

THE SHELBY COUNTY COMMISSIONERS MET ON MONDAY NOVEMBER 2, 2020, AT 8:00 A.M. PRESENT WERE COMMISSIONERS NIGH, PARKER, ROSS, AND DEPUTY AUDITOR

**MINUTES:**

MOTION TO TABLE THE MINUTES FROM OCTOBER 26, 2020 WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

**BIDS / SCHEFFLER ESTATE FARM GROUND:**

NIGH ADVISED THEY WOULD START ACCEPTING BIDS FOR THE SCHEFFLER FARM. THIS WILL BE A 2 YEAR LEASE AND WILL BE BID ON PER ACRE. THE FOLLOWING WERE THERE TO BID:

K & A MANAGEMENT - \$260.00

BRIGHT / KEMPER - \$200.00, \$270.00, \$285.00, \$295.00

DOUGLAS FARMS - \$280.00, \$290.00

RYAN CLARK - \$225.00, \$250.00

MOTION TO GRANT FARM LEASE TO THE HIGH BID OF \$295.00 PER ACRE TO BRIGHT/KEMPER WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

**UTILITY REQUEST:**

YANTISS EARTHMOVING, LLC REQUEST TO CUT AT 920 S 250 W, MOTION TO APPROVE WAS MADE BY NIGH, SECONDED BY ROSS, APPROVED 3-0

NINESTAR IS REQUEST TO BORE AT 1246 N 450 W, MOTION TO APPROVE WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

**SOLAR PLANT SPEAKERS:**

**KYLE BARLOW:**

LAST WEEK I WAS ABLE TO HEAR MR. PETE ENDRES SPEAK AFTER THE MEETING OUR GROUP STARTED RESEARCHING MR. ENDRES. HIS EMPLOYMENT IS QUITE CONFUSING. HE DOESN'T SEEM TO BE EMPLOYED BY RANGER POWER OR SPEEDWAY SOLAR HE IS CURRENTLY STATING HE IS A DEVELOPMENTAL MANAGER FOR SCOUT CLEAN ENERGY AND ACCORDING TO HIS PROFILE HE IS THE PRESIDENT FOR A COMPANY CALLED FREE SKY ENERGY. WHY SO MANY COMPANIES. THE FRONT MAN FOR THE MORRISTOWN SOLAR PROJECT SEEMS TO HAVE MANY COALS IN THE FIRE, OR MAYBE IT IS JUST MANY NAMES OF COMPANIES TO RECEIVE FEDERAL SUBSIDIES. HIS MAIN BUSINESS HERE WAS TO DISCUSS DRAINAGE. THROUGH OUR RESEARCH THERE ARE MANY ISSUES WITH DRAINAGE AT S POWERS SOLAR SITES. SOME OF THE ISSUES ARE EROSION OF TOPSOIL, PROPERTIES FLOODING, CREEKS AND WATER SHEDS DESTROYED. MR. ENDRES STATED DURING THE MEETING THE COUNTY WOULD BE GIVEN A \$57,000.00 BOND TO COVER ISSUES WITH HE EXISTING TILE SYSTEM. THIS WILL NOT EVEN TOUCH THE COST OF ANY REAL ISSUE FOR FARMS AND PROPERTIES THAT ADJOIN THE SOLAR PLANT. I WONDER WHO WILL PROTECT THE PROPERTY RIGHTS OF THE ADJOINING HOMEOWNERS WHEN THEIR HOMES

