

December 28, 2023  
Regular Meeting of the  
Marshall County Plan Commission  
112 W. Jefferson St. Room 203  
Plymouth, IN 46563

MINUTES

President, David Hostetler, called the Marshall County Plan Commission meeting to order at 7:30 p.m. on Thursday, December 28, 2023, in Room 203 of the Marshall County Building. Present were Commission Members David Hostetler, Terri Barnhart, Craig Cultice, Deborah Johnson, Matt Miller, Kevin Overmyer, Brieanna Slonaker, Christopher Kline, and Michelle Mieras. Plan Director Ty Adley, Lori Lowry Administrative Assistant, Fred Webster the City of Plymouth Liaison, and Derek Jones the Marshall County Planning Commission attorney were present along with interested parties.

Minutes of the November 16, 2023, meeting was presented. Mrs. Barnhart moved, and Mr. Overmyer seconded the motion to approve the minutes as submitted. The motion passed by acclamation.

The second item of business was 23-PC-18 Marshall County Plan Commission – Amend Solar Ordinance Article 6, Section 210.

The initial proposed ordinance has been revised to read as follows: Cap on Farm-Scale Solar Energy Systems (a.) In interest of preserving Agricultural property, Solar farms shall be limited to 12,000 acres of property in Marshall County Zoning Jurisdiction. The acreage will be calculated on the number of leased acres in solar farms that are constructed/ approved by Board of Zoning Appeals. Farm-Scale Solar Energy Systems shall be setback 150' from the centerline of the adjacent Right-of-Ways, 75' from all property lines and 325' from the existing structures greater than 210 square feet on the property. Interior project property lines don't have setback requirements. Setback may be waived or reduced by agreement between landowner and developers, but not to be reduced more than zoning district setback minimums. Buffer Requirements: 1). Shall provide adequate visual 4 season screen while within 250' setback from residences and when adjacent to roadway intersections and where required by the Board of Zoning Appeals. 2). Buffering shall be maintained including but not limited to; by trimming if necessary, removal of dead or fallen trees and replanting for the life of the project. 4). Buffering may be waived by agreement between the developer and nonparticipating landowner. b. Must be approved by the Marshall County Drainage Board and the system must be a minimum 75' away from any county ditch or tile. Drainage Plan must be approved prior to building permit approval and shall include any required temporary facilities needed during the construction of the facility as to not have a negative impact on public infrastructure. c. Developer must repair, reroute or install new tile private Drainage systems in order to preserve the overall drainage integrity. All repairs must be completed within a reasonable period of time and to original or better condition. u. Power and communication lines running between banks of solar panels and to nearby electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by Marshall County in instances where shallow bedrock, water courses, or other elements of natural landscape interfere with the ability to bury lines, distance makes undergrounding infeasible or best practice at the discretion of the Plan

