local community they are unwilling to evaluate a project, will simply drive these potential opportunities elsewhere. We look forward to continued discussions with the commission and are eager to offer third party resources upon request to demonstrate the appropriateness of our suggested setbacks and solar design zoning rules for the county moving forward.*

*In closing, I would like to thank you for your support of bringing renewable energy standards to our home state and express our enthusiasm for future projects in La Porte County.*

*Respectfully,  
John Jackson  
Chief Operating Officer  
Inovateus Solar*

Joe Haney stated thank you.

Harold Parker stated thank you.

Joe Haney asked if they have any other comments or suggestions or anything else from the Board here regarding their updated Solar Ordinance Draft before they move on.

John Watson stated in the name of fairness, they might want to look at these setbacks again. In fairness to the property owners.

Harold Parker stated which property owners?

Eric Pointon stated the ones that are for it or against it.

John Watson stated the ones that are for it. They are restricting what they can do with their land.

Joe Haney stated when they look at the verbiage of it, where it says from non-participating properties, if for example, someone adjacent to it wanted to, if the solar company wanted to go to the neighboring owner and say, hey, can they get them to waive their right to the two hundred and fifty feet (250'), become a participating property owner and give them compensation for it? They could technically do that if they wanted to, but this creates that basis between, at least for him anyway, it creates that basis between the distance is set back between just a house and the actual where the panel's set versus the property line. He thinks it splits that, at least for him anyway, and of course, a lot of the conversations that they had, it splits that intermediate line of protecting the rights of both that way. As he said earlier, if somebody has a residential piece of land and they want to build, let's say they've got their pole barn on it, they're working on saving up money to finish to build their dream home or whatever it is, that property owner would have no protections to that property if it was from a residence, because the residence hasn't yet been built yet. As opposed to having that two hundred and fifty-foot (250') setback from the property line, weighs both the rights of the individuals who want to lease their land, as well as the folks who have no interest in solar. If the neighboring property owner that is residential wants to waive some of that two hundred and fifty feet (250'), they're able to if they want to, but the solar company is going to have to go to them and let them agree to it if they wanted to. If they don't, then the protections are in place for both sides. He thinks it is a good compromise between. They have heard different numbers thrown out: seven hundred and fifty feet (750'), a thousand feet (1,000'). To him, that two hundred and fifty feet (250') is a really good way to respect both sides and strike a good balance. Again, he is just one (1) out of nine (9) here.

Earl Cunningham asked if their language is clear enough that they can negotiate?

Attorney Biege stated if he may, he wants to chime in procedurally. The Board of Zoning Appeals can adjust this; that's what they're for. Hypothetically, a solar company approaches those adjacent landowners and says, hey, let's do fifty feet (50'). Will they agree to that? Because they've got to come in front of the BZA anyway, because it's a Special Exception. They're going to make sure the BZA takes a look at this. Well, they can always throw a request for variance in, all right? Because that's what the BZA does. They make exceptions to the setbacks all the time.

Exceptions can be made at the two hundred and fifty feet (250'). He's not advocating either way, but he wants to make sure everybody understands the procedural part of it. The two hundred and fifty feet (250') is not necessarily in cement. The BZA can adjust that.

Earl Cunningham stated he thinks that's a good point because as they travel around the County, and everybody here has seen where farmers have got soybeans within three feet (3') of the pavement. They're farming part of their easement. And now they're saying, oh, but if they're going to farm the sun, they've got to be two hundred and fifty (250') back. He understands exactly where they're coming from. He thinks that's very important that they point that out. If there are parties that agree, they just come in and ask for the variance.

Joe Haney stated yes and it also kind of encourages the solar companies that are coming in to be good neighbors and reach out to the property owners ahead of time. If the property owners agree to it, fine. If they don't, well, then they don't. That's okay too. It's up to the property owner and it gives at least a little bit more latitude and deference to the property owners and the adjacent property owners and homeowners, as opposed to going the other way.

Attorney Biege stated he wants the Commission to know that when he was drafting this, the Indiana code goes from the building, not from the property line. He thinks that's a terrible, terrible policy just for what Joe and Earl just said. They're inadvertently affecting the adjacent property because of setbacks and they may not be able to build. He thinks that's just terrible. That's why he chose to do property lines rather than follow the Indiana code on the side of the building.

Maurice Gleser asked if the agreement is two hundred and fifty feet (250') from the building or the property line.

Attorney Biege stated from the property line. That is what they have written. That's what they are discussing. That is what they have drafted so far.

