

THE SHELBY COUNTY COMMISSIONERS MET ON MONDAY SEPTEMBER 28, 2020, AT 8:00 A.M. PRESENT WERE COMMISSIONERS NIGH, PARKER, ROSS, COUNTY ATTORNEY AND COUNTY AUDITOR

MINUTES:

MOTION TO APPROVE THE MINUTES FROM SEPTEMBER 21, 2020 WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

BID DATE / SCHEFFLER FARM:

COMMISSIONER NIGH ADVISED WE NEED TO SET A DATE FOR BID OPENINGS FOR SCHEFFLER FARM. MOTION TO MAKE DATE AS NOVEMBER 2, 2020 @ 8:00 A.M. WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

ROAD CUT PERMIT:

MOHR DRAINAGE IS REQUESTING TO DO A ROAD CUT ON SMITHLAND ROAD AT 250 S, MOTION TO APPROVE WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

SHERIFF:

SHERIFF KOCH ADVISED THE COMMISSIONERS THAT THE OPERATING SYSTEM FOR THE ANNEX & JAIL DOOR SYSTEM IS PRETTY MUCH DONE, WE CAN NO LONGER RESET IT OR ADD NEW EMPLOYEES. IT IS BEYOND REPAIR. KOCH HAS A QUOTE FROM STANLEY SECURITY IN THE AMOUNT OF \$9,850.00 AND KOCH ADVISED HE DOESN'T HAVE THE FUNDS TO PAY FOR THIS. THE AUDITOR THOUGHT WE WOULD BE ABLE TO USE THE COURT HOUSE MAINTENANCE, BUT THEY JUST TURNED IN A \$42,000.00 INVOICE FOR THE CLEANING AND RESEALING THE COURT HOUSE. THE AUDITOR ADVISED THEY COULD PROBABLY JUST DO AN ADDITIONAL APPROPRIATION IN CUM CAP. MOTION TO APPROVE WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

SHERIFF KOCH ALSO PRESENTED THE COMMISSIONERS WITH A QUOTE FOR THE MEDICAL CARE IN THE JAIL. HE ADVISED CURRENTLY THEY USE QUALITY CORRECTIONAL CARE AND THEY HAVE RAISED THEIR PRICE FOR NEXT YEAR TO \$174,657.18. KOCH ADVISED THEY HAVE GONE OUT TO RESEARCH OTHER COMPANIES AND HAS FOUND ONE THAT IS FAIRLY NEW BUT ARE CONTRACTED WITH 72 OF THE 92 COUNTIES IN INDIANA. THEY ALSO PROVIDE NURSING STAFF ON THE WEEKENDS. THE COUNTY HAS NEVER HAD THIS. KOCH ADVISED THAT IF YOU OK THIS TODAY, THEY WILL SEND A CONTRACT OVER FOR JOHN DEPREZ TO REVIEW. MOTION TO APPROVE WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

HIGHWAY:

ANDERSON ADVISED HE RECEIVED A PRICE TO PUT RUMBLE STRIPS IN AT LONDON ROAD & 400 N, THE COST WOULD BE \$4,195.00. THE QUOTE IS FROM AAA STRIPPING, HE ADVISED IF YOU ALSO WANT THIS DONE AT 400 N & 825 W, IT WOULD BE ANOTHER \$4,195.00. MOTION TO APPROVE THE RUMBLE STRIPS TO BE INSTALLED AT LONDON ROAD AND 400 N ONLY WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

ANDERSON ADVISED THAT TRISSLER FIXED THE WASHOUT ON LONDON ROAD AND THAT IS BACK OPEN.

ANDERSON ALSO TALKED TO THE COMMISSIONERS ABOUT THE LIGHTING AT COUNTY LINE AND MICHIGAN ROAD AND ADVISED THERE DOES NEED TO BE SOMETHING DONE WITH IT. ANDERSON ADVISED THEY WILL LOOK INTO GETTING SOME LED LIGHTING.