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Director. w. The developer and/or operator must design and install the system to minimize glare on adjacent properties and roadways and not interfere with vehicular traffic, including air traffic. x. The developer and/or operator must design and install the system to minimize impacts to; television signals, microwave signals, agricultural global positioning systems, military defense radar, radio reception, and weather and doppler radar. y. The developer and/or operator must account for sound level unless otherwise allowed under 36-7-4-1109, as amended. The developer must provide information pertaining and showcasing the sound attributed by the solar energy system and all associated components will not exceed an hourly average sound level of fifty (50) A-weighted decibels, as modeled at the property line of an adjacent nonparticipating property. This requirement may be waived by the written consent of the owner of each adjacent nonparticipating property. z. The laydown and staging area(s) shall be setback a minimum of 500' from a nonparticipating residences and any and all lights for the laydown and staging area(s) shall be shielded from shining across residential property. aa. Construction Parking will not be permitted along public roadways. ab. The applicant shall submit an Environmental Report, at the cost of the Developer, to include the following areas of interest. Water and soil testing locations shall be submitted and approved by the Board of Zoning Appeals to have results submitted to the Marshall County Commissioners. Testing by a qualified third party is required to ensure that there are not any adverse impacts to soil and public water resources. Other areas to be covered within the Environmental Report include: Compaction testing and location, Soil Erosion Plan, and Weed Management. ac. An approved Emergency Response Plan by the primary fire agency along with proof of notice to all mutual aid agencies shall be submitted. ad. The developer/operator shall ensure that the facility is properly grounded and maintained to prevent stray voltage and include a preliminary grounding site plan in the special use application and final grounding site plan in the submitted construction drawings for building permit approval. ae. Indiana Code 8-1-42 et.seq., and any subsequent amendments thereto, are hereby adopted and incorporated by reference herein, except to the extent that said provisions are not explicitly addressed above. 3. Farm-Scale Construction, decommissioning and removal requirements: a. Prior to the issuance of a building permit, a decommissioning plan must be approved by the Marshall County Commissioners and recorded with the Marshall County Recorder, crossreferenced to the deed(s) to all associated project parcels. Once a project has not generated energy for 1 month the developer/owner shall notify the Marshall County Plan Commission Director. Once a facility has not generated power for 6 consecutive months, the decommissioning plan shall be activated. The Operator shall provide the Plan Director and the County Commissioners with a semi-annual generation report. 4. Restoration and reclamation requirements shall adhere to the following: i. Restoration of the pre-construction surface grade and soil profile after removal of the structures, equipment, graveled areas and access roads. Subgrade components shall be removed in their entirety unless agreed to under section iii below. iv. Bonds and financial assurance shall be reevaluated every 3 years with contributions adjusting at that time to cover costs of decommissioning. At the cost of the Developer/Project Owner, a revised cost report shall be submitted and approved by the County Commissioners upon reevaluation and said report will include the adjusted decommissioning costs and salvage values. vi. Bond amounts must be agreed to at the time of Decommissioning Plan Approval by County Commissioners and bonds shall be in place prior to building permit approval. 6. Should a Force Majeure event such as; fire, flood, tornado or other natural disasters or acts of God, war, civil strife, a terrorist attack, or other similar acts of violence, other unforeseen events or events over which a project owner has not control, results in the solar energy system not generating electricity, the owner/operator shall as soon as practicable after the Force Majeure event, provide notice to the permit authority of the event and of the resulting cessation of generating operations. Also, must demonstrate to the permit authority that the commercial solar energy system will be substantially operation and generating electricity not later than twelve (12) months after the occurrence of the force majeure event. If the commercial solar energy system does not become substantially operational and resume generating electricity

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within 12 months, the project will be considered abandoned, and the decommissioning plan will take effect.

**RECOMMENDATION:** Based on the additional information reviewed by the Technical Review Committee, Staff and TRC recommend approval of the proposed amendments to the proposed solar farm amendments to Article 6 of the Marshall County Zoning Ordinance.

As requested by the board Mr. Adley discussed more on the cap of leased versus panel acres, stray voltage and the requirement of grounding locations and force majeure that we will be following Indiana Code.

Ms. Mieras made a motion to open for public hearing, seconded by Ms. Johnson. Motion carried by acclamation.

1. Lynn Studebaker 7063 E. 800 S.-43 South Whitley Representing her parents. Is against the setback from the structure.
2. Janelle Prochno Naylor 16451 Robert Ct. Is against the timing of the meeting. Shared feedback from citizens of Marshall County. Against solar farms. Believes there is a conflict of interest.
3. Jim Clark Hoffman Estate, Illinois Community Affairs Manager of Invenergy. The current ordinance is strong. Believes that the proposed setbacks are excessive and will result in unusable space. Requesting the board stay with the existing ordinance approved in 2020.
4. Rachel Conner 9780 S. 150 W. Pennelton Executive Director of Hoosiers for Renewables. Understands the rational for caps, but not in favor. Gave specific examples that leased ground doesn't take it out of ag use, but USDA subsidy programs.
5. Charles Dault 14774 Nutmeg Rd. Solar farms will devalue property values and what about reimbursement from devaluation. Concern about water contamination.
6. Cynthia Langdon 13227 Rose Rd. Has a concern that solar panels are toxic. What about the wildlife and the disruptions.
7. Brenda Prochno 13817 20 A Rd. Wants farmland preserved. Concern about eminent domain.
8. Casey Neidlinger 16682 14B Rd. The solar farm doesn't follow the comprehensive farm. Has concerns with setbacks proposed, emergency services plan, and property value guarantees.
9. John Neidlinger 16775 14<sup>th</sup> Rd. Has a concern about eminent domain. Does Invenergy have a regulated status that allows a landgrab situation?
10. Bruce Carter 18563 16<sup>th</sup> Rd. What are the commission's thoughts about proposed buffering and fencing. Would like to see the fence on the inside of the trees. Concern about a conflict of interest.
11. Joann Null 8099 S. 200 E. Columbia City Whitley County resident questions how you are going to address complaints.
12. Debbie Vandemark 14750 Tulip Rd. Believes there is more work to be done to the ordinance. Concern over the proposed setbacks, caps, no provisions to landowners rights, violations to the ordinance, conflicts of interest, and decommissioning.
13. Christina Wheeler Attorney for Invenergy Clarified that NIPSCO does have eminent domain in Indiana Code. Invenergy and other counties like that do not have this power.
14. Trina Radebush 601 S. Meridian St. Indy The setbacks are put in place to protect property values and provided resource that absence screening beyond 105'

