

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
FEBRUARY - 2022 SPECIAL MEETING
AGENDA**

DATE: February 17, 2022

PLACE: The Delaware County Justice
& Rehab Center Auditorium
3100 S. Tillotson Ave.

TIME: 6:00 P.M.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Jerry Dishman
J. P. Hall
Shannon Henry

Allen Wiseley
Teresa Hensley
Rheaunna Jones
Jesse Landess

Jud Motsenbocker
Rickie Sipe

Advisory Members

Tom Borchers

Adam Leach

Laurynn Thieme

OTHER BUSINESS:

MPC 02-22A Jurisdiction: County Commissioners

Being a consideration of a Resolution of Approval to Amend the text of the Delaware County Comprehensive Zoning Ordinance regarding large solar installations and to recommend a moratorium until said text amendments are finalized.

ADJOURNMENT:

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
FEBRUARY - 2022 SPECIAL MEETING
MINUTES**

The Delaware-Muncie Metropolitan Plan Commission held a special meeting on Thursday, February 17, 2022 at 6:00 P.M., in the Auditorium of The Delaware County Justice & Rehabilitation Center, 3100 S. Tillotson Ave., Muncie, Indiana. President Allen Wiseley called the meeting to order.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Ms. Moody called roll and the following members were present: Mr. Borchers, Mr. Dishman, Mr. Henry, Ms. Hensley, Ms. Jones, Mr. Landess, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Absent: Mr. Hall, Mr. Leach, and Ms. Thieme. Also present: Mr. Rhettts, attorney for the Board.

OTHER BUSINESS:

MPC 02-22A Jurisdiction: County Commissioners

Being a consideration of a Resolution of Approval to Amend the text of the Delaware County Comprehensive Zoning Ordinance regarding large solar installations and to recommend a moratorium until said text amendments are finalized.

Ms. Moody explained that the special meeting would be to discuss the current proposed text amendments that had been requested by the County Commissioners along with several additional suggestions for amendments. Ms. Moody explained that the resolution includes four different proposed amendments requested by the County Commissioners at their January meeting: 1) increase the setback from a property line from 50' to 100'; 2 & 3) insert provisions dealing with damage to panels and any resultant release of hazardous materials under the Maintenance of Panels and in the Emergency/Fire Safety Plan; and 4) add a provision that fencing would not prevent access to large wooded areas by large animals. Ms. Moody stated that there are four additional suggested amendments (referred to as suggested amendments 5-8) including: 5) that the setback would be 200' from the property line when the adjoining property has a dwelling and to follow the existing F Farming Zone setbacks when the adjoining property is without a dwelling; 6) keep existing setbacks from property lines as is but increase the setback from a dwelling to 350'; 7) add notification of surrounding property owners to the application requirements; and 8) add a sentence to the general provision clarifying that drainage issues must be resolved by the project owner.

Ms. Moody stated that Plan Commission member Mr. Hall could not be present but that he had submitted a letter which she read as part of the record, including his recommendation of changing the use of solar farms to a special use. (For the full letter please see file MPC 02-22A.)

Ms. Moody stated that around 50 people signed up to speak. Ms. Moody stated that comments need to be about the amendments not about a project. Mr. Wiseley stated that in order to ensure that everyone that signed up has a chance to speak, each person would be limited to 2 minutes and that they could yield their time to someone else. He stated that the amendments would be the only topic of discussion and that the tax abatement concerns were not part of Plan Commission business but rather County Council.

Jason Kuchmay, attorney with Snyder Morgan Federoff & Kuchmay, 4211 Clubview Dr., Ft. Wayne, Indiana, appeared to represent some of the property owners in opposition that yielded their time to him. Mr. Kuchmay stated that he had provided a binder of information for each member, and for the record, that he

