



LAPORTE COUNTY PLAN COMMISSION

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Michael Polan
Building Commissioner

LA PORTE COUNTY PLAN COMMISSION MINUTES

May 27th, 2025

MEMBERS PRESENT: Rita Beaty
Joe Tuholski
Harold Parker
Eric Pointon
Andrew Chlupacek
Steve Holifield
James Pressel III
John Matwyshyn
John Carr

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

PLEDGE OF ALLEGIANCE

Rita Beaty asked for approval of the agenda for the May 27th meeting.

Harold Parker made a motion to approve the agenda as presented.

John Carr seconded the approval of the agenda.

All Approved. Motion carries 8-0.

Rita Beaty asked for approval of the April 22nd, 2025 minutes.

Steve Holifield made a motion to approve the minutes as presented.

Joe Tuholski seconded.

All Approved. Motion carries 8-0.

Petitions

Rita Beaty stated they will move on to petitions, which they have none so they will skip on down to Old Business which they are going to have the discussion for changes to the Solar Ordinance Draft that they have in hand. She would like to remind everyone that there will be no public comment for this discussion. This meeting is just for discussion purposes only for the Board for them to entertain hopefully next month's meeting for public comment towards the Solar Ordinance. That is correct, Mr. Attorney.

Attorney Biege stated that is right. Tonight, they are going to agree or disagree on the language that will be presented to the public for next month.

Rita Beaty stated thank you. Ashley, could she go ahead and tell them what the date for the public comments that they are anticipating.

Ashley Kazmucha stated June 24th.

Rita Beaty stated okay. At 6 p.m. in this location here please. They will open up the discussion for the changes to the Board.

Old Business:

1. Discussion for Changes to the Solar Ordinance Draft

Steve Holifield stated just a couple things and it may have just been wording or something. Page 5 under 4. b. it should say no more than two (2) sides. Is that the way Doug looks at it?

Attorney Biege stated yes.

John Carr asked if he can define what that means.

Steve Holifield stated that means if they have four (4) sides to a square piece of property, they can only have solar panels on two (2) sides.

Rita Beaty stated he is saying they left out the word 'no'.

Steve Holifield stated yes, no more. Like he said, the Solar Committee went through this county by county all across the State. There are counties that are far more restrictive than this and some are more lenient than this. This is really what the people reached out and asked about wanting to have. He also talked to several county commissioners across the State. None of them have been sued yet. Porter County went as far as to say no more solar period and they have not been sued or approached in two (2) years.

Jimmy Pressel stated he doesn't know if the stance that they haven't been sued yet is a great way to go he feels. Are they going to go line by line on what has changed? Is that how they do this tonight?

Steve Holifield stated the red is the changed.

Jimmy Pressel stated right, he gets that. He has a question on Page 2 under Solar Energy Systems number 2, A. 2. where it caps at two-thousand-four hundred (2,400) acres.

Steve Holifield stated several counties have maximum percentages of their county. That is about one percent (1%) of the land.

Jimmy Pressel asked how many are they at already.

Steve Holifield stated thirty-five-hundred (3,500) so that means they're done. RWE, there is no guarantee they're going through. He hasn't heard anything out of them for eight-ten (8-10) months. So, if the Senate passes the budget bill as it went to them, there will be no more solar tax credits or wind credits anywhere. He seriously doubts they will go because during the hearing on House Bill 1628, several solar companies were questioned, "Will they do this without the subsidies," and when they gave a hem haw answer, Representative Pressel reworded it to ask them "Can they do this without the subsidies?" and the comment from them was if they raise the rates high enough it will be profitable. So, right off the bat, they know they want to raise their rates.

John Carr asked what that has to do with their Ordinance?

Steve Holifield stated they are changing the Ordinance to make it a little more restrictive so the people in this County can keep living here.

John Carr stated so they are changing it to make it more restrictive.

Steve Holifield stated yes. Some other counties have way more restrictive ordinances than this.

John Carr stated well, he isn't really concerned about the other counties. He is concerned about LaPorte County.

