

**HENRY COUNTY PLANNING COMMISSION  
1201 RACE STREET, SUITE 214  
NEW CASTLE, INDIANA 47362**

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The Henry County Planning Commission held a regular monthly meeting in person at 5:00 pm on Thursday June 17, 2021.

The meeting was called to order at 5:00 pm by President Jim Wenning. Roll was called. Board members present were: Dale Cole, Bobbi Plummer, Larry Brayton, Jim Wenning, Marsha Gratner, Tom Green, Kenon Gray, Olene Veach, Rachel Clark. Also present was Jody French and Attorney Sean Row.

**Previous Minutes**

The Board read and approved the April 15, 2021 minutes on a vote 9-0. The motion to approve was made by Dale Cole and seconded by Kenon Gray.

**Case B: 2245**

Indiana Municipal Power Agency (IMPA) requested a Commission Approved Use (CAU) on Parcel # 014-04239-00 for the purpose of construction of an approximately 1.2 megawatt Solar Park. Chris Sanders gave a presentation on the IMPA Solar Park, sitting on 8.46 acres that will benefit the town of Knightstown.

Kenon Gray asked for clarification between the red and green solar panels on his map of the solar park. Mr. Sanders of IMPA explained that there would not be any difference in the solar panels.

Kenon Gray asked how do they measure 1.2 MW of power. Mr. Sanders answered that this is what fits Knightstown's demand.

Kenon Gray asked how many homes in Knightstown will benefit. Mr. Sanders answered that it would produce enough energy to power about 150 homes.

Marsha Gratner asked what would happen when the panels no longer work. If there was a recycle program. Mr. Sanders answered that the panels have a 30 to 50 year life. They do recycle damaged panels and when parcels are at the end of their life they would be recycled.

Dale Cole asked for clarification as to where on the map would the solar park be located. The solar park would be on the north side of 40 and east of the town of Knightstown.

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Bobbi Plummer asked if the neighbors were notified. Mr. Sanders answered that yes the neighbors were notified by letter.

Kenon Gray asked what kind of fencing is used. Mr. Sanders answered that they would be using a 7 ft chain link fence with 1 foot of barbed wire at the top of the fence.

Dale Cole asked if any neighbor had been notified outside of the neighboring properties. Mr. Sanders answered no.

Dale Cole asked if the power would go to Knightstown. Mr. Sanders answered yes that all of the power would go to Knightstown.

Dale Cole asked if it was good for the town. Mr. Sanders answered that yes it is good for the town. That IMPA offers tours for field trips to surrounding schools.

Jim Wenning asked if IMPA was a member of IURC. Mr. Sanders answered that IMPA rates are not set by IURC. Mr. Wenning asked if there will be a price increase for the citizens of Knightstown. Mr. Sanders answered that the price rates would be decided by the town of Knightstown.

Jim Wenning asked for any further questions.  
Jim Wenning asked for any questions from the general public.

Sarah Ward from the Knightstown Town Council stood and said that the town council is in favor of the solar park.

Paul, another gentleman in the audience asked about how much of the system would be computerized. Mr. Sanders answered that the computers are in the inverters in the panels. Paul asked about cyber security. Mr. Sanders answered that the issue of cyber security would be take care of in-house. Paul asked if hacked how is the ransom paid. Mr. Sanders answered that there is added cyber security to try to avoid being hacked.

Kenon Gray asked for clarification if the solar park would be in city limits. Mr. Sanders answered no, outside Knightstown city limits. Kenon asked if there is a decommissioning plan for the next 30-40 years. Mr. Sanders answered that it is not IMPA's intent to leave the site. Kenon asked if there is something in writing stating that. Mr. Sanders said that they would recycle the panels and remove the posts. Kenon asked if there would be a storage facility in Knightstown like the one in Spiceland. Mr. Sanders answered no.

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Jim Wenning informed everyone that this was a CAU case and that what was decided would not have to go in front of the Commissioners for approval. With no other questions President asked that the CAU questions be called.

Attorney, Sean Row, read the 3 questions. Answers were as follows:

Board Member	Question 1	Question 2	Question 3
Jim Wenning	YES	YES	YES
Bobbi Plummer	YES	YES	YES
Dale Cole	YES	YES	YES
Marsha Gratner	YES	YES	YES
Olene Veach	YES	YES	YES
Kenon Gray	YES	YES	YES
Tom Green	YES	YES	YES
Larry Brayton	YES	YES	YES
Rachel Clark	YES	YES	YES

The CAU request was approved.

