

THE SHELBY COUNTY COMMISSIONERS MET ON MONDAY NOVEMBER 9, 2020, AT 8:00 A.M. PRESENT WERE COMMISSIONERS NIGH, PARKER, ROSS, COUNTY ATTORNEY AND DEPUTY AUDITOR

**MINUTES:**

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

MOTION TO APPROVE THE MINUTES FROM NOVEMBER 2, 2020 WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

**INTERLOCAL AGREEMENT/ BUILDING INSPECTORS:**

THE CITY OF SHELBYVILLE AND THE COUNTY COMMISSIONERS WISH TO CONTINUE THE INTERLOCAL AGREEMENT FOR THE BUILDING INSPECTORS, MOTION TO APPROVE WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

**PLAN COMMISSION / REZONES:**

DESIREE PRESENTED THE FOLLOWING REZONES:

1. WILLIAM RASNER IS REQUESTING TO REZONE 38 ACRES LOCATED AT 785 N. KNIGHTSTOWN ROAD FROM IS TO RE, THIS WAS HEARD AT THE 10/27/2020 MEETING AND VOTED ON 8-0 TO PRESENT TO THE COMMISSIONERS, MOTION TO APPROVE ORDINANCE 2020-19 WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0
2. MARTY STANTON REQUESTING TO REZONE 4.9 ACRES LOCATED AT 1390 W. FLAT ROCK ROAD FROM A2 TO RE, THIS WAS HEARD AT THE 10/27/2020 MEETING AND VOTED ON 7-1 TO PRESENT TO THE COMMISSIONERS. COMMISSIONER PARKER ADVISED HE HAD CONCERNS ABOUT THIS BEING TO CLOSE TO THE RIVER FOR THE SEPTIC. DESIREE ADVISED THE SEPTIC WOULD BE PUT IN A NON-FLOOD ZONE AND THE HOUSE WOULD HAVE TO BE RAISED BECAUSE IT IS BEING BUILT IN THE FLOOD ZONE. PARKER, THEN ASKED DESIREE WHAT HER RECOMMENDATION WAS, DESIREE ADVISED SHE RECOMMENDED IT TO BE DENIED. ROSS ADVISED JUST BECAUSE THEY APPROVED IT, THE OWNER WILL STILL HAVE TO GO THRU LOTS OF OTHER DEPARTMENTS, HEALTH, DNR. DESIREE AGREED THERE IS A LOT TO BE DONE, BEFORE THEY COULD BUILD AND SHE WILL BE FOLLOWING IT VERY CLOSELY. MOTION TO APPROVE ORDINANCE 2020-20 WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 2-1(PARKER)
3. FORREST & PATRICIA HYATT REQUESTING TO REZONE 21 ACRES LOCATED AT 7406 W OLD SR 252 FROM A1 TO RE, THIS WAS HEARD AT THE 10/27/2020 MEETING AND VOTED ON 8-0 TO PRESENT TO THE COMMISSIONERS. COMMISSIONER PARKER ASKED ABOUT HAVING ACCESS TO THIS PROPERTY, DESIREE ADVISED THE OWNERS TO THE SOUTH HAVE AN EASEMENT IN THEIR DEED TO ALLOW ACCESS TO THIS LAND. MOTION TO APPROVE ORDINANCE 2020-21 WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0.
4. NICK HARTMAN IS REQUESTING TO REZONE 5.704 ACRES LOCATED AT 3239 S 25 E FROM A1 TO RE, THIS WAS HEARD AT THE 10/27/2020 MEETING AND

VOTED ON 8-0 TO PRESENT TO THE COMMISSIONERS. COMMISSIONER PARKER HAD QUESTION ABOUT ACCESS, DESIREE ADVISED THEY WOULD HAVE A 50 FOOT STRIP THAT BE RAN ALONG THE EDGE OF THE PROPERTY FOR THE DRIVEWAY. THESE 50 FEET WOULD BE PART OF HIS PROPERTY. MOTION TO APPROVE WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