Maurice Gleser asked if there could be an agreement made between the property owner and the solar company that could be fair.

Attorney Biege stated they're discussing it, but secondly, public comment is closed now. For the record, he is trying to keep a clean record. They're in their discussion.

Joe Haney stated yes.

Attorney Biege stated if they have questions after, he will stay.

Joe Haney stated yes, absolutely. Procedural question. If they wanted to adopt these new changes tonight, do they need to close the public hearing first.

Attorney Biege stated yes. He suggests they close the public hearing. They've noticed up the public hearing on the moratorium. So procedurally, he would close up this public hearing, open



the public hearing in the moratorium, hear that, and then they could ask for whatever motions the Board's inclined to make.

Joe Haney stated fantastic. Thank you. Do they have anything else before they close this and move on to the next? Very good, then. In that case, he will entertain a motion to close the public hearing.

John Watson made a motion to close the Public Hearing on the Updated Solar Ordinance Draft.

Eric Pointon seconded.

All Approved. Motion carries 9-0.

## **2. Public Hearing of a Large-Scale Solar Ordinance Moratorium Draft**

Joe Haney stated before they open up for public comment, are there any comments from any Board members who would like to open up with anything here tonight? Hearing none from the Board, they will open Public Comment on the Large-Scale Ordinance Moratorium Draft.

### **Public Comment:**

Steve Hollifield stated his address is 6782 E. 100 S., Mill Creek, IN. As he spoke before, many, many, many counties across the State have imposed moratoriums, some up to two (2) years. He doesn't see there's any reason why they can't impose a one (1) year moratorium minimum with the option to renew it in the future. If these things are so great and wonderful, they have no issue waiting a little bit for it. Right now, currently, the County is looking at putting housing development coming in because of all the projects going to St. Joe County. He thinks a moratorium would help those developers know what's going on, whether or not they want to build a home here, and all of a sudden, the homes are useless because they're at the back end of a solar property. One (1) other thing he'd like to say, these are not farms. They plant nothing. They grow nothing. They harvest nothing. They use the word farm to try and get on their good side to make them put a goody-goody-two-shoes. So, a moratorium, he thinks, is the smartest thing to go to slow these projects down, as Mr. Biege said. RWE already slipped under the rug and got in. But if these are so great, these companies will be waiting, because in November this year, they have an election that's going to decide Federal, State, and Local. They may repeal all this green energy garbage, which by the way, if they do the research on them, they're using their tax dollars for subsidies to make themselves profitable. They're not profitable on their own without the tax subsidies. So again, he hopes they will impose a moratorium for a minimum of one (1) year with the option to renew. Thank you.

Eric Pointon stated thank you.

Lisa Dan stated her address is 1359 Short Dr., Know, IN. She is with the Center for Energy Education. She just wants to make one (1) comment regarding farming and solar. There are a whole lot of things, well, it's called agrivoltaics, that they can plant under solar panels. They're doing a lot of that down in Starke County. In fact, they've got one (1) farmer building up his sheep herd to be

able to do the mowing on the solar fields because it costs a lot of money to run gas-powered mowers. If they can do these things organically that's a great option. There are many things right now that can be grown under the panels. So that's her bit. Thank you very much.

Richard Knauss stated his address is 1737 S. 875 E., Mill Creek, IN. He'd just like to say he would like to see a moratorium on any solar development. He has seen pictures of solar farms destroyed by hail and tornadoes. He has personally seen it. There's a lot of hazardous materials in those panels, and they pretty much, all their community has groundwater. He wonders if anybody would look into what would happen if these chemicals seeped into the groundwater. The thing about Mill Creek, their water table is very, very high. It's a very micro area. The water actually percolates to the top. So, that's one (1) of his concerns. Thank you very much.

Joe Haney stated thank you.

Daniel Straka stated his address is 1845 Azalea Dr., Munster, IN. He is here with the Land and Liberty Coalition. A little bit of a hypothetical question here; what is the point of a moratorium? It's to take time to learn more to gather information so they can make a good decision for their solar ordinance, right? They just had a discussion on the Solar Ordinance. They also, a lot of them in the room, know that they have discussed solar for the last eight (8) months here in LaPorte County. There's no reason, in his opinion, for a solar moratorium here in the County. They've heard a lot of information. He's been given a lot of information from different organizations, different people, different companies. What is the point of a solar moratorium here in LaPorte County other than to stop development? For what? So these lights could turn off one day? Or do they want their lights on? Do they want be able to use their technology? They are facing a shortfall of energy here in Indiana. There's very little energy produced in the State of Indiana, and there's going to be less in a few years. So, does LaPorte County want to shy away and close their door to business and stop producing energy here in the County? Or do they want to be a leader here in the State of Indiana and show the rest of the State what good can come from these developments? They said earlier that there's a data center coming in. They said that's going to take a lot of energy, whether they like it or not, those are coming all over the place and electrons are lazy. That electron that's produced here in LaPorte County is going to stay here in LaPorte County. They don't need a solar moratorium. They took the time to hear from a lot of different people over the last few months. They have a good ordinance in hand. Take that ordinance, keep LaPorte County open for business and keep the lights on. Thank you for your time.

