

Pulaski County
Board of Zoning
Area Plan Commission
Joint Session Minutes
Pulaski County Highway Garage
Monday February 26th @ 5:00 PM
2024

❖ **Members present**

- Derrick Stalbaum, Matt Kelsey, Bob Keller, Darin Gudeman, Abby Dickey, Tyler Gutwein, Breann Wilson, Megan Korous, Ray Franko, Mike McClure, Mike Teide

❖ **Member Absent**

- Todd Schmicker

❖ **Call to order**

- Karla Redweik calls joint meeting to order at 5:04 pm

❖ **Pledge**

❖ **BZA-approval of agenda**

- Member Gudeman motions to approve, Member Dickey seconds-motion passes 5-0

❖ **APC-approval of agenda**

- Member Tiede motions to alter the agenda in new business to add carbon capture to the agenda to discuss at the next meeting.
 - Member Tiede motions, member Gutwein seconds -motion passes 8-0

❖ **BZA- approval of minutes**

- May 22, 2023 & November 27, 2023
- Member Gudeman motions to approve, Member Keller Seconds-Motion passes 5-0

❖ **APC-approval of minutes**

- May 22, 23, July 24, 23 & November 20, 2023
- Member Teide motions to approve as presented, Member McClure seconds- motion passes 8-0

❖ **New Business**

- **APC-** Member Tyler Gutwein was a commissioner appointed member that the commissioners have reappointed.
- **BZA-** Member Matt Kelsey and Derick Staulbaum for commissioner citizens. Both was reappointed. Council citizen member was Darin Gudeman. Darin was the only one that the council had recommended or had brought to us.

❖ **BZA President**

- Member Keller nominates member Derick Staulbaum for president, Member Gudeman seconds

❖ **BZA Vice President**

- Member Gudeman nominates member Abby Dickey, member Keller Seconds

❖ **BZA Secretary**

- Member Gudeman nominates member Matt Kelsey, member Dickey seconds

- ❖ **Member Stalbaum –President**
- ❖ **Member Dickey- Vice President**
- ❖ **Member Kelsey- Secretary**

- Member Gudeman motions to approve all nominates for appointment, Member Keller seconds nomination motion passes 5-0

- ❖ **APC President**-Member McClure nominates member Teide for president, member Korous nominates member Breann Wilson

- Members Franko, Dickey, Keller, Mike McClure & Mike Teide for member Teide
- Members Gutwein, Korous & Wilson for member Wilson
- Motion passes 5-3

- ❖ **APC Vice President**

- Member McClure nominates member Ray Franko -no other nominations

- ❖ **APC Secretary**

- Member McClure nominates member Abby Dickey- no other nominations

- ❖ **Member Tiede-President**

- ❖ **Member Franko-Vice President**

- ❖ **Member Dickey-Secretary**

- All in favor 8-0

- ❖ **BZA alternates needed**

- Inspector Redweik-Two people have expressed interest in being alternates. One person has litigation against the board and I have talked to him and he understands. The second person is Jamie Murray. She has lived in Pulaski county all her life; Purdue Grad works for the state.
- Member Gudeman-Motion to approve Jamie Murray for alternate- member Keller seconds motion passed.

President Stalbaum-I just want to clean up our election process. Can I get a motion to approve myself for president, Abby for Vice President and Matt for secretary? Darin motions Bob Seconds motion passed

- ❖ Extension office reappointed Todd Schmicker at their December 4th meeting for the Ag APC appointed member.

- ❖ **Old Business**

- Admin Redweik goes over the \$15,000 application fee, \$1,000 per megawatt and 10% surcharge and additional language. I wanted to see if there was anything you wanted to alter. Not specking for the commissioners, but I feel their concern was a onetime \$10,000 development fee and then the \$15,000 application fee and then on top of it a \$1,000 megawatt fee. I have no other information on it from them or their attorney on why they kicked it back to you.
- Member Gutwein-Did this get sent back the last time?
- Admin Redweik- Yes that is why you have it again
- Member Gutwein-And they had no input, they just sent it back?