would be referencing (see MPC 02-22A file for full binder). He stated that changes to the solar ordinance were necessary to protect property owners and Delaware County, and he thanked the Board for their consideration on the matter by working to get the ordinance right before a development is in place. He stated that this was a collaborative effort between the County Commissioners and the Plan Commission and that the residents were asking for some additional amendments to protect the residents and the county. He stated that his clients had given the ordinance a lot of thought and that at the beginning of the information binder there were 15 concepts that his clients would like to see in a revised solar ordinance. He stated that parts of ordinances from other Indiana counties were included and that any solar company should be eager to include those items to be a good neighbor. He stated that the proposed setback increase was not sufficient because it only concerned properties with a dwelling and referenced a traffic accident study that suggested at least 250' from a road is needed. He stated that the binder included information concerning decreased property values for properties near industrial solar projects. He stated that the binder included information on other concerns including water runoff and fire hazards that can be lessened with a greater setback. He stated that his clients are asking for larger setbacks for the protection of the existing homes in the area where solar is proposing its development. He stated that a property value guarantee is important since realtors have confirmed that values will decrease and that potential buyers do not even want to look at properties close to a solar farm. He stated that his clients would also like to see provisions for water and soil testing for surrounding properties and that he included studies where broken panels had caused contamination. He discussed the need to provide perimeter drains to drainage outlets. He stated that fire protection and control is an important issue and a detailed plan should be part of any solar development and that ongoing training should be included in order to keep up with current technology and changes in fire rescue staff. He stated that accountability for drainage problems and damage and maintenance of fencing and buffering should be included. He stated that another concern was the decommissioning process by having a proper plan to remove all of the panels and materials and restore the site to the original state. He stated that the existing ordinance touches on this topic but more needs to be added and that he provided details in the binder. He stated that the solar company should also be held responsible for maintaining the roads that may be damaged during the construction of the solar farm. He stated that his clients had a unique request for the creation of a green task force to act as an oversight committee to provide open lines of communication between citizens and elected officials to allow for community involvement in the process.

Additional individuals yielded their time to Mr. Kuchmay. He stated that his clients would like to see a requirement in the ordinance that all materials be American manufactured components to provide assurance that they meet all safety guidelines. He stated that another concern is to make sure that a sufficient amount of insurance be maintained with Delaware County and be reviewed and updated as needed. He stated that his clients would like to see solar farms listed as a special use and not a permitted use, as Mr. Hall recommended in his letter, since being a permitted use does not provide any notice to the surrounding property owners and no opportunity for public input. He stated that they were proposing either having a separate and specific zone for solar development or changing the use to be a special use since both of these options would require public notice, a public hearing, and the opportunity to place conditions on approval to address concerns. He stated that objective standards should be imposed for impacts on the environment and neighboring properties such as glares, hums, gases and other noises with the developer understanding that they are responsible for any violations that would occur. He stated that they want the County to allow residents to enforce an ordinance violation. He stated that he hopes that once the Board has heard comments that they broaden the language in the ordinance and extend the moratorium to allow for a better ordinance.

Tom Schoder, with Invenergy Solar, 1 S. Wacker Dr., Chicago, Illinois, appeared. He stated that he had provided his suggestions and support of the recommended revisions to the ordinance. He stated that they are in favor of the recommended amendments and suggested focusing on the increases to setbacks on residences instead of property lines. He thanked the commission for their time and stated that he would be happy to answer any questions that anyone might have.

Stephanie Wells, with Hoosiers for Renewables, 6110 Graham Rd., Indianapolis, Indiana, appeared. She stated that they were a statewide organization that educates, advocates, and celebrates renewable energy projects in Indiana. She stated that she acknowledged that a zoning ordinance was about land use and not economics but that how an ordinance was drafted could affect the economics of the county beyond any one specific project. She stated that Hoosiers for Renewables rely upon the IU Model Solar Ordinance and the Purdue Ordinance Repository Project. She stated that they support the proposed amendments. She stated that a blanket increase of the setbacks could create dead zones that would not be used for either solar or farming and that was not an ideal solution for anyone and it is better to concentrate greater setbacks around neighboring dwellings. She stated that the IU Model Solar Ordinance suggests a 150' setback from neighboring dwellings beginning from the panels edge and not the fence edge. She stated that she would be happy to answer any question that anyone might have.

Johnathon Kopp, 6341 Romeo Dr., Avon, Indiana, appeared. He stated that he was the Director of the Indiana Land and Liberty Coalition which was focused on protecting private property rights, increasing economic development, and lower local taxes. He stated that technology has advanced in a way that has dropped the cost of solar by 90% and made it more efficient. He stated that Delaware County has a solid solar ordinance and that the setback is on average with other counties and it has the strongest screening requirement in the state. He stated that larger setback requirements would not necessarily be a negative for solar companies but would require more land to be included in a project and create larger dead zones of land that would not be used for anything. He stated that Blackford County had a solar ordinance that was comparable to Delaware County and that they had settled on 50' setbacks from property lines and 30' setbacks from residences and that Vermillion County had amended its setbacks to be 100' from property lines and 300' from residences. He thanked the commission and stated he was willing to be a resource.

