

PULASKI COUNTY ADVISORY PLAN COMMISSION MEETING:

APRIL 28, 2014:

COMMISSIONERS' MEETING ROOM:

Present: David Bennett, Darin Wagner, Terry Young, Matt Rausch, Larry Loehmer, Jim Thompson, Jerry Sullivan, Rick Stone: (voting members):

David Dare, Building Commissioner, Nate Origer, Director, Community Development Commission, Kevin Tankersley, County Attorney, David Weber, Assistant, Building Department (Non-voting members):

Absent: Chad Rushing:

- **Call To Order:** President Bennett called the meeting to order at 7:00 PM.
- **Approval of Agenda:** Upon a motion by Mr. Sullivan with a second from Mr. Young, Commission members voted 8 – 0 to approve the agenda.
- **Approval of Minutes:** Upon a motion by Mr. Loehmer with a second from Mr. Thompson, Commission members voted 8 – 0 to approve the March 2014 minutes.
- **Old Business:** President Bennett asked if Mr. Rushing has forwarded to the Building & Zoning Department a copy of the complaint form used in Starke Co. Mr. Weber responded that we have, but that it is very similar to the one currently in use. Mr. Bennett requested a copy of this form and Mr. Weber agreed to forward him one.
- **New Business:** Petitioner Doug McKinley, representing his wife and himself in addition to property co-owners Melvin & Karen Button, Rock Roudebush and Brent Greunig requested the Commission vacate the five plats known as the Moss Creek Acres Subdivision, lots A, B, C, D, E, F and G in addition to Moss Creek Drive. Further, he requested the Commission approve the joining of lots C, D, E, F and G in the plat to property owned by the petitioners. Discussion ensued about the granting of an easement for Moss Creek Drive for the owners of Lot B. Mr. Tankersley suggested to Petitioner McKinley that he arrange for a new survey and to have this new survey placed on the warranty deed.

Upon a motion then by Mr. Wagner with a second from Mr. Rausch, Commission members voted 8 – 0 to approve the request to vacate this plat and grant an easement to ensure access to the property formerly known and described as Lot B. Discussion ensued about whether or not the Commission is the final hearing authority on such requests. Mr. Dare stated that after researching the Indiana Code, he

believes that yes, the Commission is the final hearing authority on such matters and that this particular request need not have County Commissioner approval.

- **Public Hearing: Docket # 042814 - 01:** Petition for Re-Zoning: Petitioner McKinley representing the above referenced individuals requests that lots A, B, C, D, E, F and G located in the Moss Creek Acres Subdivision and presently zoned RR1 (Recreational) be re-zoned to A – 1 (Agricultural). Brief discussion ensued and upon a motion by Mr. Young with a second from Mr. Thompson, Plan Commission members voted 8 – 0 to recommend approval of this request to the County Commissioners.

- **Public Hearing: Docket # 042814-02:** Request to amend text of the Wind Energy Ordinance effective September 2011. Copies of the ordinance and amendments were distributed to Plan Commission members prior to deliberation. Mr. Wagner asked if transmission towers are subject to regulation under this ordinance. Mr. Origer responded that they are considered public utilities and therefore not subject to this regulation. Lengthy discussion then ensued about operator liability, our de-commissioning plan and the operators' bond. Commission members expressed concern about damage to local roads and who would be responsible to pay for any damage(s) to local infrastructure as the result of de-commissioning a turbine or wind farm. A consensus was that the operator's bond should address all such concerns.

The text amendments included the following: the addition of sections 1.5 Definitions and 1.6 Fee Schedule. Definitions addressed the following: Meteorological Tower, Wind Energy Convergence System (WECS), WECS Commercial, Micro-WECS, WECS Non-Commercial and Wind Farm. After some discussion and upon a motion by Mr. Wagner with a second from Mr. Sullivan, Plan Commission members voted 8 – 0 to recommend approval of these amendments to the County Commissioners.

- **Other Business:** None

- **Public Comment:** Doug McKinley thanked Commission members for their approvals regarding his petition.

- **Adjournment:** Upon a motion by Mr. Loehmer with a second from Mr. Wagner, Commission members voted 8 – 0 to adjourn. The meeting was adjourned at 7:40 PM.

- **Next Meeting:** Tuesday May 27, 2014 @ 7:00 PM. in the Commissioners' Meeting Room:

Minutes respectfully submitted by David Weber, Secretary for the Advisory Plan Commission: