

ROLL CALL

	Jerome Markley
Tyson Brooks	John Potter
Chandler Gerber	Tim Rohr
Jarrold Hahn	John Schuhmacher
Bill Horan	Melissa Woodworth
Geoff Lance	

Michael Lautzenheiser, Jr., Director

The March 7, 2024, meeting of the Area Plan Commission was called to order at 6:05 p.m. by Board President Jerome Markley. Ten members were present for roll call. Vera Cruz appointee Harry Baumgartner was absent.

APPROVAL OF MINUTES:

No minutes to approve at the meeting.

OLD ITEMS:

NEW ITEMS:

A 24-03-03 LIBERTY TWP Sections 19, 20, 28, 29, 30, 31, 32, & 33 along with CHESTER TWP Sections 5 & 6 Paddlefish Solar requests approval for a P-1 Overlay District on 49 leased parcels. The properties are currently zoned A-1.

Jerome Markley asked Michael Lautzenheiser to review what an overlay district request meant. Michael Lautzenheiser gave a brief history on the need for an overlay district and the reasoning behind the overlay request. He also explained that an overlay is adding and not taking away current zoning permitted uses. There was a brief discussion on what the next step would be after tonight’s meeting. It was said that the recommendation given tonight would then be presented to the County Commissioners since this is an unincorporated area in Wells County which gives the Commissioners jurisdiction on the final approval needed.

The Paddlefish Solar Team consisting of Karl Pierce, Jesse Laniak, Trena Roudebush, Mary Solada, and Lana Gabrilyan presented the overlay request to the board. They reviewed the history of the proposed project and all items related to the development of solar in Wells County through the Paddlefish Solar Project. They introduced other members of the team and their positions with Paddlefish or EDF Renewables. The Paddlefish Solar team presented information about the overall plan of the 350 MW solar facility with 300 MW being located in Wells County and 50 MW being located in Huntington County. They reviewed the Wells County Vision 2035 Comprehensive Plan and how they believe they met the requirement set forth in that plan. They presented the oversight plan for the development showing where items would be located and leased acreage vs solar panel acreage. The team talked about the economic impact and discussed the timeline including those items which have been marked completed. They went on to present the items that they have in place that go beyond our ordinance requirements and gave examples of how that bettered the proposed project. They mentioned the different community outreach items they have done that had taken place prior to the meeting. Their attorney presented the petition findings of fact that was submitted to the office for this overlay district request.

Jerome Markley asked the board if there were any questions, comments, or concerns that they would like to ask the petitioners. Jarrod Hahn asked about the "game fencing" and how it would look. He also asked about the tillable area that is leased and not covered by solar panels. The Paddlefish team responded with the fencing information per ordinance guidelines and what they had in mind which would later be submitted with the development plan. Also, regarding the tillable area not being used for solar panels, it was mentioned that they were unsure how that ground would be handled as that wasn't part of the overlay request. Chandler Gerber asked to confirm which of the 3 solar levels this project would take place. Tyson Brooks & Jarrod Hahn asked about the visual screening that would be used. The 3 levels were described as well as the 4th level which is an alternate when needed due to surrounding areas. There was a discussion on sheep grazing and maintenance. Paddlefish mentioned that it was being studied and is not sure what items will be used for this project. John Schuhmacher voiced his concerns about solar due to articles that he had with him at the meeting. Geoff Lance asked about a construction timeline and possible product supply issues. Paddlefish talked about how they purchase their products and the used items from Canadian Solar which has a component made in Jeffersonville, IN. Mr. Hahn asked about the oldest solar project they were involved with and where it was in the production timeline currently. There was discussion on the 88 solar projects still in operation and how there is a decommissioning agreement with Solar Cycle which would be able to recycle approximately 95% of the panels. There was additional discussion on decommissioning and the steps in place. The board discussed ownership questions with the Paddlefish team along with having the discussion on private utilities vs public utilities. Lastly, before the public comment portion of the meeting opened, the life of the panels was discussed, and it was explained that the panels had 30-year warranties on them.

Jerome Markley opened the floor to public comment.