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there is no measurable impact on property values. Believes the current ordinance is sufficient.

15. Jeanette Surissi 455 Liberty St. Culver Not appearing as counsel. The goal should be to draft a good ordinance. Sees a problem with Section 5AE IC8-1-42 et seq, and negotiating agreements between energy companies and non-participating landowner setbacks. Proposes the county create an ordinance that preserves property values promotes public health safety and general welfare.

The following are emails and letters that were received and read into record.

1. Dr. Demond Martello 1570 E. Shore Culver Proposing a rescheduling of meeting date. Has a concern about the solar plan.
2. PB Dye 1570 E. Shore Culver Proposing a rescheduling of meeting date. Has a concern about the solar plan.
3. Sandy Welch 1680 E. Shore Culver Is against any solar farm in Marshall County.
4. Debbie Vandemark 14750 Tulip Rd. Culver Objects to conducting hearing regarding changes to the solar ordinance due to public notice.
5. Donald Nunemaker 14375 Nutmeg Rd. Plymouth Has a concern with allowing such a large percentage of ground used for solar farms, where does the figure of possible tax gain come from and questions conflict of interest.
6. Carl & Nancy Crow No Address Requested rescheduling of meeting.
7. Casey Neidlinger No Address Proposed postponing the meeting.
8. Travis Dexter 16705 16C Rd. Culver Requesting the meeting be postponed.
9. Richard & Julia Baxter 16787 18B Rd. Culver Is against Solar and Battery Projects in Marshall County.
10. Connie Neininger Center for Infrast./Economic Dev Supports the development of renewable energy. Does not believe additional changes need to be made to the existing ordinance. Not in favor of caps and measuring sound at the property line.
11. Mary Thompson No Address Proposed postponing and doesn't believe solar farms are in the best interest of the county's economy and environment well being.
12. Chet Marshall No Address Is in opposition of solar farms because of loss of farm production.
13. Kate Marshall 108 N. Main St. Culver Proposed delaying the meeting. Has a concern about the environment and conservation areas.
14. Cathy Lockwood 950 E. Shore Dr. Culver Is opposed to the solar field. Solar panels are not recyclable. Farm fields are a resource and new farm fields are not being created.
15. Peter Daw 17257 Tamarack Rd. Is against solar development and cited other communities that have banned solar development.
16. Amy Curtis No Address Writing on behalf of family who owns 3 homes in Culver, Marshall County. Not in agreement with the solar proposal as it's not in the best interest of the citizens.
17. Robert Broeker No Address Leased land for solar project near Burr Oak in 2019. Believes the project will benefit the community and land and is a win-win situation. Is not in favor of amending the ordinance as it will waste land and drive up solar costs.

