

THE SHELBY COUNTY COMMISSIONERS MET ON MONDAY DECEMBER 7, 2020, AT 8:00 A.M. PRESENT WERE COMMISSIONERS NIGH (PHONE), PARKER, ROSS, COUNTY ATTORNEY AND COUNTY AUDITOR

AT THIS TIME NIGH WOULD LIKE THE VICE PRESIDENT TO CONDUCT THE MEETING SINCE HE IS AT THE MEETING IN PERSON.

MINUTES:

MOTION TO APPROVE THE MINUTES FROM NOVEMBER 23, 2020 WAS MADE BY PARKER, SECONDED BY NIGH, APPROVED 3-0

SECURITY PRO 24/7 – HEALTH DEPT.

AARON WALTZ & STEVEN HINDS WITH SECURITY PRO PRESENTED TO THE COMMISSIONERS WHAT THEIR COMPANY IS COMING IN AND HELP THE HEALTH DEPARTMENT KEEP PEOPLE COMPLIANT. THEY WILL GO INTO STORES, BARS, SCHOOLS AND TEACH THESE PLACES HOW TO STAY COMPLIANT DURING THIS PANDEMIC. THEY CHARGE \$50.00 PER HOUR AND VISIT THESE PLACES ALL DAY LONG AND THE EVENINGS. IF THEY FIND PEOPLE ARE NOT FOLLOWING THE RULES, THEY WILL ASK THEM TO EITHER LEAVE OR PUT THEIR MASK ON, THEY ARE THE BAD GUYS AND NOT PUT THE BURDON ON THE OWNERS. MOTION TO APPROVE THE CONTRACT UNTIL JANUARY 31, 2021 AND WILL RE-VISIT THEN, WAS MADE BY PARKER, SECONDED BY NIGH, APPROVED 3-0

HIGHWAY MATERIAL BIDS/AWARDS:

ANDERSON GAVE HIS RECOMMENDATIONS TO THE COMMISSIONERS FOR NEXT YEARS PRICING:

BITUMINOUS & LIQUID ASPHALT – MOVE TO ACCEPT ASPHALT MATERIALS, INC., AND CALDWELL MOTION TO APPROVE WAS MADE BY PARKER, SECONDED BY NIGH, APPROVED 2-0-1 (ROSS)

GASOLINE – MOVE TO ACCEPT PETROLEUM TRADERS AND SHELBY COUNTY CO-OP WAS MADE BY PARKER, SECONDED BY NIGH, APPROVE 3-0

RENTAL EQUIPMENT – MOVE TO ACCEPT TRISLER CONSTRUCTION, WAS MADE BY PARKER, SECONDED BY NIGH, APPROVED 3-0

STONE & GRAVEL – MOVE TO ACCEPT NEW POINT STONE, CGS GRAVEL, U.S. AGGREGATE, SHELBY MATERIAL, WAS MADE BY PARKER, SECONDED BY NIGH, APPROVED 2-0-1 (ROSS)

QUOTES, MOTION TO APPROVE ALL QUOTES WAS MADE BY PARKER, SECONDED BY NIGH, APPROVED 3-0

BID AWARD / SNOW REMOVAL & MOWING:

ANDERSON ADVISED THE LOW BID THAT WAS TURNED IN WAS FROM MCINTIRE LANDSCAPING FOR THE SNOW & LANDSCAPING. PARKER ADVISED HE DIDN'T KNOW WHY WE JUST DON'T CONTINUE DOING IT OURSELVES SINCE WE HAVE THE EQUIPMENT. MOTION TO APPROVE WAS MADE BY NIGH, SECONDED BY ROSS, APPROVED 2-1 (PARKER)

UTILITY REQUEST:

VECTREN IS REQUESTING TO PUT IN A NEW SERVICE AT 2230 GRAHAM DRIVE SOUTH. THIS IS FOR 225 FT OF NEW GAS LINE AND WILL BE AN OPEN TRENCH. MOTION TO APPROVE WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