Kyle Resetarits, attorney with Dentons Bingham and Greenbaum, 10 W. Market St., Indianapolis, Indiana, appeared representing Invenergy Solar. He stated that he encouraged the board to note that a property value guarantee would invite litigation, could be legally unenforceable, and would be difficult and costly to the county. He asked that they not consider adopting that recommendation. He stated that he and Mr. Schoder both appreciate the time and work that the commission has put into the ordinance and were happy to be a resource as they consider the amendments.

Rich Kirkland, 9408 Northfield Ct., Raleigh, North Carolina, appeared. He stated that he was a certified general appraiser in the state of North Carolina and Indiana and that he had been researching solar farms for about 13 years over 20 states including Indiana. He stated that they had done many peer-reviewed analyses and had found no impact to property values when sufficient setbacks and landscape buffers were in place. He stated that the Rhode Island report that Mr. Kuchmay referenced showed an impact to property values only in high density population areas and not in rural areas which they defined as having 2000 people or less per square mile. He stated that similar studies by the University of Texas at Austin and by the Georgia Technical Institute had similar findings. He stated that in his studies they compare home sales and have found no impact on property value from solar installations. He stated that when they measure distances they measure from the closest edge of the home to the closest panel and that they had seen new home construction setback as little as 100' from the closest panel.

Jason Donati, 228 N. Vine St., Muncie, Indiana, appeared. He stated that he supported the ordinance along with the proposed amendments and that as a member of the community he was grateful that the board had passed a solar ordinance. He stated that renewable energy was an important solution to the growing issue of climate change and that we need to look at ways to encourage renewable energy use. He stated that solar farms do not emit air or water pollution while providing clean energy. He read from a 2020 report by BSU economics professor Dr. Michael Hicks that stated solar was the lowest form of energy by cost. Mr. Donati stated that according to the U.S. Energy Information Administration Office, in 2019 Indiana consumed 31 million tons of coal for generating electricity, more than any other state except Texas, and that renewable

resources only accounted for 9% of Indiana's total electricity net generation in 2020, solar energy from all sources contributed less than 1% of the State's total electricity generated. He stated that he supported the ordinance and the amendments and he appreciated the opportunity to speak on this.

Chris Bilbry, provided an obviously fake address and stated that he did not have to give his address, appeared. He stated that he was confused as to why the information given by Mr. Kuchmay were not already a part of the standards for the ordinance since in most surrounding counties they were. He stated that he wanted to acknowledge Mr. Hall and his comments that were read earlier. He stated that he had been very outspoken that there needed to be a yearlong moratorium and that the board should vote for a non-favorable recommendation to allow enough time for the public and elected officials to come together without any project in mind to construct a proper ordinance. He stated that this should not be a permitted use and that it should be a variance or special use so that each project can be considered on a case by case basis. He stated that he was not opposed to solar energy and that he did not disagree with Mr. Donati's statements. He stated that he was supportive of the project at the old GM plant in Muncie that the public has been aware of unlike the projects in the County. He stated that he supported everything that Mr. Kuchmay had presented and asked the board to send the ordinance back to be looked at more closely.

Sue Errington, State Representative District 34, 3200 W. Brook Dr., Muncie, Indiana, appeared. She applauded the Plan Commission and the County Commissioners for having a solar ordinance in place as this is something the State is encouraging. She stated that for a long time we had depended on coal and that over the past few years Indiana's electrical rates had been on the rise and that renewable energy was being looked at as a way to help lower those rates. She stated that a bill had failed last year that would have mandated that counties have a solar ordinance and this year there was a new bill (SB 411) that would offer incentives to counties that provide a solar ordinance. She stated that solar farms were not new in Indiana and that the most recognizable one was at the Indianapolis Airport which had been constructed in 2011 and added to in 2014. She stated that she had 28 personal panels on her home and that she understood safety was a concern.