Steve Holifield stated okay.

John Carr stated they have gone through this Solar Ordinance for numerous years and he is at a loss that they are going to put a cap at twenty-four-hundred (2,400) acres. To him, that just doesn't seem set.

Steve Holifield stated that is one percent (1%) of the farmland. Other counties have the same thing.

John Carr asked what percentage of the farm land is that?

Steve Holifield stated one percent (1%).

Jimmy Pressel stated it's one percent (1%), but they already have that, that is already in place.

Rita Beaty stated that is what she was going to ask. So, he said the one percent (1%) is already completely taken. It's already locked up.

Steve Holifield stated yes.

Rita Beaty stated so there would be no more.

Steve Holifield stated if RWE project goes through. He is just going by what. . . people have called, listened, other people have on the Committee, they have been speaking with people and they have heard them over the last year. The people don't want it so they have to listen to the people.

John Carr stated they are saying twenty-four hundred (2,400) acres. What if somebody said no more than twenty-four hundred (2,400) acres of corn or soy beans. Come on.

Steven Holifield stated those are two (2) different things.

John Carr stated they are.

Steve Holifield stated they are an industrial project, not farmland.

John Carr stated but if they start putting restriction on one (1) segment of it, then where is it going to stop.

Steve Holifield asked if he can put one-hundred-thousand (100,000) chicken or pigs next to his property?

John Carr stated what he is saying is if they are going to say they can't have more than twenty-four-hundred (2,400) acres of solar, then where is it going to stop? Are they going to put conditions on corn, soy beans, anything else? Is that what he is looking for?

Steve Holifield stated he doesn't see a need for it. The people haven't said that.

Rita Beaty stated she just wants to pause for a second just because she wants to get this straight. They are talking the twenty-four-hundred (2,400) acres and that would be if the other company puts theirs in, then they would be totally locked up for the ground.

Steve Holifield stated yes.

Rita Beaty stated so right now, what are they utilizing if they do not have this other one (1) that comes in.

Steve Holifield stated about a point-and-a-half percent (1.5%), one and a half percent (1½ %). There are about two-hundred and forty thousand (240,000) acres of farmland in LaPorte County.

John Carr asked what does he want to see as far as, obviously, twenty-four-hundred (2,400) acres is too much for him, right?

Steve Holifield stated and some people, yes.

Rita Beaty stated maybe she wrote that down wrong. So he said that he would like to see the twenty-four-hundred (2,400) which is one percent (1%) of their acreage now, but he said one and a half percent (1½%) of it is being utilized.

Steve Holifield stated at the thirty-five-hundred (3,500). That one (1), if the permit goes through, that was permitted under the old Ordinance, correct.

Rita Beaty stated so that would be thirty-five-hundred (3,500) acres is what he is saying.

Steve Holifield stated yes.

Rita Beaty stated okay, got it. Thank you.

Jimmy Pressel stated but that would take any other solar out of the question.

Steve Holifield stated if they want to do it in an industrial area, he doesn't think here is a problem with that from speaking with the people at KOP out there.

Rita Beaty stated they have also heard from people out there too that are saying they prefer it not to be out there either, but she understands where he is talking about the industrial area. Her question while they are still on Page 2 of 2 here that Jimmy brought up. With this being debatable up here between the Commission, how do they move forward with what they are going to send to. . .

John Carr asked if he can make a motion to strike that language.

Rita Beaty stated that is where she was going with it.

John Carr made a motion to strike the language "However, total land use in LaPorte County may not exceed a total of two thousand, four hundred (2,400) acres of farmland in the County. Farmland shall be defined as determined by the USDA Farm Service Agency."

Steve Holifield stated so no limit, is that what he is saying?

John Carr stated he isn't saying no limit. He is just saying make a motion to strike the twenty-four-hundred (2,400) acres.

Harold Parker asked what he is going to put in there.

John Carr asked if he has an idea.

Rita Beaty stated he is talking about the red. Hang on one (1) second. Do they have a second on the motion.

Jimmy Pressel seconded for discussion.

