

**MINUTES
DEKALB COUNTY PLAN COMMISSION
Wednesday March 20, 2024**

The Regular Meeting of the DeKalb County Plan Commission was called to order at 8:00 a.m. in the DeKalb County Commissioner's Courtroom by Plan Commission President, Jason Carnahan

ROLL CALL:

Members Present: Jason Carnahan, Bill Van Wye, Bill Hartman, Sandy Harrison, Jerry Yoder, Suzanne Davis, Angie Holt, Frank Pulver, and Elysia Rodgers

Members Absent: Glenn Crawford

Staff Present: Plan Commission Attorney Andrew Kruse, Director/Zoning Administrator Chris Gaumer, and Secretary Meredith Reith

Community Representatives Present: Mike Makarewich (Auburn)

Public in Attendance: Tyler Lanning, Andrew Provines, Ben Krafft, Brent Shull, and Jared Malcolm

PLEDGE OF ALLEGIANCE:

Jason Carnahan led The Pledge of Allegiance.

PRAYER:

Jerry Yoder led in prayer.

APPROVAL OF MINUTES:

Motioned by Frank Pulver to approve the February 21, 2024 meeting minutes. Seconded by Sandy Harrison. Angie Holt asked if under the jurisdictional findings had Bill Hartman stated no. There was discussion and decided for the secretary to listen to that part of the meeting again. Motioned by Sandy Harrison to reconsider approval of the minutes till the next meeting. Seconded by Suzanne Davis. None opposed. Motion carried.

CONSIDERATION OF CLAIMS:

Jason Carnahan inquired about any comments, questions, or motions to approve February 2024 claims, totaling \$30,152.79.

Angie Holt motioned to approve claims seconded by Sandy Harrison. None opposed. Motion carried.

OLD BUSINESS:

None.

NEW BUSINESS:

Rules of Procedure

Chris Gaumer stated the added text in Article 2 Sec. D of the Rules of Procedure for an alternate member. He stated the added text for when an alternate is needed during a meeting. Attending three meetings to observe and have discussion as a non-voting member. Being paid for the attendance of only three meetings and should only be paid if attendance as a voting member.

Andrew Kruse stated seeing an alternate as a good way for training purposes and good potential for getting the new members of the Plan Commission.

Bill Van Wye asked if the county council sets the pay rate and will there need to be a vote now. Mr. Gaumer stated that the Plan Commission will set the pay rate with an increase in the budget next year. Jason Carnahan stated it makes sense for wording to be added to accommodate for an alternate member in the Rules of Procedure.

Mr. Yoder asked if in a conversation he had heard that an alternate member is assigned to one member of the board. Only being able to cover for the member appointed to.

Mr. Kruse stated that at a minimum the alternate is assigned to cover for that appointed member. He had spoken with Cass County, and they appoint one alternate for each party and can float from each member of the same party. Mr. Gaumer stated that the Indiana Code states that members that the Commissioners appoint, no two citizen members can be from the same political party. Not stating what type of party.

Mr. Yoder asked then will two alternates need to be appointed.

Mr. Gaumer stated that no alternates need to be appointed but when the Commissioners reappointed Jerry Yoder, they also appointed an alternate for conflict of interest.

Mr. Kruse added that the alternate can only come in for conflict of interested purposes for the assigned alternate.

Suzanne Davis asked if the alternate would be able to vote if there was a conflict of interest. Being only able to vote for the appointed member. Mr. Kruse stated yes only for the member appointed to.

Mr. Gaumer stated that Jared Malcolm current alternate for Jerry Yoder can't just replace other board members, he can only represent the alternate member assigned by the County Commissioner's.

Mr. Gaumer stated that the Plan Commission doesn't appoint any alternates. Giving examples that Purdue Extension could appoint an alternate, same with the Commissioners and Council. The Commissioners have the say on who would be the alternate for their appointments.

Mr. Gaumer went on to state the other items needing clarification in Article 2 when appointing a secretary. Removing text for an attorney being appointed and adding text in 2.8 stating that an attorney fee agreement be approved on or before the first meeting.