Audience member stated that it was his understanding that the energy provided by the solar project would be going to Chicago and asked how local electrical rates would be lowered.

Ms. Errington stated that she had not heard it would be going to Chicago. She stated that her electricity bill was only \$16 most months with her solar panels and that the more solar there is in Indiana, the more the energy will stay in Indiana. She stated that she supports the ordinance that was in place as well as the amendments that were recommended.

Jill Carter, 12000 N. Black Cemetery Rd., Albany, Indiana, appeared. She stated that she agreed with Mr. Kuchmay and his recommendations and that she was disappointed that she had not been notified sooner about the solar farm that will be almost in her back yard. She stated that she had done a lot of remodeling to her home and is upset to find out that she could lose a lot of the value to her home through no fault of her own. She stated that she supported greater setbacks even though people had talked about having some dead zones on these parcels but that she looked at that as protection for her children in the unlikely but possible event that something went wrong.

Mr. Wiseley wanted to clarify that no application had been received by the Plan Commission at this time and that the proposed surrounding property owner notice discussed by Mr. Kuchmay would not have been triggered at this point.

Cody Light, no address given, appeared. He stated that he was a beginning farmer in the process of buying his second farm and becoming a Delaware County resident. He stated that the dead zones could be used for crops. He stated that the solar companies are coming here to build and that the residents did not ask

them to. He stated that while most people on the commission would not even be alive by the time the projects were completed, it is the board's job to protect the current and future farmers and residents who would have to deal with this the rest of their lives.

Mr. Wisely stated that everyone that signed up to speak about the ordinance and the amendments had spoken and that the remaining individuals signed up to make general comments.

Cody Marsh, 10901 S. CR 50W., Muncie, Indiana, appeared. He stated that he was a proud Wes-Del and Ball State University graduate and that he had left Delaware County to pursue a career opportunity in Indianapolis. He stated that he had moved back and now commutes 2 hours to work because he wanted to move back to this community to raise his family and contribute to the local economy and that he refers to Washington Township as "God's Country". He stated that if he had known that solar farms would be allowed to completely surround homes and farms that he and his wife would not have moved back to the area. He stated that by allowing the Meadow Forge project in the Gaston area that they were opening the flood gates of industrial farms to be in all communities around Muncie and asked if that was really what they wanted the landscape of Delaware County to become. He stated that as soon as solar farms are permitted around his home that he would be moving and that he would not be the only one to leave Delaware County. He stated that solar energy had one of the lowest efficiency ratings in renewable energy and that this process had felt like a quick money grab without considering the community. He implored the county to put a 1-year moratorium in place, rescind the tax abatement, and hire a neutral third party to do a full risk analysis and then if solar is going to be pursued, work with the community to rewrite the ordinance. He stated that a minimum setback needed to be at least 1320' from any participating dwelling. He stated that the plan is placing the county's financial future in jeopardy as well as the relationships that have been affected by it. He stated that he has never seen so much division among people who have been here for generations and that the human impact should be the greatest concern to the decision makers.

Kelsie Morris, 8101 E. CR 350N., Albany, Indiana, appeared. She stated that she was here to speak as a concerned citizen. She stated that the biggest argument she had heard was that farmers should not be told what to do with their own property but the truth was that people were told what they could do with their property all the time and with good reason, to protect the integrity of the surrounding community. She remarked on restrictions an HOA can put in place and that the restrictions the county may put in place such as the need to mow, spray weeds, or clean up junk on your property. She stated that now someone can install an industrial complex as close as 50' to a surrounding property which will affect the property values and that the elected officials did not consider their constituents when making this decision. She stated that her husband was a grain merchandiser in Delaware County for over 11 years so a portion of their income was proportionally correlated to agriculture and that the changes in ag zoning elsewhere had already impacted her family. She asked the board if they had discussed the ordinance with any local grain, seed, fertilizer, or feed companies, farm equipment business or even farm insurance companies or made a visit to the USDA's FSA office here in Muncie to understand the scope of all of those businesses. She stated that less crops produced means less employment in agricultural related jobs. She stated that we need all of the available farm acres in production to meet soybean demand and that solar farms will put us behind. She stated that urban sprawl due to population growth cannot be controlled and that most of her peers that grew up in Delaware County have left the area. She stated that the county lacks appeal and asked if solar will attract new families. She stated that industrial solar would change the landscape of the community causing fewer residents to call Delaware County their home. She stated that calling this potential development a solar farm was a lie, it is an industrial power plant. She stated that the elected officials were being influenced by out-of-state companies and not listening to the citizens who live in the community.