SOLAR PLANT SPEAKERS:**SEAN FOGARTY:**

LIVES IN VIRGINIA RIGHT NEXT TO S-POWER'S 6,300 ACRE 500 MEGA WATT INDUSTRIAL SOLAR FACILITY WHICH IS UNDER CONSTRUCTION HERE. I UNDERSTAND THAT S-POWER IS GOING TO REQUEST TO BUILD A LARGE FACILITY IN SHELBY COUNTY, SO I THOUGHT I WOULD PROVIDE A COUPLE THOUGHTS FOR YOU ABOUT WHAT HAS HAPPENED HERE. I FOLLOWED THEIR PROJECT CLOSELY FOR ABOUT 3 YEARS. OUR PLANNING COMMISSIONER RECOMMENDED DIS-APPROVAL OF THEIR REQUEST, BUT THE BOARD OF SUPERVISORS APPROVED THE PROJECT IN APRIL OF LAST YEAR. S-POWER IS IN THE PROCESS OF INSTALLING 1.6 MILLION SOLAR PANELS AFTER 4,500 ACRES OF TREES WERE REMOVED TO MAKE ROOM FOR THE GREEN ENERGY PROJECT. S-POWER JOINED OUR LOCAL CHAMBER OF COMMERCE WHEN THEY CAME INTO TOWN, LEASED SOME OFFICE SPACE, MADE A COUPLE DONATIONS TO LOCAL CAUSES, RAN ADS IN THE LOCAL PAPER, EVEN MAILED OUT MULTIPLE FLYERS TO THOUSANDS OF COUNTY RESIDENCE TO TALK ABOUT THE PROJECT. THEY HIRED THE MOST PROMINENT LOCAL LAND USE ATTORNEY LOBBYIST, HIRED STATE LOBBYIST AND EVEN HIRED A PR FIRM WHICH CONDUCTED PHONE SURVEYS OF THOUSANDS OF RESIDENCE AND DRAFTED LETTERS FOR THEM TO SEND INTO OUR SUPERVISORS BEFORE THE VOTE. I WOULD JUST LIKE TO PROVIDE INFORMATION A FEW OF THE PROBLEMS WE HAVE EXPERIENCED WITH THIS FACILITY FOR YOUR CONSIDERATION. ON BUFFERS S-POWER'S SPECIAL USE PERMIT SPECIFIED 100 FOOT BUFFERS AROUND PERIMETERS OF THE PROJECT. 6 DAYS AFTER THE PERMIT WAS APPROVED S-POWER SUBMITTED A SITE PLAN SHOWING 50 FOOT BUFFERS, WHEN CHALLENGED THEY PROMISED TO COMPLY WITH THE 100 FOOT BUFFERS BUT INSISTED ON EXCEPTIONS FOR THE BUFFERS FOR HUGE STORMWATER BASINS AND ROADS. OUR ZONING ADMINISTRATOR ACTUALLY RULED AGAINST S-POWERS EXCEPTIONS, BUT AFTER A COUNTY MEETING CLOSED TO THE PUBLIC, SHE RECLUDED HERSELF. THAT ISSUE IS NOW IN CIRCUIT COURT FOR RESOLUTION, WHICH HAS BECOME AN EXPENSIVE AND TIME-CONSUMING PROCESS FOR THE COUNTY, THE LANDOWNERS, AND S-POWER. IN THE MEANTIME, S-POWER HAS CONTINUED TO BUILD ROADS AND BASINS INSIDE THE 100 FOOT BUFFERS. IN SOME CASES, WITHIN 30 FEET OF RESIDENTIAL PROPERTY LINES. OTHER ISSUES OF THIS PROJECT ARE THE NUMEROUS VIOLATIONS OF THE PERMIT, THEY HAVE RECEIVED DOZENS OF NOTICES OF VIOLATIONS FROM THE COUNTY SUCH AS OPERATING LARGE VEHICLES ON NARROW ROADS AND DURING SCHOOL BUS HOURS, CLEARING LAND TO CLOSE TO A CEMETERY AND MANY OTHER VIOLATIONS. ANOTHER CONCERN IS A NEIGHBORING COUNTY HAS FILED A CIVIL LAWSUIT AGAINST S-POWER AND OUR COUNTY WITH COUNTS OF ROAD DAMAGE, LAND USE VIOLATIONS, TRESPASSING AND TRAFFIC CONGESTION. THAT CASE IS ACTIVE IN ORANGE COUNTY CIRCUIT COURT WITH A HEARING SCHEDULED FOR EARLY NEXT YEAR. THIS LAWSUIT IS ALSO COSTING BOTH COUNTIES MONEY FOR TIME AND RESOURCES. THE FINAL PROBLEM IS STORMWATER RUN OFF, THERE HAVE BEEN SIGNIFICATE STORMWATER RUN

OFF PROBLEMS, FROM S-POWERS PROPERTY TO A NEIGHBORING COMMUNITY EVER SINCE THE PROJECT HAS STARTED. THEY HAVE TRIED MANY MITIGATION ATTEMPTS, BUT HAVE ONLY BEEN PARTIALLY SUCCESSFUL, THE PROBLEMS WERE SO EXTENSIVE S-POWER WAS FORCED TO PURCHASE A 3 ACRE RESIDENTIAL PROPERTY FROM A COUPLE WHO HAD LIVED THERE FOR OVER 30 YEARS. THESE INDUSTRIAL SOLAR COMPANIES CAN CHANGED THE CHARACTER OF YOUR COUNTY. THIS S-POWER PROJECT IS BEING BUILT ON PRIME AGRICULTURAL FARMLAND THAT HAD BEEN USED FOR TIMBER FOR YEARS. WE ARE DEALING WITH 700 VEHICLE TRIPS PER DAY, NARROW RURAL ROADS, VEGETATION BEING REMOVED AND THE SOIL IS BEING HEAVILY COMPACTED. IN SPITE OF THE SOLAR INDUSTRIES ASSURANCES A LOCAL ENVIRONMENTAL EXPERT HAS SAID THIS LAND WILL LIKELY NEVER BE SUITABLE FOR AGRICULTURAL USE AGAIN. WHILE TRYING TO GAIN LOCAL SUPPORT, S-POWER TALKED EXCESSIVELY HOW THEY WOULD BE GOOD NEIGHBORS AND PROMISED MULTIPLE BENEFITS TO THE COMMUNITY. IN MY OPINION IT HAS BEEN THE EXACT OPPOSITE HAS HAPPENED, THEY HAVE HAD MANY VIOLATIONS, TWO CIRCUIT COURT CASES, DOZENS OF PERMIT VIOLATIONS, STILL UNRESOLVED STORMWATER RUN OFF PROBLEMS, POTENTIAL IMPACT ON LAND VALUES, AND AT LEAST ONE RESIDENT FORCED OUT OF HIS HOME, AND THIS PROJECT IS ONLY ABOUT HALF BUILT. I EXPECT ADDITIONAL PROBLEMS TO COME UP AS OTHER LANDOWNERS AROUND THE SITE ARE IMPACTED. FINALLY, WITH ALL DO RESPECT I STRONGLY URGE SHELBY COUNTY TO CAREFULLY CONSIDER WHETHER THIS TYPE OF INDUSTRIAL PROJECT IS RIGHT FOR THE COUNTY AND IF SO, IS S-POWER THE RIGHT DEVELOPER. IF YOU DO PROCEED, MY RECOMMENDATION IS TO ESTABLISH DETAILED ENFORCEABLE CONDITIONS, PROTECT YOUR COUNTY AND LANDOWNERS.

RACHAEL BARLOW:

I'M GOING TO START WITH MY EMAIL. I FILED A PUBLIC REQUEST WITH DESIREE ON WEDNESDAY SO I HAVE ALL OF THE EMAILS THAT WERE SUBMITTED TO THE PLAN COMMISSION.

