

Pulaski county Area Plan Commission
Pulaski County Highway Garage
Regular meeting minutes
July 24th 2023 7:00 pm

- ❖ **Present**-Breann Wilson, Tyler Gutwein, Ray Franko, Todd Schmicker, Abby Dickey, Megan Korous, Mike Tiede, Karla Redweik & Tina Dunn
- ❖ **Absent**-Mike McClure & Bob Keller
- ❖ **Call to order**- President Wilson called the meeting to order at 7:03
- ❖ **Pledge of allegiance**-led by President Wilson
- ❖ **Approval of agenda**
 - Member Dickey motions to approve agenda, Member Gutwein seconded. Motion passed 7-0
- ❖ **Old Business**
 - **Discussion: language adjustment to solar fee schedules section C.5**
 - Bldg. Insp Redweik went over the fees that neighboring counties get for solar projects compared to Pulaski county
 - Current fee for Pulaski is \$15,000 flat fee
 - Option 1 is application fee \$15,000 then \$15,000 annual until estimated 2-year project to energy projection start and estimated 2 year projected decommissioning plus \$10,000 admin fee.
 - Option 2 \$1,000 per MW
 - Option 3 \$15,000 permit fee & \$500.00 per MW
 - Starke County is flat fee of \$50,000
 - White County is \$750 app fee plus \$1750 Per MW
 - Cass County is \$20,000 flat fee
 - Jasper County \$20,000 app fee plus \$1750 per MW
 - Additional building permit needed for any building built within project area
 - Vice-President Gutwein- Japer and White don't seem to have a issue having the solar companies paying the fees
 - Member Schmicker- So why are we down where we are at?
 - Bldg. Insp Redweik-originally when me and Doug went through the figures. We came up with the original figure of \$1750 per MW. We settled for \$1250 but can't remember why. We told that was crazy and then we were presented with the \$15,000 fee amount that was signed
 - Member Schmicker- What is the magic number that the commissioners are not going to waste everyone's time to bounce this back and forth? Because I feel like they are just going to say no anyway. But if we made it a round number of \$1000 which is lower than proposed, easy, and run that to them. This is what we think is fair. Your butting up to White County at \$1750.
 - Vice-President Gutwein White counties going in a couple miles from my house.
 - President Wilson- If you look at the 4 projects on here and if they would of approved the \$1250 back then we are looking at a 1.9 million dollar loss.
 - Bldg. Insp Redweik- Keep in mind that Mammoth has also been issued a permit, we can't go back on that. I don't want to be unfair on permit prices but I want to be consistent. Being a taxpayer not in this position right now, I think it's smart that these companies are signing up all this land right now. If they think that there is going to be some big boom of something.

They have sucked up all the good ground, but as the property owner that has signed up with a no-named company and they are promising me the world, I didn't study very well. If they are going to give me 2x's what other companies are giving other people, somethings up there. How long is that going to last?

- Member Schmicker-II think we need structure or not where we are at.
- Bldg. Insp Redweik- I feel consistency on projects crossing county lines because they are the same projects using the same line, using ground that is touching one each other, it's the same soil. It's just that our soil cost them nothing.
- Member Schmicker-Exactly
- Vice President Gutwein- Whatever we decide to do, can we make it so the ones that already have permits make any changes, have to go to the new fee schedule.
- Member Korous-Any additions, any changes at all
- Bldg. Insp Redweik-Our ordinance does read that if they want to do any additions they have to reapply. So I have heard, I haven't looked, but I have heard that a couple of the 4 companies have gotten more ground. I don't know if that is because they have plans in the next 4 or 5 years. I saw something from a new company that their process won't start for another 5 years, so maybe somethings changing with the technology of it and they are all going to start a new project, you can consider that also.
- President Wilson- Something is up
- Member Schmicker- I think we make it an even \$1000 a Mw, it is less than we are looking at way more than what we have. If nothing else, it will weed out the lesser companies.
- Member Korous- Plus the application fee?
- President Wilson-I say stick with the \$15,000 application fee, Jasper is getting \$20,000 an application. Them and White county have the same MW fee.
- Member Franko- Correct me if I'm wrong, but didn't Mammoth come in originally and they didn't have a problem with anything we were going to charge. To them it was like a no brainer, they wanted in. They didn't have problem.
- President Wilson-We opened the doors by allowing it to be permitted.
- Member Franko- That's why I was asking earlier, the way they explained it that wire only carries so much juice, so once that wires full, whether it be Jasper, White or Timbuktu, it's done. They wanted in on the ground floor, maybe they wanted the luxury of saying they got in on the ground floor, but they might not utilize it for another 10 years. But at least they got it signed up before anyone else comes around.
- Member Tiede-They might string that other wire up. Those poles only have wires on one side.
- Member Franko- I noticed that too.
- Member Teide-A lot of these substations are being upgraded. They know what's going on. I'm like they pay the fee then they pay the taxes for the life of the project but I'm just one person. I'm kinda losing that thought. I'm losing that thought that if they are paying that fee over there, why aren't they paying it over here? Why aren't we the same? I heard in Starke county that some of the farmers are not getting very much money as far as I'm concerned for their land and then I heard for someone from here, I actually know this person that is getting a good price on his.
- Member Franko-But again, not to knock that down, it's your land, who am I to tell you what you can do with your land and what you should sell it for.
- Member Teide- Right, that's fine. I guess Starke is the low fee. In Ohio they are getting more than us.
- President Wilson- If people are willing to settle for less than that is on them.

