

THE SHELBY COUNTY COMMISSIONERS MET ON MONDAY NOVEMBER 23, 2020, AT 8:00 A.M. PRESENT WERE COMMISSIONERS NIGH, PARKER, ROSS, COUNTY ATTORNEY AND COUNTY AUDITOR

MINUTES:

MOTION TO APPROVE THE MINUTES FROM NOVEMBER 16, 2020 WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 2-0-1 (NIGH)

**HIGHWAY MATERIAL BIDS/QUOTES:**

THE COMMISSIONERS OPENED THE FOLLOWING BIDS FOR 2021 HIGHWAY PRICING FOR MATERIALS:

**BITUMINOUS:**

CALDWELL GRAVEL SALES, INC. - #8 BINDER \$42.00 / TON

ST. PAUL - #8 BINDER \$45.50 / TON

ASPHALT MATERIALS, INC. – LIQUID \$477.60

**GASOLINE/DIESEL FUEL:**

PETROLEUM TRADERS – BULK DELIVERY 87 OCTANE - \$1.3978 GL DIESEL - \$1.83/GL

SHELBY COUNTY CO-OP/UNITED ENERGY – 87 OCTANE 75,000 PLUS GL /\$1.63, DIESEL 60,000 GL / \$2.04 THIS IS AT PUMP PRICING

**EQUIPMENT RENTAL:**

TRISLER CONSTRUCTION CO., INC. – EXCAVATOR \$130.00 / PER HOUR

**STONE/GRAVEL:**

NEW POINT STONE CO., INC. – F.O.B. #53 \$8.95/TON

SHELBY MATERIALS – FILL SAND \$6.25/TON

U.S. AGGREGATES, INC. – F.O.B. #53 \$6.15/TON

**CEMENT:**

SHELBY MATERIALS – CLASS A \$102.00 CUBIC YARD

**CORRUGATED METAL SEWER PIPE:**

ST. REGIS CULVERT, INC. – 12” 16 GAUGE - \$9.19 / FOOT

METAL CULVERTS, INC. – 12” 16 GAUGE - \$9.79 / FOOT

E3 BRIDGE – 12” 16 GAUGE - \$9.06 / FOOT

CIVILCON, INC. – 12” 16 GAUGE - \$10.75 / FOOT

**PAINT -ROAD/STRIPING:**

MGI / MIKE GREEN – YELLOW \$14.65 / 5 GL

SHELBYVILLE PAINT & WALLPAPER – YELLOW \$12.50 / GL

SEALMASTER INDY – YELLOW \$65.00 / 5 GL.

**ROAD SIGNS:**

STELLOW PRODUCTS – STOP SIGN 30 X 30 \$35.20, BLANKS \$12.50 TO \$35.20

OSBURN ASSOCIATES, INC. – STOP SIGN 30 X 30 \$22.50

**TIRES:**

GOODYEAR AUTO SERVICE CENTER – 11R 22.5 UN-MOUNTED \$344.86, MOUNTED \$364.86

MOTION TO ACCEPT ALL QUOTES AND LET KEM ANDERSON REVIEW FOR 2 WEEKS WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

**EMERGENCY MANAGEMENT / GRANT AWARD 2020:**

RYAN ADVISED HE RECEIVED THE GRANT AWARD LETTER FROM STATE HOMELAND SECURITY PROGRAM IN THE AMOUNT OF \$43,000.00, HE IS NEEDING THE COMMISSIONERS TO APPROVE. MOTION TO APPROVE THE AWARD OF \$43,000.00 FROM THE HOMELAND SECURITY PROGRAM WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

**SET BID DATE / SNOW REMOVAL & MOWING:**

THE COMMISSIONERS NEEDED TO SET A DATE TO ACCEPT BIDS FOR SNOW REMOVAL AND MOWING FOR THE COUNTY BUILDINGS. MOTION TO SET THE DATE FOR NOVEMBER 30, 2020 @ 8:00 A.M. WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 2-0.