I WAS NOT ABLE TO COME IN A SPEAK BECAUSE THERE WASN'T ENOUGH ROOM FOR BOTH ME AND MY KIDS. I DIDN'T THINK IT WAS FAIR TO TAKE UP 4 OF THE 17 CHAIRS THAT WERE AVAILABLE. SO, WE STOOD IN THE COLD FOR 2 ½ HOURS

I HIGH LIGHTED PROPERTY VALUE GUARANTEE, WATER SOIL BASELINE TESTING, MONITORING WELLS, FIREFIGHTING RESOURCES INCLUDING TRAINING AND FOAM FOR FIREFIGHTING THAT IS PFAS FEE, LEASES SIGNED BY LANDOWNERS BEING RECORDED, DETAILED MAPS, SOLAR ARAS AND BUILDING LOCATIONS, SIZE LIMITS, ACRES PER PROJECTS, SIZE LIMITS TO PROJECTS PER COUNTY, WORKING HOURS PUT INTO HE ORDINANCE SO WE DON'T HAVE THE PROBLEMS THEY ARE HAVING IN SPOTSYLVANIA, VA. SOUND AND INVERTOR NOISE LIMITS, JUST IN SURFACE RESIDENCE OF SHELBY COUNTY HAVE PUT IN ENDLESS HOURS OF WORK INTO THEIR HOME FOR TWO YEARS AND THEN IT BURNT DOWN, THEY HAVE REBUILT AND CAME BACK TO THE PLACE THAT THEY LOVE, HE SAYS HE LIVES OUT THERE BECAUSE THE COUNTRY IS THE COUNTRY AND YOU WOULDN'T WANT TO LIVE WITHIN A SOLAR PLANT, NEITHER DO I. **CHRISTINE WEST** - BENGAL COMMUNITY WE ARE LETTING ALL OF OUR ELECTED AND APPOINTED OFFICIALS KNOW THAT NOT ALL COMMUNITIES HERE WELCOME THIS KIND OF PROJECTS AND BY ALLOWING US A CHANCE AND TIME ESPECIALLY TIME TO LET OUR VOICES BE HEARD AND OUR QUESTIONS ANSWERED ARE SERVING THE RESIDENTS OF THIS COUNTY WELL. THE GENERAL ZONING ORDINANCE THAT EXISTED BEFORE THE MORRISTOWN PLANT WAS ALLOWED AND REQUIRED CHANGE IN ZONING. AN

INDUSTRIAL WAREHOUSE OR COMMERCIAL BUSINESS WANTED TO BE PLACED IN AN AGRICULTURAL DISTRICT. AN INDUSTRIAL BUSINESS IS THE KEY WORD. **JESSIE EVERHART** - WANTED TO REMIND THE COMMISSION OF THE SUPPORT OF THE ORDINANCE CHANGES BY OVER 200 HUNDRED COMMUNITY MEMBERS DURING THE SPEEDWAY SOLAR APPLICATION PROCESS. THE PETITIONS ARE FILED AND ARE ON THE RECORD FROM THE SPEEDWAY SOLAR APPLICATION IN NOVEMBER 2018. THEY ASKED FOR MORE INTENSE BUFFER AREAS, TOTAL PROJECT ACREAGE LIMITS, PERFORMANCE AND FINANCIAL REQUIREMENTS OF THE DECOMMISSIONING AND DENSITY AND ADJACENCY STANDARDS IN REGARD TO EXPANSION OF EXISTING PROJECTS IN THE DEVELOPMENT OF NEW PROJECTS. **DIANA THOMAS** - ASKED SHE HOPES YOU HELP HER DREAMS COME TRUE AND HELPING HER FIND HER FOREVER HOME. **JENNIFER MUCK** - ASK THAT LARGE BUFFER ZONES BETWEEN THE PROJECT AND PEOPLES PRIVATE PROPERTY, SHE SAID LET'S NOT BE FOOLISH AND MAKE IT SO EASY FOR THEM TO COME IN AND TAKE ADVANTAGE OF OUR COUNTY. **JIM AND JERRY WILLIAMS AND FAMILIES** - SAID THEY WANTED THE ENVIRONMENTAL IMPACTED STUDIED, THE ECONOMIC IMPLICATIONS, THE AGRICULTURAL SERVICES INDUSTRY IN SHELBY COUNTY WILL ADDITIONALLY GREATLY IMPACTED AND POTENTIAL LOSS OF JOBS, DRAINAGE ISSUES ADDED TO THE ORDINANCE, INDUSTRIAL SOLAR PLANTS CAN NOT CONSUME MORE THAN 1% OF THE ACREAGE PLATTED SECTION. ALL INDUSTRIAL OF SHELBY COUNTY TO USED FOR PERSONAL USE ONLY OR BACK TO OUR LOCAL GRID. **JIM MCCAIN** - WANTED HIS COMMENTS READ INTO THE MINUTES. THE COUNTY WILL COME TO REGRET THESE PROJECTS AND I BELIEVE SO WILL THE PEOPLE SIGNING THE LEASES WITH THE SOLAR COMPANIES. BASICALLY, THERE ARE FOUR INDIVIDUALS SIGNING UP FOR COMMERCIAL SOLAR LEASES IN SOUTHERN SHELBY COUNTY AND NONE OF THEM ARE LIVING AROUND THE SOLAR COMPLEX, SOME EVEN HAVE HIGH TENSION POWERLINES RUNNING THRU THE PROPERTY WHERE THEY LIVE, WHY DON'T THEY SIGN THAT UP? I FEEL BETRAYED BY THESE LOCAL OFFICIALS THAT I MISTAKENLY VOTED FOR IN THE PAST AND WHO NOW STAND TO RUIN MOST OF I HAVE WORKED FOR TO CREATE IN MY ENTIRE LIFE. **DANNY AND JUDY NICHOLSON** - MOVED TO HENDRICKS TOWNSHIP BECAUSE WE DESIRE TO LIVE A PREDOMINANTLY RURAL AREA, QUIET LOCATION AND LESS TRAFFIC. I ACTUALLY WENT TO SCHOOL WITH THEIR DAUGHTER AT WHITELAND, THEY LIVED OUT IN THE CLARK AREA WHICH IS BEING HIGHLY DEVELOPED. MY QUESTION TO THE LANDOWNERS AND FARMERS OF THE SHELBY COUNTY IS HOW MUCH IS ENOUGH? ARE YOU REALLY WILLING TO RISK YOUR FARMLAND FOR MONEY? ARE YOU WILLING TO ACCEPT THE DECREASE IN YOUR PROPERTY VALUES FOR A PROMISE OF MONEYS THAT MAY NEVER BE REALIZED? DO YOU NOT CARE FOR YOUR NEIGHBORS SAFETY IF THESE SOLAR PANELS ARE COMPROMISED, OR IF THE LOCAL WATER SUPPLY IS CONTAMINATED? STRICTER ORDINANCES WILL FORCE THE SOLAR COMPANIES TO CONSIDER ALTERNATIVE IDEAS THAT WILL NOT AFFECT THE FARMLAND. **DARRELL THOMAS** - MY MAIN CONCERN IS THAT I HAVE 4 YOUNG CHILDREN, WATER AND SOIL TESTING, MONITORING WATER WELLS. ONE THING THAT I THINK THAT CAN HELP EASE THESE WORRIES IS TO UPDATE THE SOLAR ORDINANCE SO THAT SHELBY COUNTY ISN'T OVERRUN BY SOLAR PANELS AND TURNED INTO A TOXIC LANDFILL. **LORI TENNELL** - OUR CURRENT ORDINANCES DO NOT PROTECT THE WATER SUPPLY THAT OUR FUTURE GENERATION, SHE IS CONCERNED ABOUT NOISE, PROPERTY VALUES, SOIL CONTAMINATION, WATER CONTAMINATION, DRAINAGE, WILDLIFE, DISMANTLING REQUIREMENTS. **CRYSTAL HUTCHINSON** - WILL CREATE EROSION PROBLEMS THAT WILL AFFECT THEIR NON-SOLAR FIELD CROPS, KEEP SHELBY COUNTY HEALTHY BEAUTIFUL AND A PRIME LOCATION FOR FARMING,