Britany Mauck 16670 N. CR 600W, Gaston, Indiana, appeared. She stated that her property was in the middle of the proposed development and asked for a show of hands from the board of who had visited this site or a large solar farm (a few hands raised). She stated that her family had completely remodeled their

home and established a property that they are proud of and asked if the board would be ok with having a large solar development surround their home. She stated that they spend all their time in the summers in their yard with the kids and this would be affecting their way of life. She stated that if the board would not want to live next to a solar development then they should not expect anyone else to. She stated that a 50' setback from a property line was too small and asked if they would be responsible if her kid kicked a ball and accidentally broke something. She asked the Commissioners to take everything into consideration, and that if they weren't benefiting from the project would they want that project surrounding them.

Ronnie Richard, 10191 W. CR 1200N, Gaston, Indiana, appeared. He stated that he was a tenth-generation farmer. He stated that there were 7 different ways to produce energy and only 1 way to produce food. He asked what would happen when we had no food because the land had been used to produce electricity. He stated that he understood green energy but asked what would happen in 30 years when millions of panels were no longer in use from just one solar farm. He asked how much energy and pollution goes into creating the panels and other materials to have a green energy source. He stated that wind and solar are the least efficient ways of producing electricity. He stated that the more solar farms are developed, the less area there will be for food production and that needs to be considered when there are other ways to produce energy and that there might be different ways in a few years. He stated that this was their livelihood, that farming was all they knew, and that they could be taking away his son's opportunity to farm.

Joe Snyder, no address given, appeared. He stated that he felt that the entire solar ordinance needed to be thrown out and asked if anyone on the commission was the 10th generation of anything. He asked why time was being spent on this if no permits have been filed. He stated that the commission didn't understand anything about solar or what will happen in the future, and that they had accomplished nothing in the last year. He asked the board to send the solar company away since it was not wanted in the area. He asked if residents in the County would be getting any electricity from the project and what the members of the Plan Commission had already been given. He asked if the members of the Plan Commission knew how long solar panels last.

Emma Snyder, no street address given, Gaston, Indiana, appeared. She stated that she would soon be part of the Richard's family and hoped that their children would be the eleventh-generation of farmers. She stated that as elected officials they should have the best interests in mind for the community of Delaware County, not another state.

Joe Russell, 3501 E CR 700N, Eaton, Indiana, appeared. He stated that he was a sixth-generation farmer and had been farming in Delaware County for over 46 years and that he supported solar energy as well as personal property rights as long they follow all local, state, and federal guidelines. He stated that we needed to realize that the world of energy was changing and that someone in the county had the foresight to see that an ordinance needed to be in place. He stated that the ideas for the ordinance were not just made up, that the survey said that the majority of people supported green energy and solar energy and that this was a tough job to put together with so many different views on the subject. He stated that the people in the room represented less than 1 out of 1000 people in Delaware County and that many of those people likely have a different view from those in the room. He stated that he did not want to see land wasted and that solar farms would take 2% of the nation's crop land to create enough solar energy for the nation, but the county needed to decide if they were going to be a player in green energy or not. He stated that he provided a pie chart showing agricultural productivity for Delaware County and the six surrounding counties and that Delaware County has the least returns. He stated that he was a farmer with a background in engineering and that he saw solar energy as a commodity just like corn and beans. He stated that he hoped the decision makers would be strong and make the best decision for the County. He stated that he felt that the original ordinance was great and he stated that he encouraged the board to stick with the existing proposal.