Rita Beaty stated is there any discussion now? Thank you, Jimmy.

Harold Parker asked what he is going to put in there. They can't just come up here and deny something and not have some kind of answer on the other side.

John Carr stated alright, he will say ten-thousand (10,000) acres.

Harold Parker asked what percent is that of that.

John Carr stated he wants a percentage; he will go ten percent (10%) of LaPorte County farmland.

Steven Holifield stated it would be about four percent (4%). He wants ten percent (10%) of LaPorte County farmland?

John Carr stated yes. He wants a percentage then that's what he will throw.

Steve Holifield stated okay, then they'll look like Pulaski and Starke. It's just an utter mess down there; forty-three-thousand (43,000) acres.

Rita Beaty stated with the discussion the other option is what is in red is something that has been added. Currently, they have Large-scale SES is a Ground-mounted SES that occupied more than forty-five-thousand square feet (45,000'), and will require a Special Exception. It could just be left as written like that, without the red being entertained.

Ashley Kazmucha stated please let the record show that Eric Pointon has joined the meeting.

Rita Beaty stated good evening, Eric. They are having discussion on, she is unsure if he has the Ordinance laying down there.

Eric Pointon stated the new one (1).

Steve Holifield asked if he got the copy of the new one (1) in his packet.

Eric Pointon stated yes, but he didn't bring his packet.

Steve Holifield stated okay.

Joe Tuholski stated he can share with him.

Rita Beaty stated thank you. Can he show Eric where we are at on the Ordinance and what the discussion is about. They are discussing Page 2 Paragraph 2 at the bottom as to whether they would like to have the red stricken from the Ordinance with new language incorporated into it. They are discussing it right now.

Eric Pointon stated so the discussion they want to not include that.

Steve Holifield stated he wants to go to ten percent (10%) instead of one (1%).

Rita Beaty stated the motion is that they would strike it and then to add ten-thousand (10,000) acres instead of the twenty-four-hundred (2,400).

Steve Holifield stated he thought he said ten percent (10%).

Rita Beaty stated she's sorry; ten percent (10%), not ten-thousand (10,000) acres.

Steve Holifield stated that would be twenty-four-thousand (24,000) acres.

Jimmy Pressel asked if the motion would be to remove it first. That's where they are at, right?

John Carr stated yes.

Rita Beaty stated right now they are in discussion of whether to remove it or to adjust.

Eric Pointon asked if there is a motion to remove it.

Rita Beaty stated yes.

Steve Holifield stated yes, there has been. They have been discussing it; does he have anything to discuss to it.

Eric Pointon stated he is not in favor of ten percent (10%). No.

Rita Beaty asked if he has any discussion that he would like to add.

Eric Pointon stated no. They all had this email a month ago. They could have discussed it then.

Steve Holifield stated it has to be discussed in the meeting.

Rita Beaty stated that is why they are here this evening to discuss what they are going to possibly forward.

Eric Pointon stated there could be a happy medium. They had on record of thirty-three-hundred (3,300) acres already so twenty-four (2,400) is under that obviously which would strike any and all future.

Steve Holifield stated he thinks they have to vote to strike it first, correct? Right, so they need to have a vote on that motion.

Rita Beaty stated once they are done with discussion.

Harold Parker stated they can make it into a motion to do it all at once.

Rita Beaty asked to amend the motion.

Steve Holifield asked if that is okay.

John Carr stated yes.

Rita Beaty asked if there is something he would like to amend to the motion.

Jimmy Pressel stated isn't it John's motion though.

Rita Beaty stated yes. They will discuss what he would like to do.

Jimmy Pressel stated they can go off what he wants to do as his motion.

John Carr stated it was a motion and seconded.

Harold Parker stated that's only farm ground so they could put it on industrial zoned ground correctly.

John Carr stated this is just to strike the language.

Harold Parker stated this is just on farm ground.

Steve Holifield stated just to strike the language. So, they have to vote on striking the language.

Rita Beaty asked if Eric had any further discussion.

Eric Pointon stated no.