NEW RESIDENTS AND NEW BUSINESSES. **MICHAEL WEBSTER** – ELECTED OFFICIALS ARE THE CARETAKERS OF THE COUNTY AND ITS RESIDENTS AND THEY DESERVE THE TRUST AND RESPECT OF THEIR CITIZENS. PLEASE MAKE THE ONLY RIGHT, MORAL AND HONORABLE CHOICE. **SANDRA HOWLEY** – MY 5TH GREAT-GRANDFATHER WAS THE FIRST TO CLAIM LAND IN THIS TOWNSHIP AND HE AND HIS DESCENDANTS FOUGHT HARD THRU WARS AND DEPRESSIONS AND EVERY OTHER HARDSHIP TO HOLD ONTO IT. **INDIA OWENS** – REGISTERED NURSE WITH A MASTER’S IN NURSING AND A FOCUS ON PUBLIC POLICY AND LAW GREAT CONCERNS ABOUT THE LACK OF REQUIREMENTS FROM SHELBY COUNTY, WATER SAFETY AND THE PROXIMITY OF THE BENGAL PROPOSED PROJECT TO THE WELLS SERVICING SHELBYVILLE. WE HAVE SUFFERED ENOUGH WITH CONTAMINATED WELLS IN THE PAST, PRICE PAID IN BIRTH DEFECTS AND MISCARRIAGES SHOULD BE ENOUGH TO HAVE TAUGHT US BETTER. NO WHERE IN THE COUNTY PLANNING DOCUMENTS IS CONVERTING FARMLAND TO INDUSTRIAL SITES RECOMMENDED. SHELBYVILLE HAS GONE THRU GREAT LINKS TO CREATE GREEN SPACES. WHY IS IT ACCEPTABLE TO GO INTO THE COUNTY AND CONVERT GREEN SPACE AND FARMS INTO INDUSTRY? **SHERRY KABRICH** – NOISE CONTROL SHOULD NOT BE DETECTED BY NEARBY BUILDINGS OR DAMAGED WELLS. RULES FOR BURRING CABLE AND TRANSMISSION LINES NEED TO BE ESTABLISHED. **BOBBI CARR-JOHNSON** – SPECIAL ANNUAL FEE ASSESSMENTS TO THE LESSEE TO BE PAID DIRECTLY TO THE LOCAL FIRE DEPARTMENTS. SPECIAL ASSESSMENTS WOULD BE THE RESPONSIBILITY OF THE DEVELOPER AT THE TIME OF PLAN APPROVAL. A FULL STUDY OF ENVIRONMENTAL AND COMMUNITY IMPACT OF A COMMERCIAL SOLAR PANEL DEVELOPMENT PLAN PROVIDED AT THE TIME OF PLANNING SUBMITTAL WITH A FULL COMMUNITY HEARING, TRAFFIC PATTERNS, NEIGHBORING PROPERTIES, NEIGHBORS INPUT, SEASONAL ACCESS, STUDY OF ANIMAL AND OTHER NATURAL OCCURRING OF HABITAT, PROPERTY VALUE GUARANTEE, DEVELOPMENT PERMITS WOULD BE SUBQUINCHLY APPROVED, FOR EXAMPLE MULTIPLE DEVELOPMENTS WITH IN A TEN MILE RADIUS WOULD BE LIMITED TO TWO AND NOT EXCEED 200 ACRES EACH UNTIL THE DEVELOPMENT REGION IN COMPLETE AND PRODUCING INCOME AND ENERGY TO A WHOLESALER. THE PURPOSE OF THIS IS NOT TO OVERWHELM THE COMMUNITY AND FOR THE BZA AND COUNTY OFFICIALS TO HAVE INSPECTORS AND SUPPORT NECESSARY TO PROPERLY OVERSEE THESE DEVELOPMENTS. **LAUREEN RUBLE** – SURROUNDING FIELDS OF SOLAR PANELS WILL CREATE EROSIONS PROBLEMS THAT WILL AFFECT THEIR NO SOLAR FIELDS OF CROPS, THE WATER SUPPLY. I WORRY THAT OUR TOWN AND COUNTRY WON’T BE ABLE TO GROW AND PROGRESS. I TRULY FEEL THAT A STRICTER ORDINANCE ON THESE TWO TOPICS WILL BE A START TO KEEPING SHELBY COUNTY HEALTHY, BEAUTIFUL AND A PRIME LOCATION FOR FARMING, NEW RESIDENCE AND NEW BUSINESSES. **SUSAN WEAVER** – STRENGTHEN THE CURRENT SOLAR ORDINANCE, KEEPING THE WATER OF SHELBYVILLE SAFE AND DETER ANYMORE SOLAR PLANTS FROM BEING ALLOWED INTO OUR COUNTY. **DEBBIE HALL** – THE FARMLAND OF SHELBY COUNTY IS IN THE WRONG LOCATION. I KNOW THAT MONEY DRIVES ALL, MAKE SIMPLE DECISIONS. CORPORATIONS HAVE THE FUNDS TO CREATE GLOWING SCENARIOS THAT ARE MOST CONVINCING. IT MAKES ONE QUESTION THAT THESE BUSINESSES ARE TARGETING FARMERS WITH PROMISES OF GREAT WEALTH AND AIDING THE COMMUNITY. WHAT A SHAME, WHAT A SHAM AND WHAT A SIN. I SAY LIGHTS OUT ON FURTHER DELIBERATION ON THIS DIVISIVE ISSUE. **JESSICA MCCAIN** – THE SOLAR ORDINANCE REMAINS INEFFICIENT; WE NEED TO MANAGE BRUSH AND OTHER VEGETATION. ON SITE BATTERIES NEED TO BE MANAGED, SAFETY CONCERNS REGARDING ON SITE BATTERY STORAGE THAT THE COUNTY HAS