- Admin Redweik-Not speaking for them but I think it's the \$10,000 fee and the \$15,000 application fee and then charging \$15,000 per megawatt. I don't feel decommissioning was a problem or concern for the fees
- Member Gutwein-The 10,000 and 15,000 is peanuts for this
- Member Keller- For a multi-billion-dollar industry
- Admin Redweik-And I don't feel altering the surcharge to 10% was a problem when it was brought up
- Member Wilson- Mike(McClure) Do you remember?
- Member McClure- We wanted the boards attorney to go through it and make sure we were getting all we can without taking advantage of anyone. I think we need to find an attorney for the board before we decide on anything
- Admin Redweik- I reached out to 8 attorneys, 1 was recommended to me. One was semi local-they weren't familiar enough in zoning, another one wasn't taking any more government business, and the other one's fees were beyond our budget-\$1800 retainer per month and if they came to a meeting it would be \$1800 plus hourly fees. I can't remember the exact amount but I knew we couldn't afford that. The others said it was too far to drive, they were too busy or just not interested.
- Member McClure- What about White County's attorney
- Admin Redweik-No I did call him also. So that is where I am with an attorney, but Justin schramm has helped on some papers and said he would be willing to help if something comes up but didn't want the job.
- President Teide-Can't we use Tankersly?
- Member McClure-No, He is the Commissioners attorney. He can't do both
- Admin Redweik- He is also BZA's attorney
- Member Gutwein-If we don't have an attorney what is the point of this? I say just send it back.
- Member McClure- I second that
- BZA president Stalbaum-if you don't mind, what is the rule with that/ I know from past experience you can send stuff back so many times, 3, I think.
- Admin Redweik- So that would be your second
- Member Gutwein-No our third
- Admin Redweik- So that would be it
- Member Gutwein-So then we just change the language to \$9,999 fee
- Admin Redweik-Or you just table it
- BZA President Stalbaum-Tabling it until you have a lawyer prolongs it, but if you send it, it won't come back to you.
- Admin Redweik-My opinion, I would rather you not do that, I'd rather if you table it
- President Teide-So you(McClure) and Karla can get ahold of that attorney from White County?
- Member Gutwein-How often do we use an attorney? I can remember maybe one time in two years that one has been at a meeting.
- Admin Redweik-For random documentation.
- Admin Redweik-If you want to hear what goes on in our office, the 15,000 application fee, when you think of everyday that our office has dealt with solar, you can't go anywhere without anyone talking to you about solar. The funded hourly time that our office, the surveyor's office, the highway department alone spend on solar, is spent on the application fee. The developers I have talked to has not had any concerns about the

decommissioning fee. The surcharge being changed to 10%, they see no problem. The megawatt charge, the smaller projects won't recoup the same amount as the larger projects.

- Member McClure- I want a megawatt charge. Why should a small developer pay as much as a large one.
- Vice President Franco-So what are we waiting on? An attorney to say this is good?
- Member Gutwein-Can we get Justin to come to one meeting?
- Vice President Franco-Does he have to come? Can't he review it and say yay or nay?
- Member Gutwein-The commissioners concerns, it is still less than Jasper and Whites Fees.
- Admin Redweik-I'll ask Justin to look this over and offer something
- Member McClure- I'll talk to the White County attorney. I would like to get the same as White County, but I don't think we will.
- Member Wilson- So you think they would go to White County and pay the higher fees than here?
- Member McClure-White County has more money. They can tell them to go to heck. We are poor, we can't tell them that, White County has millions, we can barely pay wages.
- Member Wilson- Jasper County's fee is \$1750 a megawatt
- Member Korous-I think we should table it
- President Teide- Is that a motion?
- Member Korous- I motion to table
- Member McClure-Second
- Motion Carries

❖ **Violation fee schedule**

- All fees approved

❖ **UDO Changes**

(see attached Documents)

- Member Wilson-Property dimensions needs to stay
- Keep #11
- Repeal #10
- President Teide-Carbon Capture-Pipeline is an old law
- Member McClure-The DOT controls the pipeline, I think we can control what get deposited into the ground but not running a pipeline.
- Member Gutwein- I would like to see a moratorium on it.
- President Teide-Battery storage
- Member Gutwein-I want a moratorium on that as well

❖ **Floodplain**

- Admin Redweik-DNR wanted you to be aware of changes. We deal with DNR properties about once a month.

❖ **Bza president Staulbaum-Any public comment**

- No public comment

❖ **APC president Tiede-Public Comment?**

- No public comment

❖ **Adjournment**

- **BZA**

- Member Gudeman motions, Member Dickey seconds-motion passed

- **APC**

- Member McClure motions, Member Keller seconds- motion passed

Next meeting for the **BZA** will be held on Monday, March 18, 2024 at Pulaski County Highway Garage at **6pm**

Next meeting for the **APC** will be held on Monday, March 18, 2024 at Pulaski County Highway Garage at **7pm**



BZA President Derrick Stalbaum



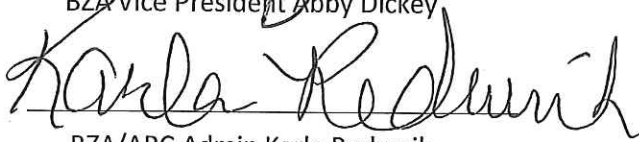
APC President Mike Tiede



BZA Vice President Abby Dickey



APC Vice President Ray Franko



BZA/APC Admin Karla Redweik