Rita Beaty stated they will take a motion on striking the red wording from Page 2 Paragraph 2 as the motion is stated to remove that.

Rita Beaty called the vote.

Rita Beaty asked for a roll call vote. Yea to remove. Nay to not remove.

Ashley Kazmucha read the roll.

Rita Beaty stated yea.

Steve Holifield stated nay.

Joe Tuholski stated nay.

Jimmy Pressel stated yea.

John Carr stated yea.

Eric Pointon stated nay.

Andy Chlupacek stated nay.

John Matwysyn stated yea.

Harold Parker stated nay.

Rita Beaty stated the nay's have it so it will remain as indicated on the draft.

Rita Beaty asked if they can still go back and discuss number 2. If somebody would like to amend the percentage on there since they are not removing it? Is that still up for discussion?

Attorney Biege stated yes. Everything is up for discussion.

Rita Beaty stated alright. She just wanted to make sure that was an option.

Steve Holifield stated Page 2 item 2.

Rita Beaty stated if not, they can move forward.

Harold Parker stated it doesn't say anything about percentage.

Rita Beaty stated it has the twenty-four-hundred (2,400) acres of farm ground.

Harold Parker stated that's what is written. Twenty-four-hundred (2,400) is not a percent.

Rita Beaty stated correct.

Harold Parker asked if they are going to restate it as a percent.

Steve Holifield stated it is one percent (1%).

Steve Holifield made a motion to change twenty-four-hundred (2,400) acres to one percent (1%) because that could fluctuate year to year by what the USDA comes up with. They will know a figure in July basically when certification is done.

Rita Beaty stated the have a motion to change the wording to one percent (1%) versus the acreage amount. Is there a second?

Motion dies for lack of a second.

Rita Beaty stated the motion denies then.

Harold Parker stated just leave it like it is.

Rita Beaty stated as it sounds right now, Paragraph 2 Page 2 is going to remain with the changes to move forward with that one (1). Any other discussion on any of the other changes that have been addressed.

Steve Holifield stated just that Page 5, 4. b. will not be more than two sides. They already have one (1) lady that has it on four (4) sides of hers and several have three (3) sides. Other counties have

prohibited it from being more than even one (1) and if it goes to two (2), it is an even bigger restriction for setbacks.

Rita Beaty asked if that is a motion.

Steve Holifield stated yes, to add the word to be “no more than two (2) sides.” It is just a grammatical error.

Rita Beaty asked if they need a motion for that?

Attorney Biege stated it can't hurt. They are changing it so let's make sure everybody agrees.

Rita Beaty asked if there is a second to add the word no.

Joe Tuholski seconded.

All Approved. Motion carries 9-0.

Rita Beaty asked for any other discussion.

Steve Holifield stated the electrical interference on Page 9 under P. for the stray voltage. He has one (1) dairy farmer. Stray voltage is a terrible nuisance for dairy farmers in particular. Farms in Michigan fought it years ago. They had one (1) neighbor and farmer in LaPorte County to fight it about twenty-five (25) years ago. The questions he has is, will that remain a civil thing or will the County help enforce that if stray voltage is found.

Attorney Biege stated he thinks the County can enforce that through the Building Department.

Steve Holifield stated okay. Here is another one (1) that Harold can explain about the mesh he saw on the fencing. It will be under K. on page 8.

Harold Parker stated he was going to the dairy farm on 65 for a wedding and he was going down 10 where there's abundant solar and one (1) side of the road had a mesh put in the security fence, a dark mesh where they couldn't see in there and the other side was open with trees, both of them had trees. The darkening agent seemed to work very well for cosmetic reasons. No other reasons that it had. It just dampened the feel of the view. There wasn't any glare. It was a sunny day and there was a little glare off the panels; they were shiny.

Steve Holifield stated trees take a long time to grow so that would help.

Harold Parker stated if they put a tree too large, they are going to cut it down because that's part of their competition. It has to be a bush, not a tree anyway. He's just saying that he doesn't know how much that would add to it, but his wife mentioned how much better and nicer it looked in comparison. It's not a make or break it thing; it just looked better.