NOT ADDRESSED. THE COUNTY SHOULD REQUIRE THAT ALL ELECTED OFFICIAL SHOULD DISCLOSE HOW THEY WILL BE BENEFITING FROM THIS COMMERCIAL SOLAR DEVELOPMENTS, AS IT SEEMS THAT SEVERAL OF THE PUBLIC SERVANTS WORKING TO MOVE THE PROJECT FORWARD AND CREATE UNENCUMBERED SOLAR ORDINANCE WILL HAVE FINANCIAL AND NON-MONETARY BENEFITS FROM THE PROJECTS. **ASHLEY MCCAIN** – FENCING ALONG THE PLANT SHOULD NOT BE AN OPTION. LARGE EVERGREEN TREES PLANTED EVERY 14 FEET NOT 25 FEET WHICH IS A LARGE GAP WHICH MAY NOT PROVIDE EFFICIENT WIND BREAKS AND PANELS WILL BE VISIBLE BETWEEN TREES. THE LANGUAGE REGARDING VEGETATION AND COVER CROPS BENEATH THE SOLAR PANELS IS WEAK, WE HAVE IN THERE AS FINANCES ALLOW. IDEALLY A CAP WOULD BE PLACED ON THE NUMBER OF ACRES SHOULD BE ALLOWED TO BE COVERED WITH SOLAR. **SANDY RUSH** – ADD MORE DETAILS TO THE PURPOSED CHANGES. MY FATHER WORKED CLOSELY WITH INDIANA CITY WATERS TO ESTABLISH A PRIME LOCATION TO DRILL WELLS, AT THE TIME THE CITIZENS IN TOWN WERE SUFFERING FROM HARMFUL WATER. SHE MENTIONED THE COMPREHENSIVE PLAN. **REX AND SUSAN KUHN** – PERIMETER DRAINAGE AND NO NEW SOLAR PROJECT ORDER UNTIL WE SEE HOW THE SPEEDWAY PROJECT GOES. **SUSAN STANDEFORD** – MORATORIUM SHOULD BE PUT INTO PLACE UNTIL WE CAN MEET ALL OF THE SAFETY PRECAUTIONS. IT IS YOUR LEGAL OBLIGATION AND DUTY TO LISTEN TO THE MANY PEOPLE OPPOSING THIS SOLAR VENTURE. **DEE ELLINGTON** – TO VAGUE AND DOES NOT PROTECT LANDOWNERS. MY PROPERTY WILL HAVE A FRONT ROW SEAT. MY FRONT YARD IS A 100 FEET FROM THIS FIELD THAT WILL BE COVERED IN SOLAR PANELS, WATER SUPPLY TESTING, EROSION PROBLEMS, NOISE FROM TRANSFORMERS, DECOMMISSIONING REGULATIONS, PROPERTY VALUES DECREASING, LANDSCAPE BUFFERS. **BETTY NUSBAUM** – ELDERLY NEED TO SELL THEIR HOMES TO ENTER RESIDENTIAL HOMES SOON, DEPENDING ON MONEY FROM SELLING OUR HOME TO BE ABLE TO AFFORD THAT. HOW DO RE-COOP THE LOSS, WHEN A SOLAR PLANT IS PUT NEXT TO MY HOME? WHERE DO I GO? I AGREE LANDOWNERS SHOULD BE ABLE TO DO WHAT THEY WANT WITH THEIR PROPERTY, BUT THOSE RIGHTS END WHEN THEY FRINGE UPON THE RIGHTS OF THEIR NEIGHBORS -. **KIM & TAMARA STROPES** – I ALSO DO NOT UNDERSTAND WHY THE REPEATED REQUEST FOR FURTHER CONSIDERATIONS AND UPDATES TO THE OUTDATED ORDINANCE REFUSE TO BE DONE. THE WHY QUESTION HAS BEEN ASKED REPEATEDLY, BUT THE REPLY, IT HAS BEEN PREVIOUSLY DISCUSSED IS NOT AN ADEQUATE ANSWER AND I BELIEVE AS A TAXPAYER AND CONSTITUENT AN ADEQUATE ANSWER IS EXPECTED. **HOLLY SCOTT** – SOIL AND WATER TESTING, NOISE, REASONABLE SIZE LIMIT, A PLACE AND PLAN FOR WATER DRAINAGE, PROPERTY VALUE GUARANTEE, ALSO BELIEVE THAT NO RESIDENT SHOULD BE SURROUNDED ON MORE THEN TWO SIDES BY A SOLAR FIELD, WE HAVE MULTIPLE HOMES THAT WILL BE SURROUNDED BY MORE THAN TWO SIDES IN OUR AREA. IT IS IMPORTANT THAT PEOPLE ARE LISTENED TO AND THAT OUR COUNTY CONTINUES TO THRIVE AND BE A GOOD PLACE FOR PEOPLE TO LIVE. THESE WERE ALL SUBMITTED TO THE PLAN COMMISSION. **RACHAEL BARLOW** - THEY WERE SUPPOSED TO BE READ INTO THE MINUTES, BUT WERE GIVEN A 30 SECOND SYNOPSIS, THAT THEY ALL DISCUSSED THE SAME ISSUES, THAT WAS NOT THE CASE, THESE PEOPLE DESERVE TO BE HEARD REGARDLESS OR COVID, REGARDLESS OF ROOM RESTRICTIONS, REGARDLESS THE REFUSAL TO CHANGE THE VENUE. SO THAT IS WHAT I DID.