FLOOD AND THEIR SEPTIC SYSTEMS FAIL. I APPLAUD THE DRAINAGE BOARD FOR TABLING THE PLAN PRESENTED BY MR. ENDRES. I HOPE THEY MAKE SPEEDWAY SOLAR COMPLETE A PERIMETER TILE SYSTEM FOR THE SAKE OF THE CITIZENS THAT WILL BE AFFECTED BY THIS PLANT. ANOTHER ISSUE THAT HAS PUZZLED ME ON SOLAR COMPANIES IN SHELBY COUNTY IS TAX ABATEMENTS. USUALLY WE IMPLEMENT TAX ABATEMENTS TO ENTICE BUSINESSES TO COME TO AN AREA. THE NUMBER 1 REASON FOR ABATEMENT IS FOR NEW JOBS IN THE COMMUNITY. S-POWER WILL BRING TEMPORARY JOBS MOST LIKELY FROM OUT OF THE AREA. WITH THE LOCATION OF THE PROJECT IN BENGAL AND THE PROXIMITY OF FRANKLIN AND ALL OF THEIR NEW AMENITIES IN FRANKLIN WILL LIKELY DRAW ALL OF THEIR BUSINESS DURING CONSTRUCTION. PERMIT JOBS WILL BE NIL STATED BY MR. GALERIA STATED OUTSIDE THE BUILDING AFTER A MEETING. THEY WILL BE MONITORING MILLIONS OF SOLAR PANELS FROM UTAH, WHAT IS THE BENEFIT OF GIVING A SOLAR COMPANY A TAX ABATEMENT. THE WAY THAT SOLAR COMPANIES STRUCTURE THEIR LEASES A 10 YEAR TAX ABATEMENT COULD BE THEIR TOTAL LONGEVITY OF THEIR OWNERSHIP OF THIS LEASE, LEAVING THE COUNTY WITH NOTHING. PREMIER AG AND POET WERE GRANTED A TAX ABATEMENT; HOWEVER, THESE BUSINESSES CREATE JOBS, THAT WILL MOST LIKELY BE IN OUR COUNTY FOR MANY YEARS TO COME. WHILE STUDYING TAX ABATEMENTS I NOTICED A PATTERN. THE PROJECTS THAT ARE SUCCESSFUL IN BEING APPROVED SEEM TO HAVE A COUPLE THINGS IN COMMON. REPRESENTATION FROM A LOCAL LAW FIRM AND FINANCIAL GAIN FOR CERTAIN LOCAL BUSINESSES. AN EXAMPLE OF A COMPANY THAT WAS LOOKING TO MOVE TO SHELBY COUNTY IS BRIDGESTONE, THIS WOULD HAVE BROUGHT MANY JOBS FOR THE COMMUNITY AND CREATED LOTS OF MONEY FOR OUR CITY AND COUNTY. I WAS TOLD WHEN A COMPANY LIKE BRIDGESTONE WANTS TO BRING A COMPANY TO AN AREA IT IS A REALLY BIG DEAL AND THEY REALLY WANT TO ANCHOR THEMSELVES INTO THE COMMUNITY. ALL WE HAVE TO DO IS LOOK AT OUR NEIGHBOR TO THE SOUTH COLUMBUS. WITHOUT MANUFACTURES LIKE CUMMINS, COLUMBUS WOULD BE A GHOST TOWN. AFTER CHOOSING A DIFFERENT LOCATION FOR THEIR PLANT BRIDGESTONE LEFT SHELBY COUNTY WITH A BAD TASTE IN THEIR MOUTH. A BRIDGESTONE PLANT MANAGER IN TEXAS ACTUALLY SHARED WITH ME THAT THEY WILL NEVER BE BACK TO SHELBY COUNTY DUE TO THE WAY THEY WERE TREATED BY OUR GOVERNMENTAL OFFICIALS. I WOULD IF BRIDGESTONE HAD HIRED A SPECIFIC LOCAL ATTORNEY AND BENEFITED LOCAL PEOPLE, WOULD BRIDGESTONE HAVE GOTTEN A FAVORABLE OUTCOME. THE PLANNING COMMISSION HAS DISCUSSED AND GIVEN REVISION SUGGESTIONS FOR OUR SOLAR ORDINANCE. THIS GROUP ALL OF THESE CITIZENS WOULD LIKE TO REQUEST A CHANGE OF VENUE FOR THIS MEETING. MR WARNECKE DOESN'T WANT TO CHANGE THE VENUE, BUT WE HAVE MANY PEOPLE THAT WISH TO HAVE THEIR VOICES HEARD. IT IS NOT SAFE TO PACK THIS MEETING ROOM FULL, SO IT WOULD BE GREATLY APPRECIATED IF YOU WOULD ENCOURAGE THE PLANNING COMMISSION TO HEAR THE CONCERNS AND ACT ACCORDINGLY. IN ALL OF OUR DISCUSSIONS OVER THE PAST MONTHS WE HAVE ONLY HEARD FROM ONE LANDOWNER, 3 COMPANY REPS AND A SOLAR LOBBYIST FOR THESE SOLAR PROJECTS. YOU AS THE COMMISSIONERS HAVE AN OBLIGATION TO PROTECT YOUR CONSTITUENTS, PLEASE ENACT A MORATORIUM OUR DRAINAGE ORDINANCE IN REGARD TO COMMERCIAL SOLAR IS INADEQUATE. DUE TO THE UNCERTAINTY OF THE PANDEMIC, PLEASE GIVE YOURSELVES TIME TO PROTECT THE CONSTITUENTS APPROPRIATELY. WE KNOW YOU WILL KEEP YOUR SEATS WARM FOR THE NEXT FEW YEARS, BUT WE WON'T FORGET THE LACK OF RESPECT AND CONCERN THAT YOU HAVE DISPLAYED TOWARDS THE VOTERS AND CITIZENS OF SHELBY COUNTY.