David Leblanc, 3100 W. Beechwood, Ave., Muncie, Indiana, appeared. He stated that he was a professor at Ball State University where he had taught Ecology and Forestry for 31 years. He stated that he believed the county needed to have clear, consistent, and stable land use rules regarding solar and wind energy development and that they should encourage the rapid development of clean energy sites. He stated that we should be a wind & solar ready county. He stated that clean energy benefits land owners and adds to the County's tax base. He stated that the loss of agricultural land is regrettable but asked how it is worse for that land to go under a solar project than being replaced by sprawl. He stated that solar developments like the one proposed in Delaware County and others across the country should have been built 20 years ago to avoid the consequences of human caused climate change. He stated that the destructive wildfires in the west and increased hurricanes, tornadoes, and floods in the Midwest are increasing death and destruction, all effects that have been predicted by science for decades. He stated that he fears the degraded planet that will be left to future generations and that there needs to be as many clean energy projects in as many places as possible as soon as possible or increasingly dire predictions from scientists today will come to pass just as the past predictions are now our current reality. He asked the county to do their part to prevent further climate change by having land use rules that encourage and accelerate clean energy projects in our County rather than delay and discourage them.

Brandon Petro, no street address given, Gaston, Indiana, appeared. He stated that he was not from other various cities or states, nor was he an attorney, paid broker or a state representative but that he was born and raised in Washington Township. He stated that when asked how many of the board members had visited a solar farm only 2-3 of the members raised their hands and yet they are the ones writing and approving zoning ordinances and that they should all have visited one. He stated this solar development would have a tremendous negative impact on the community. He stated that there have been seven generations of his family that had lived along a 5-mile strip in of Washington Township raising their families, building a community, and farming the ground leaving it better than how they had found it and asked why it was wrong that they wanted to continue doing that. He stated that solar didn't belong on their farms. He stated that he was not out of the ordinary in his position and that this room was full of families who had been here for generations farming the same land and that he had spoken to many of them. He stated that Jim Mauck was 87 years old and that he was still farming the same land that his family had cleared and that if approved it would take just 1 year for the solar development to undo what it took his family generations to accomplish. He stated that Mr. Mauck commented that he had never seen the decisions of a few so negatively impact so many. He stated with respect, elected officials come and go but if approved the people of Washington Township would have to live with the consequences for generations. He stated that he knew the solar companies would be benefiting from the project along with the few individuals that signed on for the project but how would this be benefitting the tax payers, the community, and the neighbors. He stated that Tilly Baker, a completely neutral auditor, presented a report to the Wes-Del School Administration and the public that stated Wes-Del School Corporation would receive no additional tax money although the solar company claimed otherwise. He stated that the solar company Invenergy would be receiving a tax abatement which was made available by declaring this area in Washington Township an Economic Revitalization Area (ERA), and that the area involved was some of the most productive acres not only in the county but the country. He stated that it was an area marked by prosperity and that ground was selling for \$9000-\$13,000 per acre which did not sound like an impoverished area. He stated that if the board wanted to help Washington Township they could provide more ditches and fix the roads because if a solar farm was their idea of revitalization of an impoverished area, Washington Township did not want it. He stated that he was a home builder and that location was a big concern for homeowners and that there was no way that property values would not be affected if a solar farm was built next door. He stated that no one would want to live in hundreds of acres of solar panels because it had no curb appeal and asked how many of the board members would be living next to a solar farm (none). He asked why we would want to sacrifice our farm ground to solar farms when a different method of green energy could come along in a few years and that we should continue using farm ground for food production. He stated that the ownership of land was part of the pursuit of happiness and asked how we ended up here

tonight. He stated that self-government without self-control doesn't work when people often say "it is my property I can do what I want" because it may affect your neighbor and that is why there are laws and zoning laws. He stated that he did not blame the solar companies or the people who signed up since they were all just trying to make some money but that he did hold the elected officials accountable because they were the reason we were in this position. He asked why the elected officials did not look out for the best interest of their constituents and asked how they could allow solar farms to become a permitted use in a farm zone when it did not meet a minimal definition of agriculture and was in fact an industrial use. He stated that at the very least it should be a special use and require variances and asked how they could declare a moratorium on CAFO's, which were an agriculture use, have a smaller impact, and required notice, but not treat a solar farm the same. He asked why all of the elected officials had taken the word of the solar proponents that there was no opposition when no notice had been given to anyone and that the impression was that there had been a lot of backdoor dealings. He asked if this was such a good project for the community why not have the public input from the very beginning and let the project speak for itself. He stated that he had friends on both side of this issue and that he had seen the community deeply divided by this topic and that he blames the board and other elected officials since it had not been handled properly from the beginning and that they should start over and do it right.