JUSTIN PARKER:

KYLE READ THIS FOR JUSTIN:

I FIRST WANT TO APOLOGIZE FOR NOT BEING ABLE TO MAKE IT IN PERSON TODAY, BUT I FELT I NEEDED TO BRING A VERY IMPORTANT TOPIC UP AS IT NEED FURTHER DISCUSSION AS IT HAS FALLEN ON DEAF EARS OR I WAS COMPLETELY IGNORED AT LAST TUESDAY PLAN COMMISSION PUBLIC HEARING. DURING THE PUBLIC COMMENT SECTION OF THE PUBLIC HEARING, I APPROACHED THE PLANNING COMMISSION WITH A RECOMMENDATION REGARDING THE REVISED 660 FOOT SET BACK AMENDMENT IN THE SOLAR ORDINANCE. AFTER STUDYING THE AMENDED ORDINANCE, I FOUND A FEW CONCERNS THAT I THOUGHT NEEDED SOME CLARIFICATION. AS THE AMENDED ORDINANCE WAS WRITTEN, IT STATED THE SET BACK FOR THE CSES SHOULD BE 660 FEET AWAY FROM A RESIDENTIAL STRUCTURE. I RECOMMENDED THAT I THOUGHT WHAT WOULD BEST CLEAR THIS UP AND MAKE IT EASY FOR ALL TO UNDERSTAND. I SUGGESTED REWORDING THAT TO READ 660 BACK FROM THE PROPERTY LINE OF ANY NON-PARTICIPATING LANDOWNER. THE REASON I MADE THIS SUGGESTION IS BECAUSE IF WE LEAVE AS IT IS WRITTEN NOW, IT ONLY PROTECTS RESIDENTIAL STRUCTURES THAT ARE EXISTING BEFORE A CSES IS ALLOWED TO BUILD. MY ISSUE, LET'S SAY I RECENTLY BOUGHT A PIECE OF PROPERTY AND AM IN THE PROCESS OF PAYING IT OFF SO I CAN BUILD MY DREAM HOME THERE IN FIVE TO TEN YEARS. IF I GO BUILD THAT DREAM HOME AFTER A CSES IS BUILT AND I AM THE NEIGHBORING PROPERTY, THEN I AM NO LONGER AFFORDED THAT SAME PROTECTION BECAUSE A CSES CAN BE BUILT AT A MUCH CLOSER PROXIMITY BECAUSE THERE WAS NO EXISTING STRUCTURE TO MEASURE OFF OF. TO ENSURE THAT ALL LANDOWNERS ARE GIVEN THE PROTECTION, I FEEL THE SET BACK SHOULD BE BASED OFF OF THE PROPERTY LINE INSTEAD OF A STRUCTURE, BECAUSE IF AT ANYTIME SOMEONE WANTED TO BUILD A PRIMARY STRUCTURE ON A PIECE OF LAND, THEN IT WOULD ALWAYS HAVE THE 660 FOOT BARRIER BETWEEN IT AND THE SOLAR PANELS. ANOTHER REASON I FEEL THAT PROPERTY LINE IS BETTER SUITED IS BECAUSE IT IS A LEGAL DEFINED LINE THAT IS RECORDED WITH THE COUNTY SURVEYOR'S OFFICE. IT CAN NOT BE MANIPULATED AND IT MOST OFTEN DEBATABLE. MY POINT TO MAKING THIS CLEAR EMERGED AFTER THE PUBLIC COMMENT SEGMENT HAD CLOSED AND THE PLANNING COMMISSION COMMENCED ON THEIR DISCUSSION OF WHAT A RESIDENTIAL OR PRIMARY STRUCTURE MAY BE. THEY WERE NOT SURE IF THAT WAS JUST A HOUSE, A DOGHOUSE, A BARN, GRAIN BIN ETC. THERE WERE SEVERAL QUESTIONS AMONGST THE BOARD AND THEY SOUGHT TO FIND CLARIFICATION NUMEROUS TIMES AND I BELIEVE THEY FINALLY SETTLED ON CALLING IT A PRIMARY STRUCTURE, WHICH IN MY OPINION IS LEFT UP TO INTERPRETATION. WHILE A PRIMARY STRUCTURE CAN BE INTERPRETED TO MEAN MANY DIFFERENT THINGS, IT CAN BE MOVED, A PROPERTY LINE CAN NOT BE INTERPRETED AND HAAS A VERY CLEAR DEFINITION TO IT. WHILE I WAS EXTREMELY HAPPY TO SEE THE SAFETY BARRIER BETWEEN A RESIDENTIAL STRUCTURE AND A SOLAR PANEL CONTAINING TOXIC MATERIALS WAS INCREASED SIGNIFICANTLY. I WORRY ABOUT THE FUTURE FAMILIES WANTING TO LOCATE AND BUILD THEIR DREAM HOMES IN SHELBY COUNTY WILL NOT BE AFFORDED THE SAME PROTECTION. AS I DID MY RESEARCH AND LISTEN TO COUNTLESS OTHERS SPEAK ABOUT NEGATIVE IMPACTS OF COMMERCIAL SOLAR ENERGY SYSTEMS, WHAT THEY MAY HAVE ON A PERSON, THEIR FAMILY, FRIENDS AND PROPERTY. I HAVE SPENT A LOT OF TIME THINKING HOW WE CAN ENSURE THAT THOSE WHO WANT TO PROTECT THEIR PROPERTY MAYBE ABLE TO DO SO SAFELY. IT HAS BE MADE CLEAR THAT PROPERTY RIGHTS HAVE BEEN AT THE FORE FRONT