**KORY FERREE:**

RACHAEL BARLOW HAD AN AUDIO RECORDING THE MR. FERREE HAD DONE FOR THE COMMISSIONERS TO LISTEN TO. MR. FERREE IS THE PASTOR AT THE BENGAL CHURCH. HE WANTED TO SHARE A COUPLE THOUGHTS ABOUT THIS PROJECT FROM A CHURCH PERSPECTIVE. FIRST AND FOREMOST, I LOVE THE BENGAL COMMUNITY. WHEN YOU VISIT THIS PLACE, YOU EXPERIENCE THE DIFFERENCE. THE PEOPLE ARE SO FRIENDLY I DON'T THINK YOU CAN MEET A STRANGER IN THIS COMMUNITY BECAUSE EVERYONE HAS SUCH AN OPEN HEART. THIS COMMUNITY IS MORE LIKE STEPPING BACK IN TIME, BEFORE LIFE WAS ABOUT TECHNOLOGY, BUT WHEN LIFE WAS ABOUT COMMUNITY AND FAMILY. SOLAR FARMS WILL SACRIFICE THE IDEAS OF THESE COMMUNITIES AND IDENTITIES OF THESE FAMILIES. IT WILL UNDERMINE THE MINISTRY AND TARE UP THE FABRIC OF THIS RICH HISTORY. BENGAL CHRISTIAN CHURCH HAS A RICH HISTORY IT HAS BEEN AROUND SINCE 1884. FOR 136 YEARS THIS COUNTRY BASED CHURCH HAS FAITHFULLY SERVED ITS COMMUNITY. SOLAR FARMS ARE ESTABLISHED ON THE BACK OF THESE GREAT COMMUNITIES THEY CARE ABOUT PROFIT MARGINS NOT PEOPLES LIVES, THERE ISN'T ENOUGH RESEARCH TO CONCLUDE ALL OF THE PROS AND CONS OF SUCH A PROJECT AND GO FORWARD MEANS TO RISK THE WELL BEING OF AN ENTIRE COMMUNITY FOR A SAKE OF A FEW.

**RACHAEL BARLOW:**

I PLANNED TO TEACH A LESSON (I'M A TEACHER) ON SOIL AND HOW WE SHOULD PRESERVE WHAT TILLABLE ACRES WE HAVE LEFT, AND THEN I WAS MINDED OF THE PHRASE TO BE COURAGEOUS SO I SCRAPED IT AND WROTE THIS LAST NIGHT. YOU SEE I HAVE DEVOTED SO MUCH OF MY TIME TO SOLAR AND SHELBY COUNTY RESEARCH SINCE MID JULY. AS I RESEARCHED, I STUMBLED ACROSS SOMETHING PROFOUND AND HAUNTING. SHE HELD UP A BOOK CALL SHELBY COUNTY HISTORY AND FAMILIES. MY UNDERSTANDING IS THIS BOOK WAS PUT WRITTEN IN THE EARLY 1990'S AND FAMILIES COULD PAY A CERTAIN AMOUNT FOR THEIR FAMILY HISTORY TO BE TOLD. MY HUSBANDS FAMILY IS IN THIS BOOK ALONG WITH MANY OTHER FAMILIES. THERE ARE VERY FEW OF THESE BOOKS IN EXISTENCE, HUNTING ONE DOWN WAS QUITE THE CHALLENGE. THE PART THAT CAUGHT MY EYE AS I WAS READING AND I'M GOING TO READ THIS WORD FOR WORD. THIS SECTION IS ON PAGE 44 & 45 UNDER SHELBYVILLE WATER SERVICE. IN OCTOBER 1983 SHELBYVILLE RESIDENCE STARTED COMPLAINING OF A REDDISH DISCOLORATION OF THEIR WATER. TEST BY INDIANA CITIES WATER CORPORATION REVEILED PHENOLS IN THEIR WATER AND THEY ADDED CHEMICALS TO COUNTERACT THE PHENOLS. THIS RESULTED IN NEW COMPLAINTS OF DIS-TASTEFUL WATER. AS SHALLOW AQUAPHOR WELL WAS CLOSED BY THE COMPANY IN DECEMBER OF 1983, AFTER IT WAS FOUND TO BE CONTAMINATED BY PHENOLS, TCE AND OTHER SUBSTANCES. IN 1972 ANOTHER WELL HAD BE CLOSED BECAUSE IT HAD BE CONTAMINATED WITH PHENOLS. THE INDIANA CITIES WATER CORPORATION SPENT \$500,000.00 ON RENOVATING THEIR TREATMENT PLANT ON NOBLE STREET IN 1984. BUT SHELBYVILLE CITIZENS WERE STILL COMPLAINING ABOUT THEIR WATER. INDIANA CITIES WATER CORPORATION ALONG WITH KNAUF FIBERGLASS, PITTSBURGH PLATE GLASS, ALONG WITH OTHER FACTORIES IN CONDUCTING NEW TEST TO DETERMINE HOW THE VARIOUS SUBSTANCES HAD INVADDED THE WELL FIELD OFF OF NORTH NOBLE STREET. ALL EXCEPT THE ICW WERE NOTED BY HEALTH OFFICIALS TO BE POTENTIAL SOURCES OF CHEMICAL CONTAMINATION. IN THE 1950'S & 1960'S FIBERGLASS AND OTHER INDUSTRIAL WASTE WERE BURIED IN PILES ALONG THE BIG & LITTLE BLUE RIVER'S NEAR

