

MINUTES
DEKALB COUNTY PLAN COMMISSION
Wednesday, December 20, 2023

The Regular Meeting of the DeKalb County Plan Commission was called to order at 8:30 a.m. in the DeKalb County Commissioner's Courtroom by Plan Commission President, Jason Carnahan.

ROLL CALL:

Members Present: Jason Carnahan, Mike Watson, Bill VanWye, Jerry Yoder, Frank Pulver, Suzanne Davis, Angie Holt, Glenn Crawford and Elysia Rodgers

Members Absent: Sandra Harrison

Staff Present: Plan Commission Attorney Andrew Kruse and Director/Zoning Administrator Chris Gaumer

Community Representatives Present: Don Myers – City of Auburn

Public in Attendance: None

PLEDGE OF ALLEGIANCE:

Jason Carnahan led The Pledge of Allegiance.

PRAYER:

Jerry Yoder led prayer.

APPROVAL OF MINUTES:

Angie Holt moved to approve the October 18, 2022, meeting minutes. Seconded by Suzanne Davis.

Chris Gaumer stated that he amended the minutes to add how each member voted for the motion of the petition.

Angie Holt amended her motion to approve the October 18, 2023 minutes. Seconded by Suzanne Davis. None opposed. Motion carried.

CONSIDERATION OF CLAIMS:

Bill VanWye moved to approve the October & November 2023 claims. Seconded by Angie Holt. None opposed. Motion carried.

OLD BUSINESS:

None

NEW BUSINESS:

2024 Attorney Fee Agreement: Chris Gaumer introduced the agreement with Andrew Kruse serving as the Plan Commission & Board of Zoning Appeals attorney for 2024 and the fees associated. Mr. Kruse added that he would like the opportunity to continue being the PC & BZA Attorney for 2024.

Mike Watson moved to approve the 2024 Attorney Fee Agreement with Andrew Kruse. Seconded by Jerry Yoder. None opposed. Motion carried.

Auburn Extra Territorial Jurisdiction: Chris Gaumer gave an update to the Auburn Extra Territorial Jurisdiction (ETJ) that he has been working on with the City of Auburn Building Planning & Development staff. Mr. Gaumer reviewed each change to the ETJ Agreement. He emphasized that the map will not be changing. The last update was in 2017.

Frank Pulver asked about the area around Bear Creek and County Road 52. Mr. Gaumer pulled up the map of the ETJ area to explain where the ETJ boundary is located.

****Mike Watson had to leave the meeting early****

Frank Pulver moved to approve the Auburn Extra Territorial Jurisdiction. Seconded by Suzanne Davis. None opposed. Motion carried.

Plan Commission/BZA Fee Schedule: Chris Gaumer reviewed the proposed changes to the fee schedule. He discussed the proposed changes reflect the discussion had with the Plan Commission in previous meetings. Frank Pulver questioned the appeal of zoning administrator decision being a high fee. Mr. Gaumer explained that the fees are not meant to detract development but rather have the fee be in line with the time required to review the petition and bring before the Plan Commission and Board of Zoning Appeals. Frank Pulver and Jerry Yoder agreed with the fee schedule. Angie Holt acknowledged that the fees should reflect the time staff takes to review each petition prior to going before the approving body.

Angie Holt moved to approve the Fee Schedule. Seconded by Jerry Yoder. None opposed. Motion carried.

Discussion of Finding of Fact: Chris Gaumer stated that Angie Holt had asked if she could bring up a consideration of changing how the Findings of Fact are done with Plan Commission petitions. Ms. Holt explained that it caused her concern with how the "round robin" style of doing the findings may give the impression that staff proposed findings are the same options of the Plan Commission. Believing that it's not a totally inclusive way of doing the findings and could detract other members of being involved.

Bill VanWye agrees with Ms. Holt and would like to see staff cover the factual points of the findings and the board members can fill in with their thoughts and their own words.

Mr. Gaumer explained how Andrew Kruse does want members to express their opinions. Mr. Gaumer offered how Cass County & Logansport did their findings.

Jerry Yoder offered insight into how the findings were done in the past. He explained that he used the findings as guidance and would offer his own thoughts especially if there was a disagreement. He agreed with Ms. Holt in the proposed changes.

Mr. Kruse liked the idea of changing how we do the findings. Mr. Kruse states he still thinks we need discussion and members should discuss each finding.

Suzanne Davis discussed a way for each finding to be discussed individually and then the board would vote or agree to move forward with the next finding. Mr. Gaumer explained that the Plan Commission findings are different than the Board of Zoning Appeals findings.

Ms. Holt agreed with Ms. Davis and Mr. Kruse while also stating that she appreciates the staff recommended findings due to the knowledge and understanding of the project.

The Board members went on to discuss examples of findings and how we currently go through the process. Mr. VanWye & Mr. Yoder explained how David Kruse would offer his legal opinion and clear up what members would discuss during the findings of fact portion of the hearing. Ms. Holt stated that if Mr. Kruse is observing that board members are not articulating the wording well enough, he can offer his opinion on the language to use.

The Board agreed to try a new way of doing the findings of fact.

Mr. Gaumer stated he would bring the other 2 UDO discussion items on the agenda to the January meeting.

REPORTS FROM OFFICERS, COMMITTEES, STAFF OR TOWN/CITY LIAISONS:

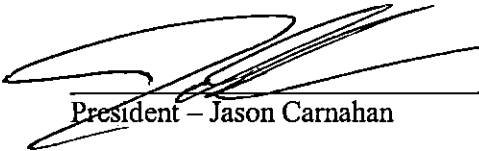
Frank Pulver reported on the Garrett Plan Commission meeting and a project with a metal recycling plant off of Fuller Dr., south of State Road 8. Mr. Pulver gave an update on the proposed project.

COMMENTS/QUESTIONS FROM THE PUBLIC IN ATTENDANCE:

None

ADJOURNMENT:

Jason Carnahan adjourned the meeting at 9:50 a.m.



President – Jason Carnahan



Acting Secretary/ Zoning Administrator – Chris Gaumer