Ryan Webb, County Council member, 4108 N. Tillotson, Ave., Muncie, Indiana, appeared. He stated that he wanted to thank the board for moving the meeting so that everyone could attend. He stated that his opinion was not that of the council and that he was a proponent of wind and solar energy. He stated that he had felt very good about the decision he had made at council but he did not realize that all of the information wasn't accurate. He stated that he found out later that there had been opposition even though he was told that there was none and that he would like to see improvements made to the notification process. He also stated that at the We-Del School Board Meeting, Baker Tilly did indicate that there would be no additional tax revenue that would be going to the schools although he had been told they would receive \$1.9 to \$2 million dollars. He stated that everything needed to be looked at again and that he regrets not looking into things better. He stated that he no longer supports the project.

Eric Barr, no street address given, Gaston, Indiana, appeared. He stated that he asked that the board should approach this as a business deal and stated that they should not want to do business with someone who had started a business relationship with lies, misinformation, and withholding information.

Marci Bunch, no street address given, Gaston, Indiana, appeared. She stated that she was a senior at Wes-Del High School and that the petition she handed out included signatures from students, faculty and staff from Wes-Del and many area residents and that for every name on the list there could be 10 more all in opposition. She stated that she had lived in the Gaston area her whole life and planned to stay here and raise a family but the possibility of solar farms changes her decision. She stated that her generation was the future of Gaston and that if she felt this way she was positive that others did as well. She stated that she was a 10 year 4-H member and that she keeps her livestock at her grandparents' house and that it was one if the properties that would be surrounded by solar farms. She stated in the summer she spends most of her time there working with her animals and that her favorite thing to do was to watch the sunset at her grandparents' house and that due to the loud noise and blocked view from the panels she would no longer be able to do that. She stated that at the school board meeting, Baker Tilly explained that the school would not be receiving any new revenue and she was confused why there was a social media post that stated that the school would receive over \$16.6 million dollars which was not true, and asked what else the solar company might be lying about. She stated that she was upset that the solar company had used social media in a manipulative manner when society and her generation in particular tend to rely on social media and when false information is shared it confuses the entire community. She stated that she spoke to the school superintendent and that he stated the school was not for nor against solar farms but that they would hurt Wes-Del Community Schools because ground being used for solar farms would take away from possible

new homes and potential future students. She asked the board if they wanted to be responsible for ripping apart an entire community.

Mr. Wisely stated that the last speaker concluded the list of speakers. He stated that there were still 2 minutes yielded to Mr. Kuchmay and asked if he had any comments to add.

Mr. Kuchmay stated that he appreciated the comments from everyone even those in favor. He stated that the appraiser from North Carolina referred to a Rhode Island study. He stated that if you look at the binder there is a newspaper article that references that study that states that solar farm installation negatively impacts property values, suggesting solar arrays create local negative externalities, and those homes closer to solar installations tend to suffer a greater decrease in property values than those that are further away. He stated that many of the other studies are not comparable to what was being proposed here but in fact were looking at smaller projects. He stated that there was a chart within the binder he provided that could explain the negative property value effects.

Mr. Wiseley stated that there would be a short 5-minute break to allow anyone time to use the restroom.

Mr. Wiseley stated that there had been one person that was missed and that they would be allowed their 2 minutes of time to speak.

Austin Shideler, 7605 W CR 1000N., Gaston, Indiana, appeared. He stated that in regards to the proposed amendments there needed to be more egress for larger animals and that people needed to be notified more than just 3 properties away. He stated that there were farmers here tonight that were ready to stop farming and go for the solar which meant their children would not become farmers, and others that have farmed for generations. He stated that the generation of farmers here don't just farm the ground but they build their homes and live here as well, and even if there was not a home there today there would be in the future.

Mr. Wiseley stated that they would now go into the process of voting on the amendments. He stated that there is the proposed resolution and several proposed amendments. Mr. Wisely stated that this was a non-binding resolution that would be sent to the County Commissioners to adopt and that they could discuss the amendments and changes at this time.

Mr. Landess asked for clarification on what the process had been up to this point and had any applications been submitted at this time. He stated that it was very important to understand that process and for the public to understand that this board was mostly unpaid volunteers.