Mr. Gaumer stated in Article 5 Sec. 4 petition fees, a current petition has been stalled and the fee was deposited in the general fund. The petitioner had stated not having a refund and holding with hopes of moving forward. Proposing that the fees may be refunded if the application submitted is deemed, stalled, or on hold for more than six months.

Jason Carnahan asked instead of may should it state, "shall be refunded". Mr. Kruse stated that may be refunded to the applicant leaves flexibility.

Angie Holt added that these fees are intended to cover the staff's time, so it depends on how much time is put into an application. Mr. Gaumer stated that he has considered having a percentage of the fee kept. Mr. Kruse added that the goal of this language is to be able to refund fees. Mr. Gaumer clarified why this language needs to be added. Having no language on what to do when requests for the fees to be refunded.

Mr. Carnahan asked if it would be up to the Plan Commission to decide if fees will be refunded. Mr. Gaumer stated that it would be up to the Zoning Administrator to decide. Mr. Carnahan stated he would like the decision to be up to the Zoning Administrator.

Mr. Yoder added that it was their decision to come in and start the process of giving us some money. We didn't have anything to do with them backing out or changing their mind. He thinks there should be a certain amount of the fee kept with the time needed to refund and work put into the application.

Mr. Gaumer stated not knowing what the percentage should be, suggesting 50%. Mr. Yoder asked what the fee amount was. Mr. Kruse stated just on public record \$10,000 was deposited into the funds.

Mr. Gaumer stated that we just need something in wording for the ability to refund when needed. Mr. Yoder suggested not doing a percentage and just figuring out what kind of expense was put into it. Mr. Carnahan stated that not all applications will take the same amount of time. Sandy Harrison suggested doing an administration fee.

Mrs. Holt added with these proposed changes as amended.

Mr. Carnahan agreed.


IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION THAT THIS TEXT AMENDMENT, PETITION #24-02, FOR ARTICLE 11: DEFINITIONS FOR ACCESSORY BUILDING OR STRUCTURE; ABANDONMENT OF USE; LEGAL NONCONFORMING BUILDING OR STRUCTURE, IS HEREBY CERTIFYING A FAVORABLE RECOMMENDATION TO THE COUNTY COMMISSIONERS ON THIS 21st DAY OF FEBRUARY 2024.

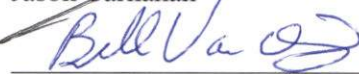
Motion made by: Bill Van Wye


Seconded by: Sandy Harrison

Vote tally: Yes: 7 No: 0

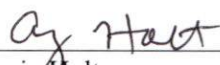

Jason Carnahan



Jerry Yoder


Bill Van Wye


Suzanne Davis


Bill Hartman


Angie Holt


Sandy Harrison

Petition #24-02 – Text Amendments to the Unified Development Ordinance to include revisions, additions and/or deletions to Article 8: Nonconforming Lots, Structures & Uses and Article 11: Definitions for Abandonment of Use; Legal Nonconforming Building or Structure; Legal Nonconforming Lot of Record; Legal Nonconforming Sign; Legal Nonconforming Use.

Mr. Gaumer went over the proposed text amendments that have been changed. He stated the proposed highlighted changes had been discussed prior to the last meeting. Adding what defines an abandonment of use in the definitions. He also stated the changes to Article 8 for Nonconforming Lots, Structures & Uses.

Mr. Carnahan asked if there was any discussion with the Board or comment from the public on this petition. Seeing none. He closed the public portion of the hearing.

Mr. Kruse went through the Findings of Fact.

JURISDICTIONAL FINDINGS:

The petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Legal notice published in The Star on February 09, 2024.

UDO AND STATUTORY MATTERS TO CONSIDER:

1. Is the change in text in harmony with the Comprehensive Plan?

Sandy Harrison answered yes.

2. Is the change in text consistent with the current conditions and the character of current structures and uses in each zoning district?

Bill Hartman answered yes.

3. Does the change in text help with the most desirable use for which the land in each zoning district is adapted?

Suzanne Davis answered yes.

4. Will the change in text promote the conservation of property values throughout the jurisdiction?

Jerry Yoder answered yes.

5. Will the change in text promote responsible growth and development in DeKalb County?

Angie Holt answered yes.