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18. Jennifer Shea	No Address	Is opposed to the date of the meeting.
19. Renee Muehlhausen	11299 18 <sup>th</sup> Rd. Argos	Is opposed to the solar farms in rich farmland community. Believes there will be a negative impact and decreased desirability and loss of property values.
20. Krista Furry	Culver, Indiana	Is opposed to solar facility as its not in the best interest of the community. Believes the meeting needs to be changed to a future date.
21. Paulette Yager	Culver	Is not in favor of solar farms.
22. Paul Levett	No address	Is concerned about residential property values, setbacks, lack of property value guarantees, and conflict of interest.
23. Bill Githens	Culver	Is against the proposed solar on the farmland and industrial battery packs associated with them.
24. William Wheeler	Email	Is against the proposed solar.
25. William Furry	2425 E Shore Lane Culver	Is against the proposal solar.
26. Kathy Talbot	215 S. Ohio St. Culver	Is opposed to the date of the meeting. Is also opposed to the solar project.
27. Rhonda Pendergast	Email	Is opposed to solar farms and doesn't see their benefit.
28. Jake Sturman	Email	Requesting information on location and impact to the electrical grid specific to proposed solar farm.
29. Amy Ditmire	17705 16C Rd. Culver	Is opposed to solar panels in Marshall County.
30. Traci Zrelak	Culver	Is opposed to solar farms.
31. Mike Umbaugh	19700 12 <sup>th</sup> Rd. Plymouth	Is in favor of allowing a clean energy alternative.
32. J. Colin MacNab	Email	Proposes the meeting be postponed to learn more details.
33. Yvonne Martello	1540 E. Shore Dr. Culver	Is opposed to solar panels and objects to this project.
34. Greg Welch	Email	Is opposed to the timing of the meeting and is not in favor of solar farms.
35. Angie Curtis	Culver homeowner	Is opposed to solar farms in Marshall County. Needs more information.
36. Dr. John Zrelak	1004 South St. Culver	Opposes the installation of solar panels in Marshall County.
37. Frank Kline	Email	In support of development and future growth of solar energy in Marshall County.
38. Patrick Kline	Email	In support of solar projects in Marshall County.
39. Vincent Duke	Email	Is against any proposed solar project in Marshall County.
40. Edgar & Kimberly Reiter	14218 Tulip Rd.	In support of solar, but has concerns with caps on farm scale solar and the general approved standard setbacks.

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41. Rosemary Miller of the meeting.	866 W. Shore Dr. Culver	Is opposed to the timing
42. Nora Kline Marshall County.	Email	In support of solar in
43. Patricia Stallings	506 E. Lake Shore Dr. Culver	Is opposed to solar
	project until results of such projects can be measured.	
44. Anthony George & Maeve Kline		In support of future
	growth of solar energy in Marshall County.	
45. Jeanene Sullivan	6810 20 <sup>th</sup> B Rd Argos	Is against the use of
	agricultural land for solar farms in Marshall County.	

Multiple petitions were received from property owners in Marshall County that object to the current industrial solar ordinance and the proposed amendments and do not want agricultural land used for solar farms. The signatures read as follows:

• Adam Leeper	14826 Hickory Rd. Argos
• Caleb Poisel	19018 Pine Rd. Argos
• Cassandra Leeper	14826 Hickory Rd. Argos
• Carl Prochno	13817 20 A Rd. Argos
• Brenda Prochno	13817 20 A Rd. Argos
• Ryan Sieber	19022 Queen Rd. Culver
• Penny Davis	10073 18 <sup>th</sup> Rd. Argos
• Bill Davis	10073 18 <sup>th</sup> Rd. Argos
• Illegible	12403 3 A Rd. Plymouth
• Rebecca Davis	5438 18 <sup>th</sup> Rd. Argos
• Illegible	5438 18 <sup>th</sup> Rd. Argos
• Preston Henry	14641 Muckshaw Rd. Plymouth
• Illegible	320 Weidner Ave. Argos
• Steve Ringer	15600 Pear Rd. Plymouth
• Robert Ringer	15383 Pear Rd. Plymouth
• Jim Ringer	15521 Muckshaw Rd. Plymouth
• Larry Davis	11531 W. 10 <sup>th</sup> Rd. Plymouth
• Donna Fishburn	15070 Olive Tr. Plymouth
• Georgana Fishburn	15408 Nutmeg Rd. Plymouth
• James Fishburn	15084 Olive Tr. Plymouth
• Mary Fishburn`	15084 Olive Tr. Plymouth
• Gage Nettour	8311 1 <sup>st</sup> Rd. Bremen
• Joe Ervin	212 N. Indiana St. Bremen
• Cheryl Ervin	212 N. Indiana St. Bremen
• Darlene Ervin	4236 3 <sup>rd</sup> Rd., Bremen
• Becky Ervin	207 Marshall St. Bremen
• Harold Nettour	1584 Miami Tr Bremen
• Donald Mark Aker	550 South Shore Culver
• Ann Aker	550 South Shore Culver
• Phillip Scruggs	9466 Collins Dr. Plymouth
• Jayne Aker	14463 Lawrence Lake Dr. Plymouth
• James Gault	16513 Robert Ct. Plymouth
• Janell Naylor	16541 Robert Ct Plymouth