- Bldg. Ins. Redweik- like Ray said all these counties are touching, are using the same line, so of course they are going to go to a Pulaski county because look at how little they are spending.
- President Wilson-That and they no longer have to go through the meetings.
- Bldg. Insp Redweik- Which I think only 2 of these counties have special exception meetings now, I think.
Gail, do you know?
- Gail Lambert- I know it is not in Starke, but I don't know about the others.
- President Wilson-I know Jasper does
- Bldg. Insp Redweik-Cass doesn't, Starke doesn't, Jasper does
- Member Schmicker- We need a consensus or something, we are batting it back and forth.
- Member Tiede-We know that one has been shot down, we can try yours and if that doesn't work we can try something else.
- Member Dickey- How long ago was that shot down?
- Bldg. Insp-2020
- President Wilson-But prior to that Jasper and White wasn't taking off.
- Member Dickey- I think if can share this information with them to (commissioners) it would make more sense to see that it is more current than 3 years ago
- President Wilson-Laporte County allows it on a small scale on agriculture but requires a meeting for a large scale. I think we discuss and decide on a fee and send it to the commissioners. Todd threw out a thousand.
- Member Schmicker-I see that it is already option 2, I thought it was \$1250
- President Wilson-\$1250 was the original that was denied
- Member Schmicker- I think it is an easy number seems fair to me, half price of the neighboring counties, at least 1 or 2 of them. I mean if the flood gates slow down it's not going to hurt my feelings.
- President Wilson- I mean at this point what do we have to loose
- Vice President Gutwein-What was the Number?

- Bldg. Insp. Redweik-\$1000
- Member Schmicker-We do a \$1000 Mw plus a \$15000 application fee
- President Wilson-So we are just adding an additional \$1000 per MW
- Member Teide-So we are doing option 2
- Bldg. Insp Redweik- Correct and then since we have the \$15000 application fee, remove the \$10,000 development fee?
- Several Members-No keep it
- President Wilson- White and Japer are getting \$1750 per MW
- Member Schmicker-Leave everything the same. Put that \$1000 per MW and leave everything the same.
- Member Gutwein-Sounds good to me
- President Wilson-I mean when you run the numbers, you could of gotten....., I couldn't imagine it being denied. When all this was done to make money.
- Bldg. Insp. Redweik-So let me shorthand read this to you. Remove all the language to the fourth line. To say \$15,000 application fee plus \$1000 per MW per project, plus cost with monitoring compliance with all applicable building codes and laws during pre permitting. The cost of hiring a consultant plus a 10% surcharge. \$10,000 onetime development fee due 45 days. State release on buildings within project area. Commercial Solar building permit will not expire until all phases are complete per submitted site plan. Do you want to still consider the \$15,000 decommissioning fee?
- President Wilson- Leave it in there

- Bldg. Insp. Redweik-45 days from the first day energy collection has ceased a \$15,000 compliance fee will be paid annually to the Pulaski County Department for the duration of the decommissioning until all materials have been removed from all solar sites.
- Member Gutwein-Sounds fine
- Bldg. Insp Redweik-Do you want to vote at the end for everything or individually?
- President Wilson-Save it for the end
- President Wilson-Are we going to add language or is it already in there that if they modify their plans, like the pick up some acreage that they have to reapply.
- Bldg. Insp-It's already in our ordinance.

➤ **Language/Fee adjustment to Fee Schedule Section A.5.a.i-vi**

- Bldg. Insp Redweik-Its violation fees
- 1st notice was \$25 your recommending \$200
- 2nd notice was \$50 your recommending \$400
- 3rd notice was \$75 your recommending \$600
- 4th notice was \$100 Your recommending \$800
- 5th notice was \$125 your recommending \$1000

➤ **Language adjustments to ordinance No 2006-2 Effective 7-05-06 to add permit expiration language**

- Bldg. Insp Redweik- This section does not exist. No place except on the building permit application does it say that it expires in one year. I feel safer having language in writing. We can extend permits for different circumstances.