Eric Pointon stated a moratorium isn't an end-all as well. It's only a temporary thing. Like Mr. Holifield said, they have an election coming up. They know they're getting at least one (1) new Commissioner in LaPorte County. That's going to have a difference of opinion, possibly. It's a short-term thing to at least get past that, maybe get this project underway to see how this goes, things of that nature. He doesn't think anybody's shutting it out altogether. The Mayor obviously always talks about expansion and they know there's more talk of annexing farther north. They've annexed south for the data center. They can't shut down that as well. So, he thinks it's to keep all options open.

Joe Clemons stated his address is 1785 S. 875 E., Mill Creek, IN. He's not opposed to progress and saving energy, but to him, basically, the solar farms basically just revolve around money and

greed. Indiana has always been a farming state. He's old school and he believes that Indiana should stay with the farm ground and not have to give everything up. He thinks there should be some restrictions because all these farmers and property owners are logging out. There's just less and less farm ground, and that's going to affect their food table. So, he believes that there should be more restrictions. It shouldn't just move in. They're going to move into the next state or the next county. It's not theirs. They don't live there, but it's no different than the wind farms that they have down south and Wisconsin and all that's being piped to California, but yet they don't still don't have enough power. So that tells them there's a problem there. It's just about money and greed. So that's all I have to say. Thank you, sir.

Joe Haney stated thank you. Is there anyone on Zoom who would like to speak for the public comment portion of our public hearing here for a Solar Ordinance Moratorium Draft?

Chris Williamson stated his address is 4102 S. State Road 104, Walkerton, IN. They've been basically doing this for months and months and they can see that all of this is supported by outsiders from the solar companies. He believes there's a need for a moratorium and he needs that. He really thinks that it really all bases on what the County's Land Development Plan is. It needs to be thoroughly updated because they have no idea what they're doing. When it was developed, it estimated approximately five thousand (5,000) acres would be needed for residential property by 2030. Now with the unfortunate loss of over three thousand (3,000) acres to RWE, he thinks there needs to be a cap and a collar on all of it. It needs to start with the Land Development Plan. He doesn't see how anyone can pass a Solar Ordinance without being in accordance with the Land Development Plan. He thinks there needs to also be a maximum size, as well as a hard stop on the total acreage allowed within LaPorte County for Large-Scale Solar and BESS projects. They have a BESS project going in right now, very, very close to where he lives, that they're going have a hundred and forty (140) semi-trailers full of lithium batteries. Okay, now that got through the BZA Special Exception. He wants to congratulate Steve Holifield for his utmost concern for residents because they did present over sixty (60) pages of written proof to the BZA of many, many, many properties that lost value when solar panels came close to them. Actually, within three (3) miles, they lost value. It was documented historical evidence and why that got swept under the rug because of the Special Exceptions Ordinance, it says specifically that no loss of value and that just got swept under the rug. It's not being addressed tonight. It hasn't been addressed in the past. That's his primary concern, okay? He's not a farmer and he knows they need topsoil. He knows they're going to destroy thousands of acres. They're going to destroy LaPorte County, but please help them. That's all he is asking. He has to agree with the guy in the blue shirt on the end (*Eric Pointon*). This isn't the end. Okay. This is what they need to think about is their life and the life of their County and their wellbeing. That's all he has to say. Thank you.

Joe Haney stated thank you. Is there anyone else on Zoom that would like to speak? Is there anyone else here in person that would like to comment? One last call for public comment on this. Seeing none, he will close the public comment portion of this and open up the discussion for the Board.