Rita Beaty asked if that is a motion he would like to add to Paragraph K.?

Harold Parker stated he doesn't know what the cost of that fencing is. They can go down and see it and it's plain as day; glare on one (1) side, not on the other. It was the middle of the afternoon about two o'clock (2 p.m.).

Steve Holifield stated he would second to add that.

Eric Pointon stated are they going to say for all projects.

Attorney Biege asked what language are they adding exactly.

Harold Parker stated that'd be his category.

Steve Holifield stated it is a mesh that hangs on the fence. Google it.

Attorney Biege stated he'll Google it. He'll figure something out.

Eric Pointon asked if he wants to say for everything or just highways.

Steve Holifield stated along the roads.

Harold Parker stated the roads.

Rita Beaty stated road frontage.

Steve Holifield stated no glare when traveled.

Eric Pointon stated heavily traveled.

Harold Parker stated what's not heavily traveled? He hasn't found that road yet. If he is on there that means it's heavily traveled.

Eric Pointon stated he doesn't know what that one (1) road is, but it's a dirt road by Ekovich.

Harold Parker stated that won't be long because dust is in the air and it covers the solar so they will find a way to pave it or oil it or something.

Eric Pointon stated that's true.

Rita Beaty stated do they say prime entrance road frontage? She's not sure what they want to call it.

Steve Holifield stated a road.

Rita Beaty stated so on any road.

Steve Holifield stated he was in Bremen the other day and that one (1) on 6 if they are coming, it was in the morning, and coming back westbound, there were glares and glints coming off those there on the north side of 6.

John Carr stated the sun eastbound is pretty treacherous too.

Attorney Biege stated how about visible from a road way.

Steve Holifield stated on a front of the roadway.

Attorney Biege stated visible from a roadway.

Steve Holifield stated okay.

Attorney Biege stated okay.

Rita Beaty asked if someone would like to read back that motion.

Harold Parker stated yes.

Steve Holifield stated a glare reducing mesh hanging on the fence visible from the roadway. That sound about right, Doug?

Attorney Biege stated yes. He's going to try to find a better term for that.

Steve Holifield stated for the meshing.

Attorney Biege stated yes. He will get something a little more fancy.

Harold Parker stated they also have it at the nudist colony.

Eric Pointon stated figures Harold would know that.

Steve Holifield stated he's never been there. Those Farm Bureau trips go everywhere, don't they.

Rita Beaty stated okay, they have a motion and a second.

All Approved. Motion carries 9-0.

Steve Holifield stated then they have the one (1) enforced on P. on Page 9.

Michael Polan stated about that, Madam President, he is going to ask about the enforcement since it will be him that enforces it. If there is a problem, one (1) party will say there is not stray voltage, one (1) party is going to say that it is. Who is going to make that determination before he enforces it? His electrical inspector that may or may not have the equipment to do so?

Steve Holifield stated in the past, what they did in Michigan and even down here, it was up to the dairy farmer to provide the test meters and everything else and they got with, well one (1) was NIPSCO and they had I & M up there in Michigan. They were using actual real electricity up there though.

Michael Polan asked if there was a third party involved in making a determination to report to the Building Department.

Steve Holifield stated he would have to ask.

Michael Polan stated this maybe doesn't have to do with the actual Ordinance, but for a protocol or a SOP for enforcement, he would like some language that tells him the steps that he needs to take so he doesn't get in the middle wearing a referee shirt and a whistle trying to figure it out.

Steve Holifield stated he wants a third party to say, "hey, we found this and it is."

Michael Polan stated what else it is going to do, is eliminate the County out of the mud and out of specific liability. It will make his job easier.

Steve Holifield stated he could see that.

Rita Beaty stated so they need to say something like the complainant needs to provide a third-party verification so it becomes their expense also.

Steve Holifield stated he has no problem with that.

Harold Parker asked what kind of third-party are they looking at. Who would be the third-party?

Steve Holifield stated an electrical inspector he would imagine. He can find out. He can call the guys tomorrow who they used and how they came to that.