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- Kent Naylor 16541 Robert Ct Plymouth
- Angela Hummel 995 N. Michigan Lakeville
- Jennifer Criddle 12320 Tamarack Rd. Plymouth
- Cynthia Casper 13805 Jarrah Rd. Argos
- Bryan Casper 13805 Jarrah Rd. Argos
- Larry Houin 11291 14<sup>th</sup> Rd. Plymouth
- Jim Pentelow 13851 Jarrah Rd. Plymouth
- Mary Pentelow 13851 Jarrah Rd. Plymouth
- Lawrence E. Houin Sr. 9242 Suter Rd. Plymouth
- Betty Bellman 615 S. East St. Bremen
- Trisha Sporner 408 N. Bourbon St. Bourbon
- Brian Sporner 408 N. Bourbon St. Bourbon
- James Houin 9242 Suter Rd. Plymouth
- Thomas Langdon 1322y Rose Rd. Plymouth
- Cynthia Langdon 13227 Rose Rd. Plymouth
- John Chamberlin 10561 Quince Rd. Plymouth
- Julie Chamberlin 10561 Quince Rd. Plymouth
- Tom Langdon Sr. 16392 Pretty Lake Rd. Plymouth
- Illegible 2400 N. SR 23 Grovertown
- Illegible 2400 N. SR 23 Grovertown
- Dave Langdon 13222 Nutmeg Tr. Plymouth
- Michelle Langdon 13222 Nutmeg Tr Plymouth
- Kayla Langdon 17763 Lincoln Hwy Plymouth
- Kyle Langdon 816 N. Michigan St. Plymouth
- Adam Langdon 17763 Lincoln Hwy Plymouth
- Marcy Caron 13717 Rose Rd. Plymouth
- Simon Caron 13717 Rose Rd. Plymouth
- Shari Miller 14823 12<sup>th</sup> Rd. Plymouth
- Vivian Miser 1215 Solomon Ct. Plymouth
- Nick Lunetta 13298 Rose Rd. Plymouth
- Ashley Lunetta 13298 Rose Rd. Plymouth
- David Flosenzier 13854 Rose Rd. Plymouth
- Paul Flosenzier 13770 Rose Rd. Plymouth
- Illegible 13854 Rose Rd. Plymouth
- Sherri Flosenzier 13770 Rose Rd. Plymouth
- C. William Crow 14263 Lawrence Lake Dr. Plymouth
- Brooke Singleton 6626 Olive Rd. Plymouth
- Illegible 6626 Olive Rd. Plymouth
- Illegible 6195 Olive Rd. Plymouth
- Len Clifton 9908 SR 110 Argos
- Michael Bachtel 8890 14<sup>th</sup> Rd. Argos
- Belinda McNeal 10980 Aubrie Lane Plymouth
- Aaron Bachtel 3397 Lilac Rd. Plymouth
- Tim Fishburn 15408 S. Nutmeg Rd. Plymouth
- Jenni Fishburn 15070 Olive Tr. Plymouth
- Dani Bachtel 3397 Lilac Rd. Plymouth
- Robert Bachtel 8138 9B Rd Plymouth