CLAIMS:

PAYROLL – MOTION TO APPROVE PAYROLL WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

TRANSFER/ADDITIONALS:

N/A

INDUSTRIAL SOLAR FARM:

DENISE STOONER:

DENISE BROUGHT THE COMMISSIONERS A 3 RING BINDER FULL OF A YEARS WORTH OF RESEARCH. DENISE ADVISED THIS WAS ALL DONE FOR MADISON COUNTY AS THEY ARE GOING THRU THE SAME THING AND HAVE REDONE THEIR ORDINANCE. SHE WORKED CLOSELY WITH MADISON COUNTY PLAN COMMISSIONER AS THEY WERE LOOKING AT A 1,898 PLUS ACRE SOLAR FARM. DENISE GAVE LOTS OF STATISTICS. THEIR BIGGEST CONCERN WAS HEALTH AND THERE IS NO STUDY OR PROOF SAYING YOU CAN RETURN TO FARMING AFTER THESE PANELS ARE REMOVED. THERE ARE ALL KINDS OF DEADLY CHEMICALS IN THESE PANELS. DENISE HERSELF IS A REALTOR AND ADVISED PEOPLE ARE NOT WANTING TO BUILD OR BUY HOUSES THAT ARE SURROUNDED BY THESE SOLAR FARMS. SHE ASKED THE COMMISSIONERS TO PLEASE REVIEW ALL OF THIS INFORMATION AND TAKE IT SERIOUSLY.

TERRY WITH RUSH SHELBY ENERGY ADVISED THIS WHOLE AREA THEY ARE TALKING ABOUT IS RUSH SHELBY ENERGY AND NONE OF THIS ENERGY GENERATED WITH THIS GOES BACK INTO THE COUNTY THRU RUSH SHELBY. HE ALSO WANTED TO MAKE SURE THEY KNEW RUSH SHELBY HAS NOTHING TO DO WITH S-POWER.

ZONDA STEAD HAD A SLIDE SHOW TO SHOW THE COMMISSIONERS SHOWING AND ADVISING THE COMMISSIONERS OF OTHER SOLAR FARMS AROUND INDIANA THAT THESE COMPANIES DON'T TAKE CARE OF THE LAND, THE GRASS IS ALL GROWN UP THE FENCES ARE ONLY LOCKED WITH A BIKE LOCK AND COULD EASILY BROKE INTO. THE FENCE HAS BEEN HIT AND STILL ISN'T FIXED. SPOWER HAS BEEN ISSUED NUMEROUS VIOLATIONS AND DON'T SEEM TO BE COMPLYING WITH THE COUNTY'S ORDINANCES. THEY ARE NOT GOOD NEIGHBORS. IN MASSACHUSETTS, THE STATE IS SUING SOLAR DEVELOPER FOR POLLUTION AND WETLANDS VIOLATIONS.

KYLE BARLOW GAVE SOME STATISTICS AT THIS TIME:

- ROUGHLY \$68,000.00 IS WHAT THE COUNTY HAS CURRENTLY SPENT ON THE COMPREHENSIVE PLAN
- 25,000 PEOPLE THAT LIVE IN SHELBYVILLE GET THEIR WATER FROM THOSE WELLS.
- IT WILL TAKE US ROUGHLY TWO MONTHS TO REVISE OUR SOLAR ORDINANCE
- 3,000 SIGNATURES AGAINST THIS SOLAR PLANT
- SHELBY COUNTY GETS 0 POWER FROM THIS PLANT
- THE HALF LIFE OF CADMIUM INSIDE THESE PANELS IS 20 YEARS.
- FOR EVER IS THE NUMBER OR VALUE PLACED ON PFAS THAT CAN BE IN OUR WATER, BODIES, AND OUR SOILS.
- WE ARE LOOKING AT ALL OF THE LAND BEING OK'D OR PROPOSED IN THIS COUNTY 7% OF PRIME LAND IS BEING THREATENED IN OUR COUNTY.
- 1,200 TO 4,000 ACRES THAT WE ARE LOOKING AT JUST IN THE BENGAL AREA.
- THE POPULATION OF HENDRICKS TOWNSHIP IS 1,280 PEOPLE AND 520 HOMES. AND 70 OF THESE HOMES WILL BE IMPACTED.

BARLOW ADVISED AT LAST WEEK PLAN COMMISSION MEETING SCOTT GABBARD REACHED OUT TO SOME COLLEGES AT PURDUE. ONE OF THE THINGS THEY SAID IS THAT MOST LIKELY THE TYPE OF SOLAR PANELS THAT THEY WILL USE ARE PHOTOVOLTAIC PANELS, THEY KNEW THIS 8 WEEKS AGO, BECAUSE ANY MASSIVE SOLAR PROJECT IN THE UNITED STATES ALMOST EVERY TIME THEY ARE THIS TYPE.

KYLE SHOWED THE COMMISSIONERS SOME MSDS SHEETS TO THESE SOLAR PANELS. HE POINTED OUT SOME OF THE HAZARDS. YOU CAN'T SAY THESE CAN'T CATCH FIRES, WE SAW A COUPLE WEEKS THAT A BIRD STARTED A FIRE AND BEES ALSO CAN START FIRES. CADMIUM IS TERRIBLE YOU ARE NOT SUPPOSED TO BREATHE THIS STUFF IN. IF YOU DO BREATHE THIS IN YOU CAN DIE WITHIN 6 HOURS. IF ANY OF YOU CAN SAY THIS ISN'T BAD YOU ARE WRONG.