Kathie Mounsey spoke out against the petition mentioning her years working in the Wells County Auditor's office and how solar was taxed as personal property which was taxed on a descending scale. She also mentioned that she felt it would be a solar panel graveyard. Linda Stanton talked about her residence being in the middle of the project. She voiced concern on construction traffic and the noise that it will create, along with dust from the roads, and property values decreasing. She didn't want to look at metal and would rather look at the crops that are important to the county. Brandon Harnish, County Council Member, agreed that this is a political decision tonight. He talked about projects like this not being around if there wasn't government involvement and felt that the tax abatement given prior to him taking office wouldn't happen now with the current council. He referred to page 35 of the Vision 2035 plan and read that it is stated that it was not favorable by the public in Wells County. He said that it should remain farm ground and not be covered by metal and glass. Robert Park voiced concern about foreign investors and the efficiency of the panels. He also asked about the funding of this project and where the money was coming from. He said that private individual panels are ok but not panel farms. He also voiced concern of it spreading throughout the county if this first one is approved. Bruce Monce said that this project didn't personally affect his property, but future ones will. He said most leased properties are absentee property owners. He felt that this is setting precedence for future projects. Phil Leas mentioned that Canadian Solar went public on the Shanghai Stock Exchange in 2023 and asked how that is considered American Made. Jerrod Mounsey said that he's not blaming the Paddlefish employees here as they are just doing their jobs. He talked about the history of when the wind companies were trying to come into Wells County and how they sold many times. He also mentioned the information going around about a food shortage by 2050 and asked why they would want to take away farm ground if this is

coming. He suggested that the Commissioners vote no to this request. Jody Holloway, a realtor, offered his opinion that this really isn't a good plan for Wells County. He said that the ground should be used to farm and not for solar. He said that there wouldn't be any benefit to the county regarding the solar. Blake Fiechter said that he felt that Paddlefish would get the project up and running and then sell it. He asked if the new buyer would maintain the project to their standards. Judy Craig said that she felt it was a waste of money. She is ok with personal use for solar just not the large projects. She said that it's good ground and to leave it for farming. She said that there is a need for food, not China taking over. Jim McAfee was not in favor of the petition. Jeff Stringer, County Commissioner, said that we need to listen to the voice of the people. He agreed to items that were previously approved due to boxes getting checked and items meeting the requirements. He said that now his job was to listen to the constituents of the county, and the job of the board is to listen to those constituents as well. He said that he came to the meeting tonight with an open mind and he's only heard people speak out against the petition and asked where the people in favor of the petition were. Stacy Wagner said that the people in favor of the petition don't like to speak at public meetings where there is such opposition given. She talked about the friends' meetings that they host for people in support. Tabby Fate spoke out against the petition saying that future projects will affect property values and that it will take away from nature in Wells County. Larry Daugherty said that the absentee landowners don't invest their lives here like the residents of Wells County do. Diana Collins thanked the board for the questions asked to the petitioner earlier in the meeting. She said that this project would be 450' from her home and that she doesn't want to see solar on the rich farm ground. She talked about preserving the farm ground and using it for growing food for human or livestock consumption. She didn't feel that it was in the best interest of the county and encouraged the board to send a do not pass recommendation. Ben Herman referenced the Vision 2035 Plan and how he felt the petitioner's findings of fact didn't meet the requirements. He asked about the property valuations used in the support items of the petition as he felt they weren't similar in nature due to the size of the projects selected for reference and asked the question how to we know what the property value will do if not reference the same size scale project. Lynette Prible spoke out against the solar petition. She said that she felt that the questions asked to the petitioner earlier were side stepped. She mentioned that it would be giving too much power to the petitioner and that it's not beneficial to the county. Mr. Markley asked for final public comment and said that now is the time to speak. John Maddox asked if the comprehensive plan had been amended to help the petitioner. Michael Lautzenheiser said that no amendment had been made since the plan was originally adopted. Mr. Maddox asked how tiling will work if needing to cross onto solar property. He mentioned that at the December 2010 meeting hundreds were there and it wasn't a nice meeting, then mentioned that at the January 2011 meeting there was one person in the public. He asked where the owners were for the large tracts of lease ground. He said that he felt Paddlefish does not have their ducks in a row. Trent Lehman, Superintendent of Southern Wells School Corporation, said that he understood that the school doesn't have a vote on whether this happens or not. He asked that if it were to move forward that the school would like a seat at the table when discussing the funds as there is no real benefit to helping the school for 10 years with the abatement given. He said that it's ultimately up to the Commissioners final vote. Lastly, Kathie Mounsey spoke again. She mentioned bond companies that had called into the office when she worked for the Auditor's office and how she would have to calculate percentages of taxpayers and how Ag ultimately contributed the highest amount when taking all options into account. Mr. Markley asked for final comment from the public. There were no additional comments, questions, or concerns mentioned. The public comment portion of the meeting was closed.