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• Judy Richards	209 E. North St. Argos
• John Bachtel	5360 9B Rd Bourbon
• Melissa Bachtel	5360 9B Rd Bourbon
• Michael Olszewski	10240 Muckshaw Rd. Plymouth
• Jeff Bowen	11711 9 <sup>th</sup> Rd. Plymouth
• Mark Shafer	5237 Quince Rd.
• Barb Eyrich	4970 12 <sup>th</sup> Rd. Bourbon
• Lon Helton	3075 Illion St. Tippecanoe
• Marc Weissert	14295 Elm Rd. Bourbon
• Douglas Eyrich	4970 12B Rd Bourbon
• Hal Sullivan	6810 20 <sup>th</sup> B Argos
• Michael Weissert	5565 E. 15B Tippecanoe
• Jeniffer Sullivan	6260 20 <sup>th</sup> Rd. Argos
• Jeanne Sullivan	6810 20 <sup>th</sup> B Argos
• Richard Crum	18737 Hickory Rd. Argos
• Illegible	18737 Hickory Rd. Argos
• Illegible	11730 Olive Tr. Plymouth
• Edmund Hartman Jr.	12966 14tj Rd/
• Robert Ray	10880 Fir Rd. Bourbon
• Annette Ray	10880 Fir Rd. Bourbon
• Paula Kinney	11730 Olive Tr. Plymouth
• Lawrence Martin	6859 20 B Rd Argos
• Russell Alderfer	404 Dewey St. Argos
• Illegible	109 E. Williams Argos
• John Fisher	1118 South Mill St. Argos
• Ron Hensley	19736 Michigan Rd. Argos
• Russel Wagley	Marshall Argos
• Sharon Walls	14874 Michigan Rd. Argos
• Lyndon Bailey	5375 18 <sup>th</sup> Rd. Argos
• Melinda Bailey	5375 18 <sup>th</sup> Rd. Argos
• Tim VanDuyne	7252 20 B Rd Argos
• Steve Powell	7497 N. 300 W. Rochester
• Illegible	7497 N. 300 W. Rochester
• Illegible	19600 Oak Rd. Argos
• Illegible	1887 Birmingham Rd. Macy
• Rick Davis	19380 Pine Rd. Argos
• Illegible	19380 Pine Rd. Argos
• Richard Morgan Jr.	19640 Pine Rd. Argos
• Elton Morgan	19640 Pine Rd. Argos
• Illegible	19640 Pine Rd. Argos
• Chuck Campbell	8790 19 <sup>th</sup> Rd. Argos
• Don Karen Savage	14395 19 <sup>th</sup> Rd. Argos
• Illegible	14677 19 C Rd. Argos
• Illegible	19600 Oak Rd. Argos
• Illegible	18929 Nutmeg Rd. Argos
• Illegible	20130 Peach Rd. Culver
• Brandon Surma	429 Thorn Rd. Walkerton

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- Kayla Surma 429 Thorn Rd. Walkerton
- Mitchell Crum 14924 20 A Rd. Argos
- Annis Crum 14924 20 A Rd. Argos
- Shelley Beatty 14139 18 B Rd Argos
- Carl Prochno 14139 18B Rd Argos
- Carl Prochno 14474 18 B Rd Argos
- Jim Poisel 19018 Pine Rd. Argos
- Chantel Poisel 19018 Pine Rd. Argos
- Carolyn Poisel 19082 Pine Rd. Argos
- Chris Chilton 14379 20 A Rd. Argos
- Alyssa Chilton 14379 20 A Rd. Argos
- Jason Chilton 14766 20 A Rd. Argos
- Amanda Chilton 14766 20 A Rd. Argos
- Wade Chilton 14766 20 A Rd. Argos
- Ronald Lee 9564 14<sup>th</sup> Rd. Argos
- Marcia 9451 18<sup>th</sup> Rd. Argos
- Derrick Lee 209 Maple St. Argos
- J. Houin 9902 14<sup>th</sup> Rd. Argos
- Peter Manzuk 11105 Regency Ct. Plymouth
- Penny Davis 10073 18<sup>th</sup> Rd. Argos
- Matt Cripe 13891 11<sup>th</sup> Rd. Plymouth
- Justin Fish 16683 6<sup>th</sup> Rd. Plymouth
- Brittany Fish 16683 6<sup>th</sup> Rd. Plymouth
- Matt Smith 19541 Oak Rd. Argos
- Karen Lee 9564 14<sup>th</sup> Rd. Argos
- Illegible 11288 Hawthorn Rd. Plymouth
- Illegible 13740 Michigan Rd. Plymouth
- Greg Ferguson 103851 W. 14 C Rd. Argos
- Illegible 6890 SR 110 Argos
- Audrey Gibbons 6890 SR 110 Argos
- Pam Lee 14701 Dixon Lake Tr. Plymouth
- Eddie Richer 10772 Olive Tr. Plymouth
- Heather 4560 Hickory Rd Plymouth
- Samantha Rains 14515 5<sup>th</sup> Rd. Plymouth
- Illegible 9751 Pine Rd. Plymouth
- Illegible 706 Freeman Dr. Plymouth
- Hundt 10824 12 B Rd. Plymouth
- Illegible 410 Indiana Ave Argos
- Cecil Wilson 17910 12<sup>th</sup> B Rd. Plymouth
- Illegible 12852 Muckshaw Rd. Plymouth
- Doug Metz 10420 king Rd. Plymouth
- Jody Metz 10420 King Road Plymouth
- Alan Neidlinger 9820 Lincoln Hwy Plymouth
- Melissa Neidlinger 9309 Lincoln Hwy Plymouth
- Stuart Neidlinger 9309 Lincoln Hwy Plymouth
- Trenton Pletcher 10909 Iris Rd. Plymouth
- Daniel Neidlinger 8741 11<sup>th</sup> Rd. Plymouth