**SOLAR PLANT SPEAKERS:**

**JUSTIN PARKER:**

JUSTIN WANTED TO LET THE COMMISSIONERS KNOW HE IS JUST A THIRD-PARTY DEMONSTRATOR. I AM NO WAY SHAPE OR FORM AFFILIATED WITH CITIZENS AGAINST INDUSTRIAL SOLAR OF SOUTHERN SHELBY COUNTY. IF ANYONE WOULD LIKE INFORMATION ON THE FOLKS THAT ARE WORKING WITH THE CITIZENS AGAINST INDUSTRIAL SOLAR OF SOUTHERN SHELBY COUNTY, I WOULD BE MORE THAN HAPPY, PLEASE SEE ME AFTER THE MEETING. AGAIN, I AM JUST HERE TO PROVIDE ANSWER ON HOW I THINK PERSONALLY SOLAR IS BAD. I WOULD MORE THAN HAPPY TO TALK ABOUT THAT AFTER THE MEETING. I JUST WANTED THAT TO BE KNOWN. I WOULD LIKE TO ADDRESS A TOPIC THAT HAS NOT YET BEEN COVERED IN ANY OF THESE MEETINGS, THAT IS SHELBY COUNTY ORDINANCE 2003-04. AN ORDINANCE THAT UNANIMOUSLY PASSED BY COMMISSIONERS ROBERT WADE, KEVIN NIGH AND DOUG WARNECKE ON FEBRUARY 10, 2003. THIS SPECIFIC ORDINANCE WAS ADOPTED TO AMEND THE PUBLIC HEALTH AND ENVIRONMENT CODE OF SHELBY COUNTY BY ADDING ARTICLE III CHAPTER 7, AS IT RELATES TO THE PUBLIC HEALTH AND ENVIRONMENT OF SHELBY COUNTY. THIS ORDINANCE STATES IT PURPOSE WAS TO PROTECT THE CITIZENS OF SHELBY COUNTY AND TO PROMOTE BETTER HEALTH AND ENVIRONMENT BY ADDING ARTICLE III IN CHAPTER 7. HERE IS HOW THE ADOPTED ORDINANCE READS: IT SHALL BE UNLAWFUL FOR ANY PERSON TO MAKE, CONTINUE, OR CAUSE TO BE MADE A CONTINUED ANY LOUD, UNNECESSARY, OR UNUSUAL NOISE WHICH ANNOYS, DISTURBS, INJURES, OR