Rita Beaty stated a qualified third-party.

Michael Polan stated okay. One (1) other question, not related to paragraph P., but Porter County rescinded their Ordinance. He doesn't know if that outlaws it completely; it just rescinded the Ordinance that was on the books which then triggers an alternate process which is probably a Special Exception or Use Variance. He is curious if that could be clarified by somebody in here.

Steve Holifield stated when Biggs and he talked about it, the Commissioner over there, he just said they took it off the books. That's all he told him so he doesn't know.

Michael Polan stated so he will get back to him on that. Thanks.

Harold Parker stated it's all up to the lawyers then, isn't it.

Rita Beaty asked for any other discussion on any of the others.

Jimmy Pressel stated on Page 1 for Doug, do they need to remove the last whereas because this will pretty much take them out of the SolSmart Gold Status then, right?

Attorney Biege stated that's right.

Steve Holifield stated he thinks they were pretty much out of it already because they weren't following Purdue's recommendations last Ordinance.

Attorney Biege stated they were close. They had three (3) or four (4) tweaks and it would have complied.

Steve Holifield stated the only other question he had then. . .

John Carr asked what is that SolSmart Gold Status just for people that aren't familiar with it.

Steve Holifield stated it's if they allow them to do whatever Purdue says they can, it opens to possibility if an organization is met down there for a dollar per kilowatt. (\$1/kW).

Attorney Biege stated right, but that money goes to LaPorte County.

Steve Holifield stated it goes from the feds to the State, up to here.

Attorney Biege stated yes.

Steve Holifield stated right now, there is no office in the feds or the State to even look at it.

John Carr asked if RWE would qualify under the SolSmart Gold Status?

Attorney Biege stated their Solar Ordinance has to comply with the State statute.

John Carr stated at the time, did it comply with the State statute when that was approved.

Attorney Biege stated it doesn't matter. The Ordinance has to comply, not their project necessarily.

John Carr stated so they don't comply for that project, but if they did, how much would that generate for the County?

Attorney Biege stated they figured about eight-hundred-thousand (\$800,000) a year approximately which Mitch figured out.

Mitch Bishop stated it was a while ago.

John Carr asked for how many years?

Mitch Bishop stated ten (10) years.

John Carr stated ten (10) years.

Mitch Bishop stated eight-hundred-thousand (\$800,000) times ten (10).

John Carr stated that's what, eight million (\$8,000,000) over ten (10) years.

Mitch Bishop stated potentially.

Rita Beaty stated anything else.

Steve Holifield stated yes. Page 11 under E. it says "all costs associated with such removal, including attorney fees and court costs will be assessed to the owner." Owner. What if they don't have enough of a bond to cover the cost of removal of all this product? The taxpayers shouldn't have to front that. He thinks the owner of the land should have to take care of that.

Attorney Biege stated they are going to have a Decommissioning Agreement anyway.

Steve Holifield stated okay. So, they can add that into that?

Attorney Biege stated yes. They set it up to where they have the Decommissioning Agreement and Road Use Agreement. That gives a lot more flexibility because they can't expect all the contingencies just in the Ordinance itself so the County Commissioners have more latitude with that.

Steve Holifield stated on the Decommissioning and Road. They wrote up the Road one (1) already.

Attorney Biege stated yes.

Steve Holifield stated okay.

Rita Beaty stated she had notes written down for the setbacks with question marks. She knows there was a couple questions regarding that which pretty much. . .

Harold Parker asked what page is she looking at.

Rita Beaty stated sorry, Page 5, Paragraph 4. Even when they are talking about industrial and things like that, if they have the one (1) mile from waterways or defined wetlands, how is that going to come into play for the industrial park? There are tons of wetlands out there.

Steve Holifield stated if it is zoned industrial, he thinks that is what changes in the Comp Plan, Mitch? If it's zoned industrial, it would change the requirements on the setbacks.

Michael Polan stated they could do that.

Mitch Bishop stated the Ordinances and Policy plans, regulatory is right here so any changes would have to be reflected in the Zoning Ordinance.