OF DEFENDING LANDOWNERS WHO WANT TO LEASE THEIR TO FOREIGN OWNED COMPANIES. SO, WHEN DO LANDOWNERS WHO WANT TO PROTECT THEIR PROPERTY AGAINST HARMFUL LAND USE FROM A NEIGHBORING LANDOWNER GET THE SAME PROPERTY RIGHTS DEFENSE? MY HOPE IS THIS CONCERN RECOMMENDATION WILL BE TAKEN MUCH MORE SERIOUSLY THAN IT WAS WHEN PRESENTED TO THE PLAN COMMISSION BOARD. I HAVE SAID IT BEFORE AND I WILL SAY IT AGAIN. I THINK IT IS PARAMOUNT THAT THE ELECTED AND APPOINTED REPRESENTATIVES OF SHELBY COUNTY CONTINUE TO ENACT SAFEGUARDS AND PUT THEM IN PLACE FOR THE PROTECTION OF RESIDENTS AS THIS IS THE ONLY WAY TO ENSURE A SAFE FUTURE MOVING FORWARD IN SHELBY COUNTY. I ASK YOU TO VOTE TO APPROVE THE AMENDED ORDINANCE THAT HAS BEEN SUBMITTED TO YOU, THEN ASK THE PLANNING COMMISSION TO CONTINUE WORKING ON THIS ORDINANCE TO MAKE IT CLEARER AND STRONGER SAFEGUARDS SO THAT ALL THE RESIDENTS ARE AFFORDED THE SAME RIGHTS IN AN EQUAL MANNER.

BLAKE NEWKIRK:

WANTED TO TALK A LITTLE BIT ABOUT THE AMENDED ORDINANCE VERSION OF THE CSES ORDINANCE THAT YOU ARE GOING TO VOTE ON TODAY. IS IT BETTER THEN WHAT WE HAD PREVIOUSLY? YES, DOES IT THOROUGHLY PROTECT THE RESIDENTS WHO'S PROPERTY WILL BE SURROUNDED BY A MASSIVE SCALE UTILITY PLANT? NO, WE HEARD RESIDENTS AT THE PUBLIC HEARING ASK FOR AMENDMENTS TO THE ORDINANCE, INCLUDING. 660 FOOT SET BACK BE FROM PROPERTY LINE INSTEAD OF DWELLING OR PRIMARY STRUCTURE. THIS WOULD PROTECT THE PROPERTY RIGHTS OF THE PEOPLE WHO HAVE LAND THAT THEY WOULD EVENTUALLY LIKE TO BUILD ON IN THE FUTURE. REQUIRING A DRAINAGE PLAN AT THE TIME OF APPLING. REQUIRING NOISE CONTROL SPECIFIC TO COMMERCIAL SOLAR, REQUIRING SOIL & WATER TESTING OVER THE LIFE OF THE PROJECT. THIS WOULD MAKE SURE NO HEAVY METALS OR TOXINS ARE LEACHING OVER THE YEARS THAT THE PROJECT IS THERE. REQUIRING A PROPERTY VALUE GUARANTEE, SIZE LIMIT PER PROJECT, TOTAL PERCENTAGE OF LAND USE IN THE COUNTY, NOT ALLOWING ON A1 OR A2, OR PRIME FARM GROUND. THE PRICE THAT THE COMPANY HAS TO SPEND SHOULD NOT BE A DETERMINING FACTOR ON WHETHER THEY CONTINUE WITH WHAT IS IN THE ORDINANCE OR NOT. THERE ARE A COUPLE OF THINGS THAT COULD CHANGE IF IT BECOMES TOO EXPENSIVE. IF THEY DON'T HAVE THE MONEY TO DO IT RIGHT, WHY ARE WE LETTING THEM DO IT? WE HEARD IN A MEETING WITH THE CITY FROM THEIR PLAN COMMISSION THAT SOLAR IN ONLY ALLOWED IN THE CITY ON PROPERTIES ZONED INDUSTRIAL. THERE ARE A LOT OF THINGS THAT I WOULD LOVE TO SEE IN THIS ORDINANCE, BUT AS IT STANDS, I'M ASKING THAT YOU PASS THE ONE THAT IS IN FRONT OF YOU. IT IS NOT GREAT BUT IT IS WHERE WE ARE AT.