THE WELLS AND IS ASSUMED THE PROBLEMS STEM FROM THAT PROCEDURE. THE CITY AND ICW SAW THE NEED FOR DRILLING A NEW WELL FIELD ELSEWHERE SINCE MOST OF THE WELL FIELD WAS CONTAMINATED. IN JULY OF 1986 ICW ASKED THE CITY TO RASH IN WATER SINCE THE DRY SUMMER AND THE CLOSURE OF THE CONTAMINATED WELL HAD CAUSED A WATER SHORTAGE. TEMPORARILY A WELL WAS TAPPED INTO ON SOUTH NOBLE STREET UNTIL IT ALSO WAS FOUND TO BE CONTAMINATED. IDEM DECEMBER OF 1987 ORDERED 5 COMPANIES THAT WERE LINKED TO THE CONTAMINATION TO PAY FOR THE RELOCATION OF THE CITIES WATER SUPPLY TO APPROXIMATELY 5 MILES WEST OF SHELBYVILLE BENGAL. IN THE SPRING OF 1988 A NEW 120 FOOT WELL WAS DRILLED AT THE NORTH NOBLE STREET WELL FIELD UNTIL A NEW WELL FIELD COULD BE DRILLED. ON NOVEMBER 30, 1988 ICW PURCHASED A 57 ACRE PLOT OF LAND ABOUT 5 MILES WEST OF SHELBYVILLE TO BE CALLED THE WEAVER FARM WELL FIELD (MY HUSBAND'S GRANDPA). A WATER TREATMENT PLANT JUST SOUTH OF STATE ROAD 44 AT COUNTY ROAD 500 W, LATER CALLED BLUE RIVER WELL FIELD. TWO 80 FOOT WELLS WERE DRILLED AT THIS SITE AND EVENTUALLY THERE WILL BE 4 – 16" WELLS DRILLED AT THIS SITE EACH CAPABLE OF PUMPING 1,200 GALLONS PER MINUTE. I HAVE LEARNED THAT SHELBY COUNTY RESIDENTS WERE NOT PROTECTED 25 YEARS AGO BY OUR LOCAL INDUSTRY, LOCAL GOVERNMENT, THE WATER COMPANY OR THE STATE OF INDIANA. MR. GALERIA ALONG WITH MR. ENDRES WILL CONTINUE TO STATE THAT SOLAR PANELS ARE SAFE. WE HAVE BEEN PROVIDED RESEARCH AND DOCUMENTATION THAT STATES OTHERWISE. THEY ALSO SAY ALL DECOMMISSIONING WILL BE HANDLED PROPERLY AND OUR WATER SUPPLY AND SOIL WILL REMAIN UNTOUCHED. I AM COMPLETELY SKEPTICAL AFTER ALL THEY ARE SALESMAN. THEY STAND TO PROFIT. UNFORTUNATELY, THE ALL MIGHTY DOLLAR SEEMS TO CLOUD THE BEST JUDGEMENT OF A FEW. MANY OF THE PEOPLE MAKING THE DECISION ON LEASING THE GROUND, A MORATORIUM, THE ORDINANCE, TAX ABATEMENTS, AND ALLOWING SOLAR TO CONSUME OUR COUNTY, WILL LIKELY BE GONE OR DEAD. GOD WILLING, I WILL STILL BE HERE, AS WILL MY CHILDREN YOUR CHILDREN AND YOUR GRANDCHILDREN. THE HISTORY OF COUNTIES CONTAMINATION IS DOOMED TO REPEAT ITSELF UNLESS WE ARE COURAGEOUS ENOUGH TO ACKNOWLEDGE THE MISTAKES AND BE PROACTIVE IN PROTECTING OUR CITIZENS. MANY CHILDREN AND ADULTS HAVE ENDURED CANCER, MANY CHILDREN HAD BIRTH DEFECTS FROM THE POISONED WATER. WHAT IS YOUR THRESHOLD ON HOW MANY CAN BE AFFLICTED OR DOES IT MATTER UNTIL IT IS IN YOUR FAMILY? OUR COUNTY OFFICIALS SEEM TO PROTECT A FEW BUT IGNORE THE CONCERNS OF THE MASSES. SINCE SHELBYVILLE HAS ALREADY HAD ONE CATASTROPHE WITH THE WATER SUPPLY, WHY WOULD WE RISK IT AGAIN? THE SOLAR PLANT PURPOSED IN BENGAL WILL BE NEXT TO THE WELL HEAD PROTECTION AREA FOR THE NEW WELLS THAT HAD TO BE DRILLED DUE TO IRRESPONSIBLE DUMPING OF TOXIC CHEMICALS. I DON'T TRUST THAT THOSE THAT HAVE THE POWER, THE KNOWLEDGE WILL DO THE RIGHT THING. MAYBE AT THIS POINT YOU THINK THAT I AM CRAZY, I IMPLORER YOU TO ASK QUESTIONS, SEARCH ITEMS, ASK YOUR VOTERS, YOU WON'T HAVE TO LOOK FAR. I FIND IT ALARMING THAT THE NEW GATEWAY TO OUR CITY IS ALSO THE LOCATION OF THE NORTH NOBLE WELL HEADS AND ONE OF THE MANY SOURCES FOR WATER CONTAMINATION. WE CAN PUT IN THE TRAILS, RESTAURANTS AND STATUTES TO MAKE IT LOOK PLEASING. BUT ISN'T THE MOST IMPORTANT PIECE TO PROVIDE A SAFE ENVIRONMENT FOR ALL LIFE. WE HAVE A RESPONSIBILITY AS HUMANS TO PROTECT EACH OTHER. I HAD A RESPONSIBILITY TO THE CITIZENS TO SPEAK THIS TRUTH ONCE I LEARNED IT. I