Steve Holifield stated okay.

Mitch Bishop stated in the Zoning Ordinance, by the way, he noticed that it is large-scale that is permitted in Industrial, but then they have the one percent (1%) cap and it's doesn't differentiate between Ag and Industrial.

Steve Holifield stated isn't that where the Special Exception comes in.

Mitch Bishop stated right now on Page 3 it's Special Exception, but Industrial is permitted. It's permitted. So, if they take one percent (1%) and that's over all their land uses, it is permitted in Industrial, but that is over Industrial and Ag how he reads it.

Steve Holifield stated on the permitted under Industrial.

Mitch Bishop stated yes.

Steve Holifield stated Ag land isn't zoned Industrial.

Mitch Bishop stated no, but how it reads, he could be wrong, is that it is one percent (1%) over the entire County.

Ashley Kazmucha stated she agrees with him. It is not specified.

Mitch Bishop stated it's not specified as one percent (1%) just Ag; it specifies one percent (1%) in the whole county.

Michael Polan stated over all land uses.

Steve Holifield asked if they should re-word that to say just agricultural land.

Ashley Kazmucha stated it could be R1B and it could be Ag use.

Michael Polan stated it could be re-worded to zoning other than Industrial.

Ashley Kazmucha stated tack on all zoning except Industrial.

Steve Holifield stated except Industrial. Like he said, that's why they have KOP out there and they are trying to push that.

Mitch Bishop stated it is permitted.

Steven Holifield stated under Industrial.

Attorney Biege stated he doesn't think it's realistically that they're going to go out to KOP. They see what they are selling the acreage for. It doesn't make sense. It is not financially feasible for them to go KIP.

Steve Holifield stated okay.

Rita Beaty stated that was her concern with the wetlands because she knows there is a lot of that out there.

Harold Parker stated you never know.

Attorney Biege stated yes, true.

Harold Parker stated the price of land is always up for negotiation.

Rita Beaty stated okay. Any other discussion? Okay, at this point Doug, they have kind of discussed as much needs to be for this evening to clarify and put everything together for a possible public comment for next month.

Attorney Biege stated yes. He can make the changes. He will get them to Ashley and she will put them on the website.

Steve Holifield asked if they make a motion right now to accept this as amended.

Attorney Biege stated as amended, yes. Well, they make a motion to proceed to the Public Hearing.

Steve Holifield made a motion that they proceed to the Public Hearing.

Eric Pointon seconded.

All Approved. Motion carries 9-0.

Rita Beaty stated they will proceed to the June meeting to have a Public Hearing with the changes as discussed, this evening. Thank you all. June 24th 6 p.m. here.

Steve Holifield asked if they already have the meeting room reserved for that night, correct?

Rita Beaty stated that is their normal Plan Commission meeting evening anyway.

Steve Holifield stated one (1) thing that he would like to add now under Old Business is until the Public Hearing is held, he would like to make a motion that they approve a one (1) year moratorium and re-examine it in six (6) months if seventy-two (72) out of ninety-two (92) counties have put moratoriums in place. It's not stopping any project.

Attorney Biege stated they would need a Public Hearing on that too.

Steve Holifield stated on that one (1) too. Can they do the same meeting, same night?

Attorney Biege stated yes.

Steve Holifield stated then the same night we would add a moratorium to that also.

Rita Beaty asked if they need a motion to add, to discuss a moratorium for their June 24th meeting?

Steve Holifield asked if they have a second for discussion.

Rita Beaty asked if there is a second for anybody that would like to continue with the motion.

Joe Tuholski stated they need a second for?

Steve Holifield stated discussion.

Rita Beaty stated to discuss it.

Steve Holifield stated to discuss it and then they proceed to a vote, but if it doesn't have a second then they can't discuss it and it dies.

Joe Tuholski seconded.

Rita Beaty asked for any discussion to add a moratorium to the agenda for the June 24th meeting.