Michael Polan stated he will jump in on behalf of the Board. He would just like to thank the Committee and the Board for not only the recent months of hard work and public dialogue back and forth with all sides involved, but even a couple of years ago when they started on this, when they noticed that this was going on in other counties, and they got ahead of it by developing an

ordinance ahead of time rather than having nothing and they had something. He thinks a lot of work has been done by the Board, by the Committees, by the public, by special interests on all sides of this. He thinks it's been discussed for quite a long time, and now they've reached a point where if this Board is happy with the discussions that have taken place and they're ready to make a ruling on the Ordinance or amendments that are proposed, then they have that option, or they have the option to go with a moratorium and wait to dissect more information. That's his comment.

Joe Haney stated or both. He thinks they put a lot of work, just personally, he thinks they put a lot of work into this updated draft. And regardless of whether they do or don't move forward tonight with the moratorium, he thinks the new updates they have are solid and he thinks they should be adopted either way. That way they get them on the books and everybody knows what the playing field is here in LaPorte County moving forward. It doesn't mean that they can't come back and update them again in the future. They can update them at any time, but he thinks given the work that they put in, and especially the work that they did when he first got elected and first got put on the Planning Commission here back in '21, getting a Solar Ordinance in place, obviously technology and things have changed in the past couple of years, rapidly developing. They may have to take another look at this Ordinance in another year or two (2) again as things continue to change and develop, but having that in place saved them a whole lot of grief because if they didn't, when RWE came in here or whoever it would have been, that they would have gotten caught with the proverbial pants down versus at least being able to have some restrictions in place to really prevent what could have been a much more egregious situation, if they will. But anyway, do they have any other comments from the Board?

Rita Beaty stated she wants to back up that, President Haney, because of the fact that they've had many ordinances that they've adopted that did prevent things from coming into the County because of our ordinances that they have put into place. It's not the fact that we're restricting anything from coming, it's the fact that we're making them liable for what they've put in place to hold their feet to the fire on that. So, it has protected them quite a bit on a few other ordinances that they've brought in in the past few years.

Joe Haney stated absolutely, absolutely. LaPorte County is opening and welcoming, but at the same time, they have to be respectful and responsible and good neighbors.

Rita Beaty stated absolutely.

Joe Haney asked if there are any other comments in relation to their public hearing here on a possible moratorium draft? All right. If not, then I'd entertain a motion to close the public hearing portion.

John Watson made a motion to close the Public Hearing of a Large-Scale Solar Ordinance Moratorium Draft

Eric Pointon seconded.

All Approved. Motion carries 9-0.

- 1. Petitioners Tommy Marsh & Estate of Carl William Carder** respectfully petition the Plan Commission to rezone from R1B to B3 a property located across from 1965 S. 875 E., Mill Creek, IN. Lincoln Twp. Parcel 46-12-09-453-001.000-055. Exhibits attached hereto.

Joe Haney stated he doesn't believe the Petitioners Tommy Marsh or Carl Carder are there. No, so he would entertain a motion. Is the appropriate motion just to table that?

Attorney Biege stated they could table it or they can dismiss it. They still have a remedy in front of the BZA. He can't comment further than that, but sure. They can request a variance rather than a zone change.

John Watson made a motion to dismiss the Petition for Tommy Marsh & Estate of Carl William Carder respectfully petition the Plan Commission to rezone from R1B to B3 a property located across from 1965 S. 875 E., Mill Creek, IN. Lincoln Twp.

Rita Beaty seconded.

Harold Parker asked what that does? Throw it out? Or do they have to start over?

Attorney Biege stated it takes it out the Plan Commission and they can file for a zoning variance with the Board of Zoning Appeals. The standard there is a little bit lower than it is here. It is a little easier to get there.

*Members of the audience ask if they will be notified if they file for the BZA.*

Attorney Biege stated yes. There will be notice and there will be a hearing where they will be able to talk.

*The gentleman from the audience starts to comment on the Petition.*

Attorney Biege stated there is nothing in front of the Plan Commission. Period. They can't take remonstrance. He can't talk if they can't talk. It's a due process issue.

*The gentlemen from the audience continues to speak.*

All Approved. Motion carries 9-0.

Joe Haney asked if the Board wants to entertain adopting their updated Solar Ordinance Draft.

John Carr made a motion for a favorable recommendation to adopt the Updated Solar Ordinance Draft.

John Watson seconded.

**Updated Solar Ordinance Draft**

Joe Haney stated all right, they have a motion and a second to update their Solar Ordinance Draft with the updated change that they made here this evening regarding removing materials. Are there any questions?

Anthony Hendricks stated that's a motion of favorable recommendation to the commissioners. Correct?

Joe Haney stated yes. Correct.

All Approved. Motion carries 9-0.