BARLOW WANTED TO ASK THE COMMISSIONERS SOME QUESTIONS AND SAID THEY COULD ANSWER THEM IF THEY WANTED:

1. DO ANY OF YOU STAND TO PERSONALLY OR PROFESSIONALLY GAIN FINANCIALLY IN THE DECOMMISSIONING PROCESS OF SOLAR PANELS? AT THIS TIME ROSS ADVISED HE WILL NOT ANSWER ANY OF THESE QUESTIONS. THIS IS NOT AN INQUIRY, YOU CAN MOVE ON AND ASK THESE QUESTIONS, BUT THIS IS NOT AN INQUIRY.
2. SINCE THERE IS NO APPLICATION PENDING AT THIS TIME, CAN YOU TELL ME ON RECORD WHY YOU OPPOSE A MORATORIUM BEFORE MORE APPLICATIONS ARE RECEIVED? ROSS MOVE ON

3. MR. ROSS AS A COMMISSION YOU ACT AS A VOTING MEMBER AND LIAISON TO THE PLANNING COMMISSION. WITH YOUR DUAL ROLE YOU HAVE BEEN MADE WELL AWARE BY THE PLANNING MEMBERS THAT THEY HAVE FULL INTENTIONS ON DISCUSSING AND REVISING THE CURRENT SHELBY COUNTY SOLAR ORDINANCE. DO YOU SUPPORT THEIR EFFORTS TO MAKE THE APPROPRIATE AND MUCH NEEDED CHANGES TO THIS ORDINANCE?
4. MR. NIGH YOU STATED THAT ANYTHING THAT MADE IT CLEARER REGARDING THE SOLAR ORDINANCE WOULD BE BETTER. WHY ARE YOU OPPOSED TO HAVING A 6 MONTH MORATORIUM TO ALLOW THE SOLAR ORDINANCE TO BE REVISED? MR. ROSS SAME QUESTION WHY ARE YOU OPPOSED TO HAVING A 6 MONTH MORATORIUM TO ALLOW THE SOLAR ORDINANCE TO BE REVISED? NIGH ADVISED HE HAS ANSWERED THIS, ROSS SAID TO MOVE ON, PARKER SAID HE ISN'T AGAINST IT.
5. IT APPEARS TO US THAT ONLY A HANDFUL OF PEOPLE WILL BENEFIT FROM AN INDUSTRIAL SOLAR PLANT BUT, EVERYONE IN THE COUNTY AND CITY COULD BE PUT AT RISK. THEN WHY ARE YOU OPPOSED TO A MORATORIUM TO PAUSE AND TAKE A LOOK AT IT?
6. HAVE ANY OF YOU BEEN APPROACHED AND ASKED TO NO ENACT A MORATORIUM ON THE SHELBY COUNTY SOLAR ORDINANCE? PARKER WAS APPROACHED AND WAS TOLD IT WOULD BE ADVISABLE TO FOLLOW SUIT WITH THE WAY THE COUNTY IS GOING.
7. IF THE PLANNING COMMISSION REQUESTS CHANGES TO THE CURRENT SOLAR ORDINANCE WILL YOU SUPPORT THEIR RECOMMENDATIONS? PARKER ADVISED HE WOULD CONSIDER IT.
8. WHAT HARM WILL COME FROM ENACTING A MORATORIUM?

ON BEHALF OF THE RESIDENTS OF SHELBY COUNTY – PLEASE ENACT A MORATORIUM TO ALLOW THE NECESSARY TIME NEEDED TO REVIEW AND REVISE THE SHELBY SOLAR ORDINANCE. LOOK AT ALL OF THE PEOPLE THAT ARE AGAINST IT AND ONLY A FEW HAVE SPOKE IN FAVOR OF IT, WHY CAN'T WE JUST SLOW DOWN AND TAKE A LOOK AT THIS AND LOOK AT THE ORDINANCE AND MAKE IT RIGHT.

ZONDA WANTED TO WRAP THINGS UP AND IS VERY CONCERNED ABOUT THE KINDS OF PANELS THAT ARE COMING IN. AND WITH ALL OF THE INFORMATION ABOUT THESE. SHE ADVISED UNTIL WE TAKE A LOOK AND CHANGE THINGS YOU ARE GOING TO SEE US EVERY WEEK. I CAN'T APOLOGIZE FOR BEING HERE EVERY WEEK, BUT I HAVE A LOT OF CONCERNS ABOUT THIS AND I CARE ABOUT THIS.