ENDANGERS THE COMFORT, REPOSE, HEALTH PEACE OR SAFETY OF OTHERS WITHIN THE COUNTY. PARKER READS IT AGAIN. NOW SOME MAY ARGUE THAT SOLAR PANELS DO NOT MAKE NOISE AND THEY WOULD BE CORRECT THE PANELS THEMSELVES DO NOT MAKE NOISE. HOWEVER SOLAR POWER MUST BE CONVERTED FROM A DIRECT CURRENT OR A DC POWER OR TO AN ALTERNATING POWER OR AC POWER IN ORDER TO TRANSFER THIS ELECTRICAL POWER TO THE LOCAL GRID. THIS CONVERSION PROCESS IS DONE BY AN INVERTER. AN INVERTER WILL ALWAYS MAKE A TONAL SOUND, BECAUSE OF THE PROCESS OF CHANGING THE POLARITY OR DIRECTION OF ELECTRICAL FLOW. IN SOME JURISDICTIONS THERE ARE ACTUAL DECIBEL LEVELS REGULATING THE NOISE. IN OTHER JURISDICTIONS THEY REGULATE THAT NO NOISE SHALL CREATE A PURE TONE. A PURE TONE WOULD BE CONSIDERED ANY NOISE THAT IS CONSTANT, WHICH IS EXACTLY WHAT AN INVERTOR WOULD PRODUCE. INVERTORS ARE NOT MENTIONED VERY OFTEN BY THESE SOLAR COMPANIES BECAUSE THEY ARE CONTINUOUSLY LOUD, UNNECESSARY, UNUSUAL NOISE THAT DISTURBS THE COMFORT, REPOSE, HEALTH AND PEACE OF OTHERS THAT HAVE TO BE AROUND THEM, WHICH WOULD BE A DIRECT VIOLATION OF SHELBY COUNTY ORDINANCE 2003-04 ON MOST IF NOT ALL LEVELS. COMMERCIAL SOLAR ENERGY SYSTEMS ALSO USES TRANSFORMERS, WHICH ARE ALSO RARELY SPOKEN ABOUT DURING ANY APPLICATION PROCESS BY INDUSTRIAL COMMERCIAL SOLAR ENERGY SYSTEM. THE TRANSFORMERS IN THE FACILITIES ARE USED TO STEP UP THE VOLTAGE FOR EASIER TRANSMISSION TO THE LOCAL ELECTRIC GRID. THERE ARE THREE SOURCES OF NOISE FROM WHICH ARE WITHIN THE TRANSFORMER ITSELF: 1. THE CORE NOISE 2: COIL NOISE 3: FAN NOISE. THE CORE AND COIL NOISE ARE CAUSED BY ELECTROMAGNETIC FORCES WHICH OCCUR TWO TIMES FOR EVERY CYCLE OF AC POWER. THE THIRD SOURCE OF SOUND WOULD BE THE COOLING FANS MOUNTED OUTSIDE THE TRANSFORMERS AND ARE USUALLY DIRECTED ACROSS THE FINS OF THE HEAT SINKS, SO IF YOU ARE LIKE ME YOU ARE WONDERING WHAT DOES THAT MEAN? SO HERE IS AN EXAMPLE OF WHAT IT WOULD SOUND LIKE IF YOU LIVED IN CLOSE PROXIMITY OF SOLAR POWER INVERTORS AND TRANSFORMERS. (AT THIS TIME, HE HAD THE AUDITOR PLAY A YOUTUBE VIDEO). KIND OF ANNOYING, I CAN'T SPEAK FOR EVERYONE, BUT I THINK I COULD SPEAK FOR THE MAJORITY PEOPLE IN RURAL SHELBY COUNTY DEFINITELY WOULD NOT WANT TO BE SITTING ON THEIR DECK OR PORCH, WORKING IN THEIR GARDENS OR YARDS OR EVEN TAKING AN EVENING WALK, OR BIKE RIDE AROUND THE BLOCK LISTENING TO THAT! I THINK IT IS PARAMOUNT THAT SHELBY COUNTY GOVERNMENT BODIES AND ITS MEMBERS CONTINUE TO PROTECT ITS RESIDENCE. THIS TYPE OF LOUD, UNNECESSARY, UNUSUAL NOISE, WHICH ANNOYS, DISTURBS AND ENDANGERS THE COMFORT, REPOSE, HEALTH, PEACE AND SAFETY OF OTHERS WITHIN THE COUNTY IS EXACTLY WHY ORDINANCE 2003-04 WAS ADOPTED. JUST LIKE THE COUNTY'S COMPREHENSIVE PLAN THAT I TALKED ABOUT LAST TIME I ADDRESSED THIS BOARD, ITS MY BELIEF THAT SINCE THESE RULES AND GUIDELINES THAT HAVE BEEN PUT IN PLACE, WE SHOULD CONTINUE TO FOLLOW THEM. ROSS ASKED PARKER WHERE HE GOT THE RECORDING, HE ADVISED OFF OF YOUTUBE AND THE COUNTY AUDITOR SAID SHE WOULD EMAIL THEM THE LINK.