### **Large-Scale Solar Ordinance Moratorium**

Joe Haney asked if there is any consideration here this evening for a Large-Scale Solar Ordinance Moratorium.

Eric Pointon made a motion to for a favorable recommendation for a Large-Scale Solar Ordinance Moratorium.

Harold Parker asked for how long.

Eric Pointon stated he was told before that they didn't have to put a date, but now they have to put a date, correct?

Attorney Biege stated he's not sure what they're doing. If they pass the revisions to the Solar Ordinance, how are they going to pass revisions to the Solar Ordinance and impose a moratorium at the same time?

Eric Pointon stated a moratorium also stops new. They talked about it before that they could pass both, correct?

Attorney Biege stated no. He told them he could procedurally advertise for both depending on what the Commission does, but it doesn't make any sense to him to pass provisions of the Solar Ordinance and then impose a moratorium. He doesn't get it.

Eric Pointon stated he withdraws his motion.

Joe Haney stated depending on the pleasure of the Board, it could go either direction. So, he just wanted to open it up to the Board as they're winding down the meeting here, if someone wanted.

Attorney Biege stated well, they have to vote on it now. It goes to the Commissioners for the final decision one way or another.

Joe Haney stated it is fine if Eric wants to make that motion or if he wants to withdraw it either way.

Eric Pointon stated he will withdraw.

Joe Haney stated he just wanted to put it out there to make sure that everybody on the Board had an equal opportunity for anything that they had here motion wise. That's all. He was just trying to dot all his i's and cross all his t's. That's all. Very good. All right, do they have anything else before the Board?

Harold Parker asked is the moratorium off then or is it still on?

John Carr made a motion to deny the moratorium.

Joe Haney asked it was a motion to?

John Carr stated to deny the moratorium.

Earl Cunningham stated lift.

Joe Haney stated the don't have one (1) in place, so do they need a . . .

Attorney Biege stated he thinks the motion would be to reject the proposed moratorium.

John Carr made a motion to reject the proposed Large-Scale Solar Ordinance Moratorium.

John Watson seconded.

Joe Haney asked if they have any comments.

Harold Parker stated he thought they wanted to get past the election is what they wanted to do to see where the funding was so they didn't have a bunch of stuff going and then if the other party gets in and defunds everything, do they want a bunch of stuff on the books?

John Carr stated that's really not how the process works. They've already had an election two (2) years ago and then another one two (2) years before that. He doesn't know if they want to punt it to November or punt it to two (2) years or to whenever their favorite elected official gets in the office, but it's getting kind of ridiculous the amount of time that they're spending on a Solar Ordinance that we passed two (2) years ago.

Harold Parker stated well, they've got an awful lot of money that came in through this last administration, last two (2) or three (3) years. Awful lot. If it dries up too fast, the County won't be ready for it.

John Carr stated they are dealing with a moratorium not the price. . .

Harold Parker stated it happened in the 80s. The same thing happened. It all got going and then all of a sudden, they hit the 80s and hit the brakes. The mill shut down essentially over in Porter County and all that stuff went the other way. He's just saying be careful how fast they bring in that

much money. Every institution out there has been told to get out and buy as much as they can before they lose their credit.

Joe Haney asked if they have any other questions on the motion before them or comments.

Ashley Kazmucha stated she would like to read the roll because it's hard when they all speak at the same time to catch all of them.

Joe Haney stated okay.

Ashley Kazmucha stated say yes to reject and no to not.

Ashley Kazmucha reads the roll.

Joe Haney stated yes.

Harold Parker stated no.

Earl Cunningham stated yes.

Rita Beaty stated yes.

Anthony Hendricks stated yes.

John Carr stated yes.

Deb Vance stated yes.

John Watson stated yes.

Eric Pointon stated no.

Approved. Motion carries 7-2.

Ashley Kazmucha stated the yes's have it to reject.

Joe Haney stated thank you.

### **New Business**

Joe Haney asked if there is anything else before them here this evening.

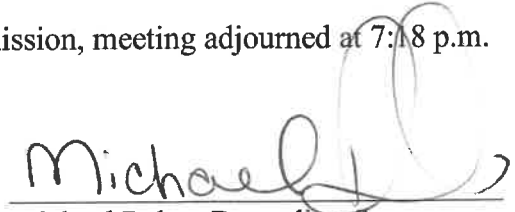
John Carr made a motion to adjourn.

Deb Vance seconded.



There being no further business before the Plan Commission, meeting adjourned at 7:18 p.m.

  
Joe Haney, President

  
Michael Polan, Recording Sec.