**Case B: 2246**

Mr. Wenning introduced the case as a request to rezone approximately 16.91 acres from Agricultural (A1) to General Business (GB). The property is owned by James R. Steckley of 30 Shoshone Drive., Carmel, IN 46032, and is located on Parcel # 012-01650-00, in Spiceland Township.

Mr. Steckley stood to plead his case. Mr. Steckley provided packets to the PC members with information about the property. He explained that he had purchased the property years ago. Mr. Steckley went over the map in his packet. He let the members know that the Dollar General had approached him about putting the new store on this property but they ended up across the street. He explained that the property is farmed currently and that there is a legal drain that runs through the property. He understands that if the property is rezoned to GB that he would need to meet with the Henry County Drainage Board and follow all of the drainage boards requirements. He let the PC members know that there had been 4 letters/emails regarding the property that were against the rezone. He explained that most businesses are on a thoroughfare and that he is being annexed in to the town of Spiceland. If he is annexed in to the town of Spiceland if a business goes in on the property it would increase the tax base for Henry County and Spiceland.

Jim Wenning asked if it was in the town of Spiceland currently. Citizen Darrin Jacobs answered that the town was in the process of annexing the property and it should have already been completed, but there was a hold-up for some reason. He also stated that this

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time next month the property would be annexed in to the town of Spiceland. Mr. Wenning asked if the property would be part of the SHRWD. Mr. Jacobs answered that yes there would be sewer, water and electric provided to that property. Mr. Jacobs explained that he was at this meeting as a citizen that is informed about the town of Spiceland. He is no longer on the town board of Spiceland

Tom Green asked what did Spiceland want for this property. Mr. Jacobs explained that there was a Comprehensive Plan completed about a year or so ago for Spiceland and that in the plan town members were asked what they wanted for the town. Many of the town members wanted business to expand on State Road 3. That Spiceland is part of the Overlay District so that the Town Board of Spiceland has final say in what a business will look like when coming in to town. Darrin explained that town members value the small town living but want business to grow on State Road 3.

Kenon Gray asked Mr. Steckley if he would go through the steps with the drainage board. Mr. Steckley said that he is aware that there is a drainage problem in that area and he would work with the drainage board.

Jim Wenning asked for additional questions from the PC members.

Bobbi Plummer asked if there was any plan for what will go on the property. Mr. Steckley said he was just looking to get the rezone for now.

Marsha Gratner is worried about the noise and light to the surrounding properties. Mr. Steckley explained that he would follow all requirements of the GB zoning and the Overlay District requirements. Darrin Jacobs explained that the Overlay District goes above and beyond the county requirements.

Rachel Clark asked if the property was not annexed in to the town of Spiceland can we still enforce after time when the property becomes annexed. Darrin Jacobs, citizen, answered that the land owner would still have to abide by the Henry County guidelines but Spiceland couldn't make them change after being annexed. Rachel asked why didn't Mr. Steckley have the property rezoned when the Dollar General approached him about his property. Mr. Steckley explained that Dollar General only wanted to purchase 2 acres of the 16.9 acres and then they wanted to tell him what he could or couldn't do with the rest of his property. He didn't want to sell only the 2 acres at the time.

Jim Wenning asked for comments from the public.

Scott Weaver purchased his property in 1997. He likes the small town feel of Spiceland. He also said that yes the town would like to see more business in Spiceland, but that most people would like to see the business grow towards I-70. He doesn't want to look out his front door and see businesses. He thinks that State Road 3 would be too congested with another new business.

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Another gentleman who did not state his name stood and said that there were 2 problems with the property. The 2-3 inches of standing water when there is a hard rain and also the hog manure from the Dishman hog barns getting in to the water supply.

Monica Peters stood and asked that if before rezoning the property would Mr. Steckley sale the property to the citizens that would be affected most by the businesses coming in. Mr. Steckley said no. Mrs. Peters explained that she moved to Spiceland for the rural atmosphere. She also talked about how the property in question floods whenever there is a hard rain. She is worried about what it will do to her property value. She doesn't want the noise, lights, dirt or the rif-raf of putting a business on this property.

Jim Wenning explained that there would not be a factory going on a GB zoned property.