#### **SOLAR PLANT SPEAKERS:**

##### **KYLE BARLOW:**

OUR GROUP HAS LEARNED A LITTLE MORE ABOUT HECATE ENERGY, JUST TO CLARIFY HECATE IS THE THIRD SOLAR COMPANY THAT I AM GOING TO TALK ABOUT. ONE OF THE ALARMING THINGS ABOUT HECATE IS 2 OF DEALS ACROSS THE COUNTRY THAT THEY HAVE GOTTEN APPROVED, THEY HAVE LITERALLY SOLD THE LEASE DAYS AFTER THE PROJECT WAS APPROVED TO A SECOND COMPANY. THEIR THIRD-PARTY CONTRACTOR STATED THAT HE WAS FROM ATLAS RENEWABLE POWER AND HE IS HERE SOLICITATING PRIME FARM GROUND. SO MANY NAMES AND COMPANIES, HOW IS ANYONE SUPPOSED TO KEEP IT ALL STRAIGHT? THEY ARE AGGRESSIVELY SOLICITATING GROUND AROUND LITTLE MARION & EAST OF THAT IS WHAT I AM TOLD. MANY OF THE NEIGHBORS HAVE REACHED OUT TO US TO COMPLAIN ABOUT HACATE'S CONSTANT RELENTLESS CONTACT. PEOPLE IN OUR COUNTY ARE BECOMING INCREASINGLY AWARE OF THIS SOLAR BLITZ AND THE TACTICS THESE COMPANIES USE. SOME OF OUR NEIGHBORS HAVE TOLD US NAMES OF LANDOWNERS BEING COURTED BY HECATE. SOME OF THESE NAMES ARE CAUSE FOR ALARM FOR THE CITIZENS OF THIS COUNTY. IS GABE BEING TRUTHFUL TO THE NEIGHBORS BECAUSE SEAN WASN'T. WHY IS SHELBY COUNTY BEING HARASSED FOR INDUSTRIAL SOLAR SO HARD? WHY IS THIS BEING ALLOWED? HOW ARE YOU PROTECTING THE MASSES NOT JUST A FEW? DON'T WORRY THEY ARE PROBABLY JUST REACTING TO A PANIC IN LITTLE MARION. SWITCHING GEARS TO TAX ABATEMENTS. I RECENTLY READ A PAPER BY DR. MICHAEL HICKS FROM BALL STATE, TITLED THE FISCAL IMPACT OF LOCAL PROPERTY TAX ABATEMENT IN INDIANA. I FIRST HEARD HIS NAME WHEN FIRST GIVEN An ARTICLE BY DR HICKS FROM OUR COUNTY GOVERNMENT OFFICIALS SPEAKING FAVORABLY ON SOLAR. HE SAID AND I QUOTE "THERE IS NOT A STRONG RELATIONSHIP BETWEEN ABATEMENT AND THE GROWTH OF ASSESSED VALUE OVER TIME. THE IMPLICATION IS THAT ON AVERAGE THE USE OF ABATEMENTS AS A TOOL FOR GROWING A PROPERTY TAX BASE IS NOT PARTICULARLY AFFECTED, THESE FINDINGS CAST DOUBT ON THE ABILITY OF INDIANA SYSTEM OF PROPERTY TAX ABATEMENTS TO INCREASE THE TAX BASE OR CONTROL PROPERTY TAX RATES" NOWHERE IN INDIANA LAW CONCERNING TAX ABATEMENT ARE THE WORDS LEASEE, LESSOR OR TENANT. THE WORD OWNER IS MENTIONED 119 TIMES. ARE TAX ABATEMENTS EVEN AVAILABLE TO TENANTS AS THEY DO NOT OWN THE LAND? HOW CAN AN INDIVIDUAL PROPERTY OWNER BE GIVEN A TAX ABATEMENT? HOW CAN A COMPANY THAT IS ONLY A TENANT OR LESSOR BE GIVEN A TAX ABATEMENT? ANOTHER CONCERN OF OURS IS PRIME FARMLAND AS WE HAVE STATED REPEATEDLY, DEVELOP AND PRODUCING CROPS, DOES NOT MEET THE LEGAL DEFINITION OF AN ECONOMIC REVITALIZATION AREA UNDER INDIANA CODE I.C. 6-1-12.1. TO DEFINE AN ERA FOR YOU. IT IS A AREA IN A CITY OR COUNTY WHICH HAS BECOME AN UNDESIRABLE FOR OR IMPOSSIBLE OF NORMAL DEVELOPMENT AN OCCUPANCY BECAUSE OF LACK OF DEVELOPMENT, CESSATION OF GROWTH, DETERIORATION OF IMPROVEMENTS OR CHARACTER OF OCCUPANCY, AGE,