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- Penny Davis 10073 18<sup>th</sup> Rd. Argos
- Rick Davis 10073 18<sup>th</sup> Rd. Argos
- Barry Zechiel 12403 3 A Rd Plymouth
- Rebecca Davis 5438 18<sup>th</sup> Rd. Argos
- Illegible 5438 18<sup>th</sup> Rd.
- Preston Henry 14641 Muckshaw Rd. Plymouth
- Howard Carlisle 320 Weidner Ave. Argos
- Steve Ringer 15600 Pear Rd. Plymouth
- Robert Ringer 14383 Pear Rd. Plymouth
- Jim Ringer 15521 Muckshaw Rd. Plymouth
- Larry Davis 11531 10<sup>th</sup> Rd. Plymouth
- Joan McLochlin 10940 12 B Rd. Plymouth
- Travis Martin 20833 8<sup>th</sup> Rd. Plymouth
- Rodney Hathaway 14376 4<sup>th</sup> Rd. Plymouth
- Patricia Hathaway 14376 4<sup>th</sup> Rd. Plymouth
- Sarah Betz 15182 Nutmeg Rd. Plymouth
- Earl Betz 15182 Nutmeg Rd. Plymouth
- Tom Miller 10940 12B Rd. Plymouth
- Jim Ruby 9445 20 B Rd. Argos
- Kathy Ruby 9445 20 B Rd. Argos
- Val Hanley 308 N. Michigan St. Argos
- Noah Mechling 11569 19<sup>th</sup> Rd. Argos
- Terry Ritchie 7810 E. 25 N. Knox
- Anita Bottorff 8080 Jarrah Rd. Plymouth
- Dana Walkeland 8577 1<sup>st</sup> Rd. Bremen
- Illegible 825 Pennsylvania Ave. Plymouth
- Melissa Owen 11868 Ridgeview Dr. Plymouth
- James Ferguson 11148 14 C Rd. Argos
- Illegible 10273 W. Anglin Rd. Etna Green
- Illegible 921 W. Jefferson St.
- April Bailey 16290 Pretty Lake Rd. Plymouth
- Illegible
- Therese Bucher 10400 Pretty Lake Tr. Plymouth
- Brad Bucher 10400 Pretty Lake Tr. Plymouth
- Rod Kubley 10423 Pretty Lake Tr. Plymouth
- Mike Scheetz 11017 Forest Dr. Plymouth
- Stacy Scheetz 11017 Forest Dr. Plymouth
- J. Marc Adams 2967 Redwood Ct. Plymouth
- Allyson Adams 2967 Redwood Ct. Plymouth
- Joseph Adams 10715 Muckshaw Rd. Plymouth
- Pat Adams 10715 Muckshaw Rd. Plymouth
- Travis meister 2334 Hillcrest Ave Plymouth
- Jordan Scheetz 611 Angel St. Plymouth
- Allison Scheetz 611 Angel St. Plymouth
- Kieran mCCan 533 Glacier Dr.
- George Emenaker 11272 Muckshaw Rd. Plymouth
- Dale Hayn 11012 Queen Rd Plymouth