Jesse Laniak responded that we are looking at opinions vs facts. He proceeded to mention letters of support and read some of the items to the board. He invited Rick Kirkland, Kirkland Appraisals, to respond to the appraisal questions presented to the board. Mr. Kirkland explained different types of analysis that were used. He also talked about the main concern he was hearing was that people don't want to look at the project, and that buffers were in place to help resolve that concern. He mentioned homes that were built after solar projects had come into an area and that he was trying to focus in and around Indiana which limited the size comparison of solar projects. Mr. Laniak talked about personal property and depreciation which included a set cap for depreciation. He referred to the agreements in place regarding roads as well as the economic development agreement. Trena Roudebush repeated what Stacy Wagner has mentioned about those in favor of the project being uncomfortable speaking out in such a public forum. Lana Gabrilyan spoke about another current project and how the project has generated great revenue for that project area. Mr. Laniak said that most of the technical detail questions are more for the development plan review and not the overlay request.

Jerome Markley asked if the board had any follow-up questions for the petitioner. Jarrod Hahn asked about assessments and how the state legislative makes those assessments. Jesse Laniak said that the assessment is at the discretion of the County Assessor. Mr. Hahn asked if there had been any appeals for solar assessments. Paddlefish attorney Mary Solada said that she was unaware of any appeals that had been filed. Geoff Lance mentioned speaking with the Stark County Assessor's office and that the appeal has been at a stay for 1 year with no decision made. Mr. Markley asked if there were any additional questions, comments, or concerns. Mr. Hahn mentioned that the following question is more likely a development plan question; however, he felt it was important to ask at the meeting. He said that Mr. Maddox made a good point on the tiling question he had asked. There was a brief discussion on what might happen if a tile needed to cross a lease property. Lana Gabrilyan spoke about diversifying the energy market. Chandler Gerber spoke about running for his office due to the fact he felt unheard. He mentioned valuing the agricultural ground and preserving it. John Schuhmacher said that the land needed to be preserved. He asked about what the next project would be and ended with green energy is not so green. Mr. Lance mentioned the multiple hours he had spent talking to other Non-Wells County officials and gave an example of Pulaski County talking about once the first project was approved how the floodgates opened for other projects. He said that a few counties he spoke with felt like they lost control once projects started. He asked why Wells County should take the risk, why not see what our neighboring counties do first and not be the first to take a risk. Melissa Woodworth mentioned being the appointee from the Town Board of Ossian and her work with the Allen County Environmental Health Office. She said that she is a supporter of personal solar use. Mr. Hahn asked what else would be allowed with the P-1 Overlay District. There was a discussion on the permitted uses under a P-1 Overlay District. He asked if there was a way to limit use for this project. Tyson Brooks said that he is a numbers guy and that 4 out of the 5 points referred to property value which could go either way. Mr. Markley told the board that all members have the right to speak and that now was the time to do that if they wanted to speak at the meeting. Bill Horan talked about how the Purdue Extension Office oversees the local 4H program and that Paddlefish has donated to both the 4H Program and the Backpack program that is run through the 4H Association. He said that he spoke to both Michael Lautzenheiser and Colin Andrews, both of whom felt there was no conflict of interest and that he would be able to vote when a motion was made. Mr. Lance said that he believes personal property rights are very important, but that this affects a lot of others besides those leased properties. He said that he felt this is only going to grow.

Jerome Markley reviewed the 3 recommendations available to be made into a motion. Michael Lautzenheiser said that the board needs to make their recommendation based on facts presented, and that we need to send a very clean recommendation on to the next level. Mr. Markley asked one additional time for board comments, questions, or concerns. There were none, so the floor was opened for a motion to be made.

Motion to send a Do Not Pass Recommendation to County Commissioners: Chandler Gerber
Second: John Schuhmacher
Vote: 10-0

OTHER BUSINESS:

No other business was conducted at the meeting.

ADVISORY:

The March 21, 2024, meeting was mentioned as a reminder for the special meeting for additional petitions submitted for March review.

ADJOURN:

Tyson Brooks made a motion to adjourn the March 7, 2024, meeting. Jarrod Hahn seconded the motion. The motion was carried with a vote of 10-0. The Area Plan Commission meeting adjourned at 9:52 p.m.

ATTEST:



Michael Lautzenheiser Jr., Secretary



Jerome Markley, President