Steve Holifield stated the last time they talked about a moratorium, everybody thinks it is killing everything, but it's not. It's just getting the chance for the people to hear and be heard and to make sure this Ordinance is in place so that way, tomorrow, they don't slip in like RWE did and have to follow the old Ordinance. Correct Doug?

Attorney Biege stated that's right.

John Carr asked if they voted on a moratorium a couple months ago?

Steve Holifield stated they voted twice so far. First, one (1) was nine – zero (9-0) and the other one (1) was five – four (5-4). Or five – three (5-3). They can bring this up every meeting if they want.

John Carr stated so as long as he changes the Board to how he sees fit then he can bring it up.

Steve Holifield stated he doesn't think they did that.

John Carr stated he thinks that's exactly what he did.

Steve Holifield stated they put one (1) person on.

Rita Beaty stated what they are discussing is to even just add it to the agenda to have it on discussion for the June meeting.

Ashley Kazmucha stated Doug would have to draft it.

John Carr stated solar isn't the boogeyman, Steve.

Steve Holifield stated people's property rights shouldn't be infringed on.

John Carr stated the boogeyman.

Rita Beaty stated hang on, guys. Go ahead again Ashley or Doug. Please inform them of what they need to do.

Attorney Biege stated they have to publish what it is because there are all different formats so they can vote to instruct him to draft it to present it at the next meeting.

Steve Holifield stated for the Public Hearing. Then the public can actually come out and say they don't want it, correct?

Attorney Biege stated right.

Steve Holifield stated just like the Ordinance here.

Attorney Biege stated he thinks it is absolutely redundant. They are going to have a Public Hearing next month.

Steve Holifield stated okay.

Attorney Biege stated if the Plan Commission votes yes on this Ordinance, it is going to the Commissioners the following week.

Steve Holifield stated okay.

Attorney Biege stated if they didn't have an Ordinance at all then yes, he would say they need it. Starting next month, by the time they get the moratorium in place they will probably have this thing passed anyway.

Steve Holifield stated okay.

John Carr stated he has a question. Mitch, has there been anybody with interest in any solar farms recently?

Mitch Bishop stated recently, he hasn't received any. More data centers than anything.

John Carr stated data centers?

Mitch Bishop stated data centers. More interest in those right now. Personally, anything with solar farms, there was Inovateus from South Bend sniffing around, but other than that, no.

John Carr stated solar has kind of died on the vine he thinks.

Mitch Bishop stated yes.

Steve Holifield stated without the subsidies they can't function.

Rita Beaty stated they have a motion and a second to add to the agenda next month, which they have been explaining in more detail, so they need to take a vote on the motion whether to add it to the agenda.

Rita Beaty called for a roll call vote. Nays and yeses to add to the moratorium.

Ashley Kazmucha read the roll.

Rita Beaty stated no.

Steve Holifield stated yes.

Joe Tuholski stated yes.

Jimmy Pressel stated nay.

John Carr stated no.

Eric Pointon stated aye.

Andy Chlupacek stated nay.

John Matwyshyn stated nay.

Harold Parker stated aye.

Ashely Kazmucha stated the nays have it.

Rita Beaty stated alright. They will not add the moratorium discussion to the next month's Plan agenda.

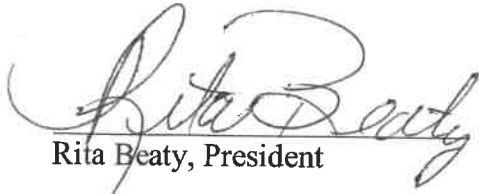
Rita Beaty asked for any other old business?

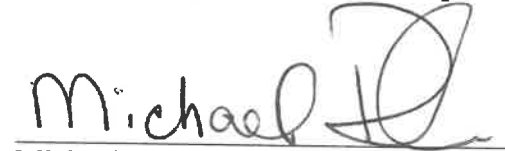
Rita Beaty asked for any new business?

Steve Holifield made a motion to adjourn.

Eric Pointon seconded.

There being no further business before the Plan Commission, meeting adjourned at 6:37 p.m.


Rita Beaty, President


Michael Polan, Recording Sec.