**RACHAEL BARLOW:**

RACHAEL EXPLAINED THAT THEY HAVE GIVEN THE COMMISSIONERS LOTS OF INFORMATION AND WANTED THIS TIME TO BE WHERE THE COMMISSIONERS ASKED HER QUESTIONS, NIGH ADVISED THIS ISN'T A QUESTION ANSWER SESSION SO PLEASE MOVE FORWARD WITH HER PRESENTATION. RACHAEL ADVISED THAT SHE HAS ATTENDED EVERY COMMISSIONER, COUNCIL, PLAN, DRAINAGE, MEETING SINCE THE BEGINNING EITHER IN PERSON OR VIRTUALLY SINCE MID JULY. ON THING THAT I DO NOTICE IS THAT THE COMMISSIONERS ENGAGE AND HAVE DIALOG WITH ALMOST EVERY PRESENTER THAT COMES TO THESE BOARD MEETINGS, BUT NOT MOST OF US AND I DON'T KNOW WHY, I DON'T KNOW IF YOU WON'T, I DON'T KNOW IF YOU CAN'T. I JUST HAVE A COUPLE TIDBITS AND IT IS KIND OF ALL OVER THE PLACE. LAST TIME I SPOKE I SPOKE ABOUT SHELBY COUNTY POLLUTION AND OPENED YOUR EYES TO SOME THINGS, I HOPE THAT YOU REALLY DID SPEAK TO SOME OF YOUR VOTERS AND CITIZENS IN OUR COUNTY AND ASKED QUESTIONS? I KNOW THAT I CONTINUE TO HEAR FROM PEOPLE WITHIN OUR COMMUNITY ABOUT HOW THEY HAVE BEEN AFFECTED BY OUR WATER POLLUTION IN THE PAST. SO, I HOPE YOU DOVE INTO THAT A LITTLE BIT. AS I HAVE RESEARCHED SOLAR, MOST PEOPLE ARE FAMILIAR WITH SMALL SOLAR ARAS THAT ARE AROUND OUR STATE AT THE LOCAL REMC. THE ONLY ONE THAT I HAVE SEEN IN PERSON IS THE ONE OFF OF I-74 IN DECATUR COUNTY MOST OF US HAVE SEEN THAT ONE. I STARTED RESEARCHING WHY DID THOSE SOLAR ARAS COME TO BE? WHY DID HOOSIER ENERGY DECIDE TO START TO PUT THESE SOLAR ARAS TOGETHER AT THEIR LOCAL COOPERATIVES? WHAT I FOUND IS A LAWSUIT FROM 2010 WHERE THE EPA SUED HOOSIER ENERGY FOR THEIR MIS-MANAGEMENT OF THEIR COAL PLANTS IN SOUTHERN INDIANA AND THEIR ENVIRONMENTAL HAZARDS. THIS SEEMS TO HAPPEN A LOT WITH OUR BIG ENERGY COMPANIES. WHAT I FOUND INTERESTING WAS THAT ONE OF THEIR MITIGATION RESPONSIBILITIES FOR THEIR ENVIRONMENTAL IRRESPONSIBILITY WAS TO SPEND \$5,000,000.00 ON SOLAR ARAS. THAT WAS IN 2010, I DON'T KNOW WHEN ALL OF THESE SMALL ARAS STARTED POPPING UP IN OUR REMC ACROSS THE STATE, BUT I WOULD IMAGINE THAT PROBABLY THE TWO GO TOGETHER. I HAVE REACHED OUT TO RYAN HENDERSON OF HOOSIER ENERGY WHICH IS A CONTACT WE WERE GIVEN BY TERRY GOBE AT RUSH SHELBY ENERGY OF A PERSON TO SPEAK WITH, BUT I HAVEN'T HEARD BACK FROM HIM, TO ANSWER ANY OF MY QUESTIONS. SO, CAN I 100% CONFIRM NO, BUT I'M ALSO NOT GETTING ANSWERS TO ANSWER THOSE CONCERNS. SO THAT WAS AN INTERESTING PIECE OF WHY THESE SOLAR ARAS POSSIBLY CAME TO BECOME WITHIN OUR COMMUNITY. SECOND THING, TO FOLLOW UP ON THE WATER POLLUTION THAT I SPOKE OF A COUPLE WEEKS AGO, IN THE 1980'S AND 1990'S IN SHELBY COUNTY. I CONTINUED TO RESEARCH I KNOW THE 80' & 90'S SEEM SO LONG AGO, BUT IF START LOOKING AROUND ON THE IDEM VIRTUAL FILE CABINET WE ACTUALLY HAD SOME RECENT VIOLATIONS 2017. THE ONE ON OLD FRANKLIN ROAD THERE IS LEACH APE COMING UP OUT OF THE OLD CITY DUMP WHICH IS WHERE PPG AND MANY OTHER COMPANIES USE TO DUMP. SHE HAD PICTURES OF THE ORANGE RUSTY COLORED WATER COMING UP BY THE WATER. THERE IS THE PROOF OF RECEIPT FROM MR. DEBAUN. THERE IS ALSO IF YOU GO BACK FURTHER THE PICTURES THAT ARE DISCUSSED IN 2017 IF YOU GO BACK TO 1989 THERE ARE HAND DRAWN MAPS AND DESCRIPTIONS OF THE SAME KINDS OF PICTURES AND LEACH BEDS. WHILE THE 80'S & 90'S SEEM LIKE SO LONG AGO I DON'T KNOW THAT THIS IS COMPLETELY IN OUR PAST, 2017 IS JUST 3 YEARS AGO. FURTHER MORE IN 2019 THERE WAS ANOTHER VIOLATION ON OLD FRANKLIN ROAD THAT THE DEED HAS STILL NOT BE FILED WITH THE RECORDERS OFFICE, SO THAT THE