➤ **Language adjustment to UDO 7.14.B**

- Bldg. Insp Redweik- Change the current language to include of solar panels and leave "and" in the language. The word and is an important word that shouldn't be removed.

❖ **New Business**

➤ **7.1.C.1 Timeframe for notices to be distributed**

- Bldg. Insp Redweik-We have had Solar Developers put notices in the paper and we don't get applications. This is just to be selfish for Tina and me. We get calls all the time, and we say we don't have an application, there is no language in there for a time window prior to application that they need to send the notice out, BZA people do, Residents have to pay within a time window, they can't do it too soon, they can't so it too late. We are asking you to consider language to put in a date that will say that they have to submit a notice within a certain time frame.
- Bldg. Insp. Redweik- As you can see there is some parts that are struck through, if someone comes in and wants to get a solar panel personal use, this is reading that those people have to send out notices too. It just reads to me that a private citizen has to notify his neighbors that he is getting a solar panel to heat his shed, and honestly I don't think anyone has any residential solar panels to heat their entire home. To use 100% electricity for their home.
- Member Dickey-They could go off the grid though
- Bldg. Insp-If you all feel that that reads the way I thought it did about generating electricity for private use and want to leave it, Fine. It's just a suggestion, but we can go back to that.
- President Wilson-What if we limit the size? Instead of getting rid of private use. Who's to say that someone doesn't want to throw in 20 acres and say its private.

- Bldg. Insp-For 20 acres they are not going to get on the grid. So you ok with adding and/or CSES, taking removing making and add submitting. Remove generate electricity for private use.
- Member Teide-How many days you going to put then? 60 or 45
- Bldg. Insp Redweik-no sooner than 45 no later than 60 and that's what we do for variances and special exceptions and we have a calendar and form we give to people for that.
- Member Teide-I don't really understand that, you are giving 15 days to look at it. Are you going to have enough time to look at it? What if you wanted to take it to a lawyer and he wasn't around?
- Bldg. Insp. Redweik- That brings up a good point, that also gives us time to review in the office because we are not approving it in a day, not approving it in a week or 2 weeks. So the people might not see the permits not being issued for 120 days from the date of publication.
- Member Schmicker- Its working for Bza isn't it? 45-60? Have they had a problem with it?
- Bldg. Insp. Redweik-It was a little extended for some but it gives residences a good notice but I see what Mike is saying but they should have already reviewed things with their lawyers. But now her made me think that I need more time to review and I feel bad turning people away because we still have weeks' worth of review of paperwork.
- Member Gutwein-But that's only when they submit it, not when you look at it.
- Member Schmicker-This is when it is complete
- Bldg. Insp Redweik-It might not be complete, because if they are missing documents I send it back
- Member Schmicker-So Mike what are you proposing?
- Member Teide-up to 60 days
- Member Franko-I'm concerned if you change it people will get confused
- Member Teide-I think we need to give the people around it the most time.
- Bldg. Insp Redweik-I just want to make sure we have enough time in our office to review the documents.
 - So it will read to notify all landowners no sooner 45 days and no later than 60 prior to submitting an application for a WECS and/or CSES
- President Wilson-Where you crossed out for that generate electricity for private use, replace that with commercial usage and then add another sentence adding residential private usage is exempt.
- **2.3.R.2.b Language adjustment to consider required documents for accessory use panels**
 - Bldg.Insp.- Remove property dimensions, brief description of neighboring uses and structures, and map scale
 - Change #2 to legal description, remove 4, #10 remove, #11 remove
 - Member Franko-I make a motion to accept as presented
 - Member Tiede- Seconded
 - President Wilson-You guys want to vote on it?
 - Bldg. Insp-You can't vote on the notices or accessory structures. You need to discuss it one hearing and vote in another.
 - President Wilson- So we have a motion to vote on the old business
 - Board voted 7-0 in favor of changes in old business

❖ **Public Comment**

- Gail Lambert

- Appreciates the changes the board recommended to the commissioners. The county was just giving property away.

- ❖ Next Scheduled Meeting will be September 25th 2023 at 7 pm
- ❖ Adjournment- Mike Teide Motions Megan Korous seconds Motion carried 7-0 @ 8:15

President Breann Wilson

A handwritten signature in black ink, appearing to read "Breann Wilson", written over a horizontal line.

Vice President Tyler Gutwein

A handwritten signature in black ink, appearing to read "Tyler Gutwein", written over a horizontal line.

APC Administration Karla Redweik

A handwritten signature in black ink, appearing to read "Karla Redweik", written over a horizontal line.