OBSOLESCENCE, SUBSTANDARD BUILDING, OR OTHER FACTORS WHICH HAVE IMPAIRED VALUES OR PREVENT A NORMAL DEVELOPMENT OF PROPERTY OR USE OF PROPERTY. THE BZA HAS TO APPROVE A SPECIAL EXEMPTION TO ALLOW PRIME FARMLAND TO BE USED FOR COMMERCIAL INDUSTRIAL PROJECT AND THEN THE COUNTY COUNCIL TURNS AROUND DECLARES IT An ERA, SO A TAX ABATEMENT CAN BE PURSUED. DOES ANYONE ELSE SEE THE HYPOCRISY HERE? IN SHELBY COUNTY HAVE WE FORGOTTEN OUR AGRICULTURAL HERITAGE? AN AG WEB ARTICLE THAT I RECENTLY READ TITLED USDA PEGS RECENT AG EXPORTS IMPACT ON US ECONOMY AT MORE THAN \$300 BILLION. THAT IS \$31 BILLION FOR THE STATE OF INDIANA DIRECTLY. WE DO HAVE AN ETHANOL PLANT THAT NEEDS OUR CORN AND A BEAN PROCESSING PLANT THAT NEEDS FEED AS WELL. WHY ARE WE ENDANGERING OUR LOCAL AG ECONOMY WITH MULTIPLE INDUSTRIAL SOLAR PLANTS? WHEN READING OUR COMPREHENSIVE PLAN, THERE ARE DEFINITE AREAS THIS COUNTY IS FOCUSING ON DEVELOPMENT. THE BENGAL COMMUNITY IS NOT ONE OF THEM. INDIANA IS ONE OF THREE STATES IN THE ENTIRE NATION TO HAVE OVER 50% OF ITS LAND DESIGNATED AS PRIME FARMLAND. WE WILL BE REMOVING 7% OF THE PRIME FARMLAND IN SHELBY COUNTY FOR PRODUCTION, IN MY OPINION FOREVER. THIS HAS ALL BEEN DONE IN 18 MONTHS. WHAT WILL BE LEFT WHEN YOUR TERMS ARE UP? IN CLOSING I ASK THAT YOU PLEASE MAKE A MOTION FOR A SOLAR MORATORIUM, IF NOT FOR THE 1,000 REASON YOU HAVE HEARD SINCE JULY, DO IT FOR THE LOOMING PANDEMIC. IF THIS THING BLOWS UP, WE CAN'T HAVE PUBLIC MEETINGS AND THE PUBLIC DOESN'T GET TO BE HEARD ON THIS. YOU ARE LEAVING OUR COUNTY VULNERABLE AND ITS FUTURE IN QUESTION. PLEASE DO THE JOB THAT YOU PROMISED AND WERE ELECTED TO DO, PROTECT OUR COUNTY FROM THESE SOLAR GYPSIES BECAUSE THAT IS WHAT THESE COMPANIES ARE AND WILL MOVE ON AND THEY DON'T CARE ABOUT SHELBY COUNTY. THINK ABOUT WHAT LEGACY YOU ARE LEAVING IN OUR COUNTY. COMMISSIONER PARKER THANK KYLE AND POINTED OUT HE HAD SOME VERY GOOD POINTS AND HE WISHES, THERE WAS A WAY YOUR GROUP TO GET THRU TO MORE PEOPLE TO REALIZE THE DISADVANTAGE THIS IS TO SHELBY COUNTY.

**SHERIFF:**

N/A

**HIGHWAY:**

N/A

**CLAIMS:**

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

**TRANSFER/ADDITIONALS:**

N/A

**MISCELLANEOUS:**

**ASSESSOR / PTABOA BOARD:**

ANNE ADVISED THEY HAD A PTABOA BOARD MEMBER THAT NEEDED TO RESIGN BECAUSE OF AN ILLNESS, ANNE ADVISED THIS MEMBER WAS ONE THAT WAS APPOINTED BY THE COMMISSIONERS. THIS IS A DEMOCRAT SEAT AND SPOKE WITH THE DEMOCRATIC BOARD AND THEY SUGGESTED BRUCE EVERHART.

ANNE TALKED WITH BRUCE EVERHART AND HE IS WILLING TO SIT ON THE BOARD. MOTION TO APPROVE BRUCE EVERHART 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**