PEOPLE THAT MOVE THE DIRT OR BUILD IN THAT AREA ARE AWARE THAT IS A CONCERN. I DON'T KNOW IF THAT HAS BEEN DONE BUT THAT WAS IN 2019. IF YOU LOOK ON THE EPA WEBSITE, 1989 THERE ARE 4 SUPER FUND SITES IN SHELBY COUNTY, 4 DIFFERENT COMPANIES ALL ALONG THE BLUE RIVER, 2 WERE PARTIALLY CLEANED UP AND 2 WERE NOT CLEANED UP AT ALL. THE ACTUAL CONTAMINATION OF THE GROUND WATER AND DRINKING WATER, THE FIRST DATE DISCOVERED WAS IN 1983. THE NEW WELLS OPENED IN 1992, SO FOR 9 YEARS THE RESIDENTS OF SHELBY COUNTY WERE DRINKING CONTAMINATED WATER. ALL ALONG THE RIVER SEEMS TO BE THE KEY PHASE. I HAVE YET TO SEE A MAP WHERE THE NEW TRAIL GOES, BUT I WOULD BE CAUTIOUS OF DISTURBING THAT GROUND. WHERE DOES THIS GO WITH SOLAR? THE ANSWER IS WATER SOURCE COMES FROM THE AREA WHERE THEY ARE WANTING TO PUT THE SOLAR PANELS SO THAT IS THE TIE, THOSE WELLS ARE THE WELLS THAT FEED THIS WHOLE CITY. OUR GOVERNMENT SEEMS TO BE GOING FORWARD IN A RECKLESS MANOR, WE ARE ALLOWING 4 SOLAR COMPANIES TO SOLICIT IN OUR COUNTY, WHAT WOULD NOT ALLOW THIS IS A MORATORIUM. I HOPE YOU REALIZE YOU ARE PLAYING RIGHT INTO THE HAND OF THE SOLAR COMPANIES. THIS IS WHAT THEY DO THEY FIND LANDOWNERS THAT SIT ON THE COUNTY AND CITY BOARDS AND THEN SMOOZE THEM INTO MANIPULATING THE SYSTEM. THIS EXACT SCENARIO PLAYS OUT ACROSS THE COUNTRY. THIS IS HAPPENING EVERYWHERE THIS IS THEIR PLAY BOOK. WHY ARE WE GOING AHEAD FULL STEAM AHEAD? AS A TEACHER IT IS REALLY HARD FOR ME TO HAVE THESE CONVERSATIONS AND NOT HAVE DIALOG OR NOT HAVE QUESTIONS OR NOT HAVE THIS BACK AND FORTH CONVERSATION, BECAUSE AS A TEACHER I CONSTANTLY CHECK FOR THAT UNDERSTANDING. SO, WHEN I'M UP HERE SPEAKING AND YOUR TELLING PEOPLE NEW THINGS, I CAN'T CHECK THAT YOU UNDERSTAND OR COMPREHEND WHAT I AM SAYING. I WASN'T TRYING TO BE DISRESPECTFUL MR. NIGH I PROMISE I JUST DON'T KNOW IF YOU UNDERSTAND.

**SHERIFF:**

KOCH ADVISED THEY ALSO RECEIVED A GRANT WITH THE HELP OF EMERGENCY MANAGEMENT FROM RUSH SHELBY ENERGY IN THE AMOUNT OF \$7,800.00. THEY WOULD LIKE TO USE THIS GRANT TO PURCHASE HOSTAGE NEGOTIATION EQUIPMENT AND SOME OTHER TOOLS. MOTION TO APPROVE WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

**HIGHWAY:**

ANDERSON ADVISED THEY WOULD LIKE TO START BRIDGE #32 ON 500 N IN EARLY JANUARY INSTEAD OF FEBRUARY, MOTION TO APPROVE WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

**CLAIMS:**

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

**TRANSFER/ADDITIONALS:**

N/A

**MISCELLANEOUS:**

**SHARP COPIERS MAINTENANCE AGREEMENT/ MAGISTRATE COURT:**

THE COUNTY AUDITOR PRESENTED THE COMMISSIONERS WITH AN AGREEMENT TO ADD THE MAGISTRATE COURTS COPIERS AND PRINTERS TO THE COUNTIES MAINTENANCE AGREEMENT. MOTION TO APPROVE WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD. A MOTION TO ADJOURN WAS MADE BY PARKER SECONDED BY ROSS, APPROVED 2-0

**AYE:**

**NAYE:**

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**ATTEST:**

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**AMY L. GLACKMAN**

**SHELBY COUNTY AUDITOR**