CAMILLE THOPY ADVISED SHE IS A SOUTHWESTERN GRADUATE AND AN ADVOCATED FOR AGRI BUSINESS. SHE BELIEVES SHE HAS THE RIGHT TO DEFEND HER RIGHT TO COME BACK TO HER FAMILY FARM. AT THIS TIME, SHE READ A LETTER. WHAT IS THE DEFINITION OF AGRICULTURE READS: THE SCIENCE OR PRACTICE OF FARMING INCLUDED THE CULTIVATION OF SOIL AND RAISING OF ANIMALS TO PROVIDE FOOD, WOOL AND OTHER PRODUCTS?

PARKER AT THIS TIME ASKED IF DESIREE WAS HERE: ROSS ADVISED SHE WASN'T HERE THIS MORNING. AT THIS TIME PARKER MADE A MOTION FOR A 6 MONTH MORATORIUM BASED ON THE COMMISSIONS NEEDS THAT THEY

TALKED ABOUT AT THEIR LAST MEETING, THEY NEED MORE TIME TO REVIEW THE ORDINANCE. IT WOULD COST US A CENT. THERE WAS NO ACTION TAKEN OF THE LAST ONE, THAT HAS BEEN A COMMENT THAT HAS BEEN MADE. AT THIS TIME DESIREE ENTERED THE MEETING AND PARKER ASKED HER TO SPEAK ABOUT WHAT WAS DISCUSSED AT THE LAST PLAN COMMISSION MEETING. DESIREE ADVISED THEY HAD A DISCUSSION ON THE SOLAR ORDINANCE. THEY ARE GOING TO HAVE AN EXECUTIVE SESSION WHERE THEY WILL DISCUSS THE ORDINANCE TO TALK ABOUT THE CHANGES THAT NEEDS TO BE MADE. THEY MAY NEED TO HAVE A COUPLE SESSIONS, AND THEN THEY WILL TAKE ANYTHING BEFORE THE WHOLE PLAN COMMISSION IF THERE NEEDS TO BE CHANGES. THEY WILL DECIDE IF THEY HAVE ANYTHING TO BRING TO THE COMMISSIONERS. PARKER ADVISED NO ACTION WAS TAKE LAST TIME THERE WAS A MORATORIUM. PARKER ADVISED SOME PEOPLE MAY LOOK AT THIS AS BEING INSUBORDINATE AND NEED FOR PENALTY. HE ISN'T LOOKING FOR THAT THERE IS SO MUCH NEW INFORMATION TO LOOK AT SINCE THE LAST TIME THIS WAS LOOKED AT WAS TWO YEARS AGO. HE FEELS LIKE IT IS THEIR DUTY TO PROVIDE THE SAFEST AND MOST SUFFICIENT THING TO DO. THIS ISN'T FOR US IT IS FOR EVERYONE. ROSS ASKED IF THE MORATORIUM WENT THRU THE PLAN COMMISSION AND IF IT HAS TO HAVE A REASON, DESIREE ADVISED IT DOESN'T COME THRU HER, IT COMES THRU THE COMMISSIONERS, BUT IT HAS TO HAVE A REASON. PARKER ADVISED THE REASON FOR THIS MOTION FOR THE MORATORIUM IS THE PLAN COMMISSION NEEDS MORE TIME TO REVIEW. THAT IS WHAT THEY SAID AT THEIR MEETING, LAST WEEK. NIGH ASKED IF THIS IS WHAT THEY ASKED FOR OR THOUGHT THEY NEEDED A MORATORIUM, SHE ADVISED NO BECAUSE IT IS LEFT UP TO THE COMMISSIONERS, DESIREE ADVISED THERE WERE A COUPLE OF THE MEMBERS THAT THOUGHT THERE SHOULD BE A MORATORIUM. PARKER ADVISED THE PRESIDENT SAID THEY WOULD DO WHAT THEY NEED TO DO AND IT IS UP TO THE COMMISSIONERS TO DO WHAT THEY NEED TO DO. NIGH ADVISED THERE WAS A MOTION, AND ASKED IF THERE WAS A SECOND, THERE WAS A LACK OF A SECOND, MOTION DIES ON THE TABLE.

MISCELLANEOUS:

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD. A MOTION TO ADJOURN WAS MADE BY ROSS SECONDED BY NIGH, APPROVED 3-0

AYE:

NAYE:

ATTEST:

AMY L. GLACKMAN

SHELBY COUNTY AUDITOR