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• Allen Olson	11243 Pear Rd. Plymouth
• Martha Jacobson	19336 6 B Rd. Plymouth
• Tod Jacobson	20495 6 B Rd. Plymouth
• John Nifong	8609 Quince Rd. Plymouth
• Kim Nifong	8609 Quince Rd. Plymouth
• Carol Beatty	13180 Queen Rd. Plymouth
• Rodney Ronk	17230 14 B Rd Culver
• Cathy Ronk	17230 14 B Rd. Culver
• Vince Hoffman	19645 W. 20 A Rd. Culver
• Michelle Hoffman	19645 W. 20 A Rd. Culver
• Bob Hoffman	20779 Tulip Rd. Culver
• Beckie Hoffman	20779 Tulip Rd. Culver
• Julie Hayn	16489 12 <sup>th</sup> Rd. Plymouth
• Cheryl Humes	8195 12 <sup>th</sup> Rd. Argos
• Ron Humes	8195 12 <sup>th</sup> Rd. Argos
• Ron Hayn	16489 12 <sup>th</sup> Rd. Plymouth
• Kathy Slonaker	16531 12 <sup>th</sup> Rd. Plymouth
• Deborah VandeMark	14750 Tulip Rd. Culver
• Paul VandeMark	14750 Tulip Rd. Culver
• Karen Brenneman	431 Miami Tr. Bremen
• Lisa Bixel	227 E. Raymond St. Bremen
• Eric Haseley	5379 1 B Rd. Bremen
• Barb Sauter	714 S. Washington Bremen
• Dale Brenneman	431 Miami Tr. Bremen
• Sarah Schultz	7584 SR 17 Plymouth
• Patricia Schultz	7584 SR 17 Plymouth
• Karen Hooker	15412 20 A Rd. Culver
• Amy Curtis	19729 Queen Rd. Culver
• R. Scott Curtis	19729 Queen Rd. Culver
• Matt Hopkins	15627 18 B Rd. Culver
• Makaela Hopkins	15627 18 B Rd. Culver
• Ron Lee	20090 Peach Rd. Culver
• Joyce Winn	20690 SR 17 Culver
• Kaye Schultz	19818 Peach Rd. Culver
• Dale Schultz	19818 Peach Rd. Culver

Mr. Overmyer moved to close the public hearing, seconded by Ms. Mieras. Motion carried by acclamation.

Ms. Johnson has concerns with the proposed IC Code 8-1-42 and the proposed non-participating setback. Ms. Johnson's recommendation would be 500' from the property line and remove the option for negotiating in the setback section.

Mr. Miller isn't in favor of the 325' from a structure. Mr. Miller's recommendation was 325' or even 500' from the property line. If the solar company wishes for a lesser setback, they always have the right to request a variance.

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Mr. Adley reminded the board if they are looking at possible variances for setback reductions, they will need to look at amending the setback section and remove the option for negotiating between landowner and developer.

Mr. Hochstetler brought up that if the negotiations are removed that removes all the rights from the non-participating landowner.

Mr. Kline believes it would be a mistake to require a 500' setback from the property line. The state code requires 250' from a dwelling and we have already proposed to extend it even further to 325' from an accessory structure. Doesn't understand what moving it to 500' from a property line will achieve.

After earlier discussion on IC 8-1-42 the board discussed concerns about including that code in the proposed ordinance under (ae). The board decided that they would prefer to review new Indiana state codes and decide whether they want them included in our local ordinance.

The board discussed multiple options about how to move forward.

**Ms. Johnson made a motion to recommend a proposal for a three (3) month moratorium on Solar Farms to review the Indiana Code section (ae) and the proposed setbacks, seconded by Mr. Miller. Motion denied with a voice vote four in favor and five against. Five voting against were Mrs. Barnhart, Mr. Kline, Ms. Mieras, Mr. Overmyer and Mr. Hostetler.**

**Mr. Kline made a motion to recommend approval of 23-PC-18 Marshall County Plan Commission –Amend Solar Ordinance Article 6, Section 210 with the exception to strike subsection (ae) in reference to Indiana Code 8-1-42 et.sec. from the proposal and forward to the County Commissioners with a favorable recommendation, seconded by Ms. Mieras. Motion carried with a voice vote eight in favor and one against. One voting against was Ms. Johnson.**

Executive Session

The board will convene at 6:00pm one hour prior to the next scheduled meeting on January 25<sup>th</sup>, 2024, to discuss personnel review.

There being no further business, a motion was made to adjourn and seconded. The motion was passed by a voice vote.

Respectfully submitted.

Craig Cultice,  
Secretary