Mr. Carnahan entertained a motion for a favorable, unfavorable, or no recommendation the County Commissioners.

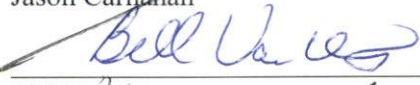
IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION THAT THIS TEXT AMENDMENT, PETITION #24-03, FOR ARTICLE 8: NONCONFORMING LOTS, STRUCTURES & USES AND ARTICLE 11: DEFINITIONS FOR ABANDONMENT OF USE; LEGAL NONCONFORMING BUILDING OR STRUCTURE; LEGAL NONCONFORMING LOT OF RECORD; LEGAL NONCONFORMING SIGN; LEGAL NONCONFORMING USE, IS HEREBY CERTIFYING A FAVORABLE RECOMMENDATION TO THE COUNTY COMMISSIONERS ON THIS 21ST DAY OF FEBRUARY 2024.

Motion made by: Jerry Yoder

Seconded by: Sandy Harrison

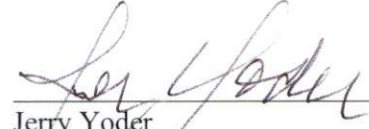
Vote tally: Yes: 7 No: 0

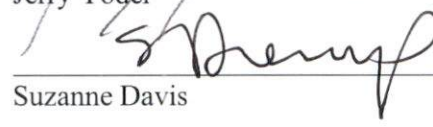

Jason Carnahan

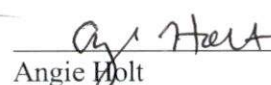

Bill Van Wye


Bill Hartman


Sandy Harrison


Jerry Yoder


Suzanne Davis


Angie Holt

Discussion of 2027 Comprehensive Plan

Mr. Gaumer distributed a 3-page handout that he went through with the Plan Commission.

Mr. Gaumer wanted discussion from the Board on the 2027 Comprehensive Plan. Wanting to bring Hometown Initiatives, Amber Bassett, to help prepare a request for proposals for the comprehensive plan. He stated why a comprehensive plan rewrite is needed. Needing updates when significant changes have been made to the county or things that were not thought of in 2017. If approved in 2027 this would have a twenty-year vision plan. Adding that Hometown Initiatives has provided a contract on how the RFP/Q will be done with a consultant selection committee. This would be with the choosing of the committee being made up of myself, up to four Plan Commission members, one member from the County Commissioners, one from the County Council, and Mr. Kruse.

Mr. Gaumer would like to see the contract approved for Hometown Initiatives to help write the RFP/Q and will be meeting with the commissioners and council to discuss the proposed plan. During that time have the request for proposals published to give them plenty of time to get their submittals to us. With a goal of having the comprehensive plan completed in a two-year period.

Mr. Van Wye asked if the shipping container homes need to be discussed in the plan and having concerns about a fire plan needing to be in place.

Mrs. Harrison added that Hamilton is looking at adding container homes.

Mr. Gaumer stated we can't prohibit container homes if they are built to our building code. Mr. Gaumer invited Amber Bassett to speak. Adding how much the contract cost will be for this proposed service.

Amber Bassett from Hometown Initiatives approached the podium to further explain the agreement of services. Stating that RFP/Q is the first stage to rewriting the comprehensive plan. The Request for Proposals is a document that needs to be sent out to the Indiana Planning Association or anyone that is well connected in the planning community to get their ideas. Giving the consultants time to write the proposal up and take this to the consulting selection committee to choose based on qualifications, with a goal of not asking the price until you have selected it down to two or three, so you know your going for the most qualified.

Jerry Yoder asked how much this whole package costs once you hire the consultants.

Amber Bassett stated it all depends on the consulting firm as of right now plans are running from between \$100,000 to \$150,000 depending on the size of the community.

Mr. Gaumer stated this will need lots of drafting and cleaning up. Being not all counties have this many communities that need to have the focus. Knowing this will be expensive but hopefully can be paid for during a course of two years.

Mrs. Harrison asked if it is expected for it to last several years. Mr. Gaumer stated that yes, a well written plan is expected to last about twenty years. Mrs. Bassett added that every five to ten years the plan will need to be updated with things that have been completed or no longer apply.