Ranzel Howard said that he is wheel chair bound and that he bought his house because he wanted to be in the country. He has put \$150,000 to make his home wheel chair accessible. If the rezone goes through, he would like to be bought out so that he can move somewhere else in the country.

Kenzie Barber who is engaged to Mr. Howard stood and said that she likes Spiceland because of the small town atmosphere. She also said that if someone wants to put in a business in Spiceland there is an empty store in the middle of town and they could buy that and put a business in there.

Dale Cole asked if there was anyone in the audience that was for the rezone. Darrin Jacobs stood in favor of the rezone. Darrin also stated that nothing could be done with the drainage until there is a business on the property. He stated that no one is trying to hurt anyone. It would be done for the benefit of the community. There is a desire for growth on the south end of Spiceland. Businesses that go by I-70 are just that, interstate business. Kenon Gray asked would it be zoned for manufacturing. Darrin answered that no GB is retail or restaurants.

Jim Wenning discussed the matter of the annexation in to the town of Spiceland. Kenon Gray asked if they could put the condition of annexation in the motion. Sean Row answered that the annexation condition in the motion could be voted on.

Don Crandall stood and voiced his opinion about the Dollar General property and how the drainage is not working. Dale Cole asked if the Dollar General helped the drainage. Mr. Crandall said no and that someone should get a hold of the drainage board.

Kenon Gray asked that if the rezone was approved and the property was annexed would the property have to go through the drainage board. Darrin Jacobs answered yes.

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Jim Wenning asked for a motion for the rezone. Bobbi Plummer made a motion to deny the rezone and the motion was seconded by Marsha Gratner. Sean Row read the motion and let the PC know that if they wanted to deny the rezone they would vote yes. If they wanted to allow the rezone they would vote no. The voting was as follows:

Jim Wenning – NO  
Dale Cole – YES  
Rachel Clark – NO  
Olene Veach – NO  
Larry Brayton – YES  
Kenon Gray – YES  
Tom Green – NO  
Bobbi Plummer – YES  
Marsha Gratner – YES

Motion Passed 5-4.

The recommendation will now go to the Henry County Commissioners to vote on.

Jim Wenning suggested a 5 minute break.

### **Public Hearing**

Jim Wenning introduced the Public Hearing. The Public Hearing is to amend the Text of Title 1 of the Henry County Development Code, specifically in regard to size and development on parcels connected to sewer. Mr. Wenning went over what was discussed in the previous meetings in regards to the changes that needed to be made. Mr. Wenning read through the changes to be made on each of the different pages.

Bobbi Plummer asked what the previous square footage requirement. Jody French answered that right now the requirement is .6 of an acre. Darrin Jacobs stated that the new requirement would be .137 of an acre.

Kenon Gray asked if the changes would be more restrictive. Darrin Jacobs stated that the changes would make the code less restrictive.

Bobbi Plummer made a motion to accept the changes to the Development Code. Tom Green seconded. Motion approved by all PC members.

Changes to the Henry County Development Code were approved.

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**Budget**

The 2022 Budget was discussed. Darrin Jacobs had helped with the budget numbers.

Rachel Clark made a motion to pass the budget to reflect the raise in pay, if there is a pay raise given. Dale Cole seconded the motion. All in favor of the motion.

Motion Passed. Budget Approved.

**Unfinished Business**

There was no unfinished business to discuss.

**New Business**

Attorney Sean Row brought up the subject of hiring someone for the Zoning Administrator position. He talked about the correspondence between he and Mr. Shields, the county attorney. Mr. Row stated that we need to get the process moving and that this is the time to discuss how to go about hiring a new Zoning Administrator.

Dale Cole brought up the point that 6 years ago he, Olene Veach and Steve Rust selected Darrin Jacobs and took his name to the full Planning Commission for approval. The only difference with this current committee is that Mr. Wenning chose 5 people instead of 3 people to be on the committee. Everyone who was at the Executive meeting in April was informed of the forming of the committee. This was not a secret.

Kenon Gray said that he was not at the executive meeting and that he was not informed of the committee. Bobbi Plummer also said that she was not informed of the committee and that she also was not at the executive meeting. Rachel Clark said that the plan to form the committee was decided in the executive session. Bobbi Plummer said that the committee could not be created or voted on in the executive meeting. Jim Wenning asked Mr. Row if he was allowed to form a committee, and he was just following what he was allowed to do. He went through Human Resources and all of the steps he was supposed to go through. Olene Veach stated that there were only 3 people who applied. Bobbi Plummer stated that she didn't think that any of the applicants were qualified and that the position needed to be advertised again.