WILL LEAVE YOU WITH ONCE WE KNOW BETTER, WE DO BETTER. DO YOU HAVE ANY QUESTIONS?

PARKER ADVISED HE THINKS WE ARE IN A CRITICAL TIME PERIOD WERE THE PLAN COMMISSION HAS SUGGESTED SOME CHANGES TO THE SOLAR ORDINANCE. COMPANIES OUT THERE ARE PROBABLY AWARE OF THIS. I WOULD THINK THESE COMPANIES WOULD TRY TO JUMP ON THE WAGON AND GET THINGS GOING. I JUST THINK WE ARE AT A RISKY SITUATION RIGHT NOW.

**SHERIFF:**

SHERIFF PRESENTED THE COMMISSIONERS WITH THE ANNUAL MAINTENANCE AGREEMENT ON THEIR X-RAY MACHINE IN THE JAIL. THE AGREEMENT IS WITH AUTO-CLEAR IN THE AMOUNT OF \$3,300.00, THERE WAS NO CHANGE FROM LAST YEAR. MOTION TO APPROVE WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

**HIGHWAY:**

KEM FOUND A TRACTOR IN RUSHVILLE AT KOENIG TO REPLACE A CURRENT TRACTOR THEY USE FOR MOWING. THEY HAVE ONE IN STOCK AND ARE GIVING A TRADE-IN OF \$12,000.00 SO THE DIFFERENCE WOULD BE \$68,500.00 FOR THE 2000 TRACTOR, MOTION TO APPROVE WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

**CLAIMS:**

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

**TRANSFER/ADDITIONALS:**

N/A

**MISCELLANEOUS:**

**BARNES & THORNBURG:**

NIGH PRESENTED A LETTER OF ENGAGEMENT WITH BARNES & THORNBURG FOR THE YEAR 2021, MOTION TO APPROVE WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

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

**AYE:**

**NAYE:**

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**ATTEST:**

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**AMY L. GLACKMAN**

**SHELBY COUNTY AUDITOR**