Mr. Yoder asked why we can't look at this on a year-to-year basis instead of taking care of the whole rewrite all at once.

Mr. Gaumer stated that this rewrite is going to be different than when the UDO is amended. The comprehensive plan can guide us with changes that need done. Mrs. Bassett added that by hiring a consultant you are getting the community's input for the best outlook into the future. A well written plan will help with questions that need addressed.

Mr. Yoder asked why a consultant needs to be hired. Mr. Gaumer stated that a staff of one can't write everything on their own and discussed the need to hire someone who has experience of knowing the process.

Mrs. Bassett added that a consultant will help with the back end of everything that goes into it, with all the resources available beforehand.

Mr. Van Wye added that it's better to have someone outside the community during the work and having no influence from others.

Mrs. Holt stated that this would be a good idea, with minimal expense, just to see what the proposals are.

Mr. Gaumer recommended that the board members read the comprehensive plan and see what they think – as it being a good guide to see how the county wants to be developed. Mr. Kruse asked if he was finding difficulties with the 2017 Comprehensive Plan not being complete enough. Mr. Gaumer stated it's not helpful when addressing things in the county.

Mike Makarewich stated that the risk is small until we get to the point needed.

Mr. Gaumer asked Mrs. Bassett if the selection committee could go to the Plan Commission for suggestions. Mrs. Bassett answered that the selection committee can take their suggestions to the PC to make a recommendation, not necessarily having too.

Mr. Gaumer stated that we will need a vote for the contract of agreement to move forward. Mr. Carnahan added that you would be looking for a motion to hire the consultant to do the RFP/Q.

Mrs. Davis motioned to approve the agreement of services as presented in the contract for Hometown Initiatives LLC with a second from Mrs. Harrison. None opposed. Motion carried.

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

Mrs. Harrison informed the board about Hamilton is looking at having a container homes section along the lake.

Mrs. Holt informed the board about the City of Waterloo did indicate that they're eligible for a (CDGB) Community Development Block Grant for a update to their Comprehensive Plan which was last updated in 2013. With hopes to apply for it before May.

Mrs. Davis informed the board about the City of Auburn with two items on the agenda. Approving the Pro Fed development on the east side of Dairy Queen and the adding of more parking lots on W 5th Street between Main Street and Jackson.

Mr. Gaumer presented the board with the year-end report on types of permits issued in the county. What the BZA and Plan Commission heard petitions for requests on new developments. Compared to the years of permits issued in the past with a steady increase.

COMMENTS/QUESTIONS FROM THE PUBLIC IN ATTENDANCE:

Andrew Provines approached the podium stating about the comprehensive plan discussion agreeing that there should be an outside consultant that has no bias or opinion from members of the community. Wanting to encourage, from a public stance, that everyone from the Plan Commission get involved so the public can meet and get to know everyone. When the solar discussion was brought forward the community was concerned with how the Comprehensive Plan was not up to date, stating he would like to see a plan for future uses.

Mr. Yoder asked if the Plat Committee would be mentioned.

Mr. Gaumer stated that when Mr. Yoder was reappointed to Plan Commission, he had got a call from Frank Pulver asking if Mr. Yoder would like to replace him on the Plat Committee. Bill Hartman motioned to approve Jerry Yoder to replace Frank Pulver with a second from Sandy Harrison. None opposed. Motion carried.

Mr. Carnahan mentioned do we need to establish a Consultant Selection Committee for the comprehensive plan rewrite. Mr. Gaumer stated we will need the selection made can do that today.

Mrs. Holt asked what the commitment would be. Mr. Gaumer stated there would likely be one meeting and probably be 2 or 3 meetings without Hometown Initiatives to view the consultant materials. The committee of Jason Carnahan, Suzanne Davis, Sandy Harrison, Jerry Yoder, was proposed.

Mr. Van Wye motioned to approve the committee as stated with an additional member selection from Commissioners and Council with a second from Suzanne Davis. None opposed. Motion Carried.

ADJOURNMENT:

Jason Carnahan adjourned the meeting at 8:30 p.m.


President – Jason Carnahan


Secretary – Meredith Reith