Ms. Moody stated that there had been no applications filed for solar farms under the existing ordinance that was adopted last May. She stated that in October there had been action by County Council on developing the ERA and the tax abatements and that this board does not have anything to do with those decisions. She also stated that once the board discussed and voted on the proposed amendments there was the matter of the moratorium placed by the Commissioners in January and that the Plan Commission would make a recommendation that it remain in place until the amendments were completed.

Mr. Henry made a motion to approve MPC 02-22A with the proposed amendments and the three additional text amendments. Ms. Hensley seconded the motion.

Mr. Motsenbocker asked for clarification on those amendments.

Mr. Wiseley stated that there were the 4 original amendments in the resolution and 3 additional text amendments.

Mr. Landess asked if he did not agree with one amendment if he should vote no on the whole document

Mr. Wiseley stated that if Mr. Henry would withdraw his motion and Ms. Hensley her second, that they could vote on the items separately.

Ms. Jones asked for clarification if they were voting in favor of listening to the considerations of the people that spoke tonight.

Mr., Wiseley stated that the motion made by Mr. Henry was to vote on the 4 original changes and the 3 added text amendments to then be forwarded to the County Commissioners for their approval which will have an opportunity for more public input.

Mr. Henry and Ms. Hensley both withdrew their motion and second.

Mr. Henry made a motion to approve MPC 02-22A, amendment #1 regarding increasing the setback to 200'. Ms. Hensley seconded the motion. Voting in favor: Mr. Henry, Ms. Hensley, Ms. Jones, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: Mr. Dishman and Mr. Landess. Motion carried.

Mr. Henry made a motion to approve MPC 02-22A, amendment #2 regarding notification. Mr. Motsenbocker seconded the motion. Voting in favor: Mr. Dishman, Mr. Henry, Ms. Hensley, Ms. Jones, Mr. Landess, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: None. Motion carried.

Mr. Henry made a motion to approve MPC 02-22A, amendment #3 regarding the project owner's obligation to provide drainage protection. Mr. Motsenbocker seconded the motion. Voting in favor: Mr. Dishman, Mr. Henry, Ms. Hensley, Ms. Jones, Mr. Landess, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: None. Motion carried. meeting.

Ms. Moody stated that on behalf of Mr. Hall's letter, she would like the board to consider his request to change solar farms from a permitted use to a special use.

Mr. Landess made a motion to approve changing solar farms from a permitted use to a special use. Ms. Sipe seconded the motion. Voting in favor: Mr. Dishman, Mr. Henry, Ms. Hensley, Ms. Jones, Mr. Landess, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: None. Motion carried.

Mr. Wiseley asked if there were any additional amendments to offer at this time.

Mr. Henry made a motion to approve Resolution 22-02 as amended. Mr. Motsenbocker seconded the motion. Voting in favor: Mr. Dishman, Mr. Henry, Ms. Hensley, Ms. Jones, Mr. Landess, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: None. Motion carried, a favorable recommendation will be forwarded to the County Commissioners for their February 22, 2022 meeting.

Mr. Henry made a motion to continue a Moratorium until the amendments are finalized. Mr. Motsenbocker seconded the motion. Voting in favor: Mr. Dishman, Mr. Henry, Ms. Hensley, Ms. Jones, Mr. Landess, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: None. Motion carried, a favorable recommendation will be forwarded to the County Commissioners for their February 22, 2022 meeting.

Question from the audience: He asked if this board would need to approve the applications that the Commissioners had already agreed to.

Mr. Wiseley stated that the Commissioners had not approved any applications and that once an application was submitted it would need to go before the entire Plan Commission as well as the Board of Zoning Appeals.

Audience: He asked if there would be an opportunity for public input at those meetings.

Mr. Wiseley stated yes, and that public notice would be sent to surrounding property owners.

Ms. Moody stated that the Plan Commission was recommending to the Commissioners that it be changed to a special use which would require notification but that had not been finalized yet.

Audience: He stated that he was concerned with the permits that had been filed.

Ms. Moody stated that no applications had been filed yet and that would be the first step.

Audience: He asked if the whole board would be voting on the permit.

Ms. Moody stated they would vote on the application.

Mr. Wiseley stated that they would vote on the application if the Commissioners' accepted their recommendation to change it to a special use.

ADJOURNMENT:

Allen Wiseley, President

Marta Moody, Secretary