Bobbi Plummer made a motion to re-advertise in other locations to find better applicants. Tom Green seconded the motion.

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Darrin Jacobs stated that he gave the information to the Urban Planning Department at Ball State University – no planners applied. He stated that pay may be an issue.

Rachel Clark stated that she was concerned that only 3 people applied the first time and if we re-advertise and we get zero applicants, would the first 3 applicants still be available for hire. Rachel also stated her frustrations about 3 people not coming to the executive session and that they would have had the ability to speak up at the executive session. Bobbi Plummer stated that she was not the only PC member not at the executive session. Kenon Gray stated that he was only able to attend one of the meetings because he was ill and that he let Darrin know that he would not be at the executive session.

Dale Cole asked if they do have the right to hire someone – to start the process over and Mr. Row said yes.

Marsha Gratner asked who is on the committee. Jim Wenning answered that he, Dale, Olene, Rachel, and Matt Chapman from the BZA were on the committee.

Jim Wenning apologized and said that it is tough to have meetings all of the time and that Darrin has been gone for 6 weeks and that they are no closer to hiring anyone. Bobbi Plummer said that she would rather do it right, not quickly. Tom Green stated that people are using Covid as an excuse to not work and that it might be hard to find applicants.

Kenon Gray stated that the pay for the Zoning Administrator position is an issue.

Sean Row stated that there was a motion on the floor to readvertise.

Bobbi Plummer restated the previous motion that she had made. Tom Green seconded the motion. All in Favor. Motion passed.

Jim Wenning wanted to discuss the way to pay for the services to advertise the job position. Bobbi Plummer stated that the Commissioners can't pay for advertising. The money to pay for the advertising of the position would have to come out of the Planning Commission budget. Darrin Jacobs stated that the money could come out of Contractual Services in the budget.

Anne Bankson – Human Resource Department – said that she is happy to assist but her hands are tied when there are questions asked about the budget and how the advertising is going to be paid. She said she can post the position on the county website and other free sites, but she would need permission from the PC if there would be an advertisement that needed to be paid for. Once she had a bill or a receipt, it would be given to Jody French, and Jody would write a claim for the bill to be paid out of the PC budget.

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Anne also discussed that the pay for the Zoning Administration position is about 10% under what other counties pay. She said that if pay is an issue that someone from the PC could go to a Job Classification meeting to try to get a pay raise for the position.

Again, it was discussed how an advertisement would be paid for. Bobbi Plummer stated that Jody French would pay it out of the PC budget. Rachel Clark asked if Jody French could do the recruiting. Anne stated that she can do the recruiting part of the process, she just can't pay for it. Anne stated that she would post it in the AIC and she would get prices for the Courier Times and Indy Star. Rachel Clark asked why wasn't this done the first time that it was asked to be advertised. Anne stated that she was told to advertise the same way she had done before. Jody French stated not to put the advertisement in the paper, but to post the position on Indeed. Anne said that she would find out the prices for Indeed. She also said that we may not want to do background checks for all of the applicants, maybe just the top 2 or 3 applicants.

Rachel Clark asked if we could do the same process that was done before when Darrin Jacobs was hired. She then made a motion to allow Mr. Wenning to maintain the committee and add to it if he wishes for the search for a candidate for the ZA position. Sean Row repeated Rachel's motion.

There was another discussion about who will be on the committee. Bobbi Plummer does not want to be on the committee. Kenon Gray would like to be on the committee because he has done over 50 professional interviews in his past. Rachel Clark stated that she would like to be on the committee as well, because she has done many interviews too. Bobbi Plummer reminded the PC members that only 4 members can meet at a time to avoid holding a quorum. Sean stated that the first 4 members to contact Mr. Wenning, would be on the committee.

Sean stated the Motion - that if anyone would like to be on the committee – contact Mr. Wenning within 5 business days – the first 4 to contact Mr. Wenning would be on the committee.

Bobbi Plummer made the motion to contact Mr. Wenning within 5 business days to be on the committee. The first four to contact Mr. Wenning would be on the committee. Olene Veach seconded the motion. PC was all in favor. Motion Passed.

Jim Wenning asked for a Motion to Adjourn.  
Bobbi Plummer made the Motion to Adjourn. Olene Veach seconded the motion.  
All PC members in favor. Motion passed.

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President

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Secretary