ZONDA STEAD:

THERE IS A FAMOUS QUOTE AND THERE HAS BEEN A LOT OF DEBATE ABOUT WHO ACTUALLY SAID IT. I SOME WAYS IT PROBABLY FITS OUR GROUP MORE APPROPRIATELY THAN ANY OTHER QUOTE COULD POSSIBLY FIT. WE COME WEEK AFTER WEEK ASKING FOR THE SAME THING, WE GIVE MORE INFORMATION, MORE INFORMATION, MORE INFORMATION AND WE EXPECT SOMETHING DIFFERENT. ACTUALLY, WE EXPECT SOMETHING BETTER THAN WHAT WE HAVE BEEN SEEING. WE HAVE BEEN BEGGING, PLEADING, ASKING AND MORE IMPORTANTLY BEEN PRAYING THAT WE WOULD BE HEARD FROM

BEGINNING TO END. THAT FAMOUS QUOTE IS “INSANITY IS DOING THE SAME THING OVER AND OVER AGAIN AND EXPECTING A DIFFERENT RESULTS” EACH WEEK WE HAVE ASKED FOR A MORATORIUM, EACH WEEK WE EXPECT TO HAVE A MOTION MADE FOLLOWED BY A SECOND AND THEN FOLLOWED BY A VOTE. BUT EACH WEEK THE SAME RESULT HAPPENS. I MOVE TO ADJOURN. I KNOW THESE PAST WEEKS HAVEN’T BEEN FUN FOR YOU GUYS WE HAVE TAKEN UP A LOT OF YOUR TIME, THE PLAN COMMISSIONS TIME, THE COUNCIL’S TIME, THE BZA, A MATTER OF FACT WE HAVE TAKEN UP A LOT OF OUR OWN PERSONAL TIME, OUR WEEKENDS, OUR EVENINGS, OUR HOLIDAYS, OUR VACATION TIME HAVE ALL BEEN SPENT WORKING ON THIS. I WILL TELL YOU THESE PAST FEW WEEKS HAVE BEEN EXTREMELY ENLIGHTENING TO ME. I REALIZE JUST HOW MANY AWESOME PEOPLE ARE IN THIS COUNTY, IN THIS COMMUNITY, AND IN MY LIFE. I HAVE MADE SO MANY NEW CONNECTIONS AND RE-CONNECTED WITH PEOPLE THAT ARE MY NEIGHBORS, MY COMMUNITY AND IN MY COUNTY AND QUITE FRANKLY EVEN MY ELECTED OFFICIALS. WHILE I DON’T HAVE TO LIKE THE DECISIONS THAT ARE MADE, I APPRECIATE THAT YOU HAVE GIVEN ME THE TIME TO MAKE MY VOICE HEARD. JUSTICE GINSBURG SAID “FIGHT FOR THE THINGS YOU CARE ABOUT BUT DO IT IN A WAY THAT WILL LEAD OTHERS TO JOIN YOU” WE ARE FIGHTING FOR WHAT MATTERS MOST. WE ARE FIGHTING FOR PRIME FARM GROUND AND THE CITIZENS OF SHELBY COUNTY. MAGGIE KUHN, THE FOUNDER OF THE GREAT PANTHERS WHICH WAS A MOVEMENT TO ENCOURAGE ACTIVISM IN GOVERNMENT. SHE SAID “LEAVE SAFETY BEHIND, PUT YOUR BODY ON THE LINE, STAND BEFORE THE PEOPLE YOU FEAR AND SPEAK YOUR MIND EVEN IF YOUR VOICE SHAKES. WHEN YOU LEAST EXPECT IT, SOMEONE MAY ACTUALLY LISTEN TO WHAT YOU HAVE TO SAY. WELL, AIMED SLINGSHOTS CAN TOPPLE GIANTS AND DO YOUR HOMEWORK.” YOU HAVE SEEN WEEK AFTER WEEK PEOPLE STAND BEFORE YOU, THEIR VOICES SHOOK, THEY DONE THEIR HOMEWORK WEEK AFTER WEEK. FEAR AND APATHY ARE THE BIGGEST THINGS THAT PEOPLE HAVE TO FIGHT WHEN APPROACHING A GOVERNMENT ENTITY. SOME FEAR HOW THEIR FAMILY, FRIENDS, CO-WORKERS, THEIR EMPLOYERS, OR ACTUALLY JUST THE GENERAL PUBLIC MAY SEE THEM. REGARDING APATHY, MOST AMERICANS SIT BACK AND PAY NO ATTENTION TO WHAT IS GOING ON IN GOVERNMENT ESPECIALLY LOCAL GOVERNMENT. I WAS A BIG OFFENDER OF BEING APATHETIC PERSON MYSELF. WILLIAM LLOYD GARRISON SAID “THE APATHY OF THE PEOPLE IS ENOUGH TO MAKE EVERY STATUTE LEAP UP FROM ITS PEDESTAL AND HASSEN THE RESURRECTION OF THE DEAD”. BEING INVOLVED IN OUR GOVERNMENT REALLY IS MORE THEN MY RIGHT, IT IS ACTUALLY MY DUTY. SO, TO PUT IT CLEARLY HEAR. THESE ARE MY ASKS: YES, MY VOICE MAYBE SHAKING, THERE MAY BE SOME FEAR IN MY HEART, BUT MY VOICE WILL BE HEARD. TODAY I AM EXPECTING A DIFFERENT OUTCOME. FIRST OFF, I WOULD LIKE FOR YOU TO VOTE YES FOR THE ORDINANCE THAT WAS BROUGHT FORWARD ON THE CSES SOLAR ORDINANCE THAT THE PLANNING COMMISSION REVISED TUESDAY OF LAST WEEK. AFTER YOU SAY YES TO THAT, I WOULD LIKE FOR YOU TO MAKE ANOTHER MOTION, TO PLEASE SEND IT BACK TO THE PLAN COMMISSION TO LOOK AT THE THINGS THAT WEREN’T LOOKED AT, THE THINGS THAT WERE BROUGHT UP THAT DIDN’T GET DISCUSSED. I KNOW THEY DISCUSSED SOME PROPERTY VALUE THINGS; I KNOW THEY DISCUSSED SOME OTHER COMPONENTS, BUT THEY DIDN’T DISCUSS ALL OF THE THINGS THAT WE BROUGHT UP THAT NIGHT AND DID NOT DISCUSS ALL THE THINGS BROUGHT UP IN THE LETTERS. THIRD I WOULD LIKE TO ASK YOU TO PLACE A MORATORIUM AND THIS IS WHERE THE INSANITY COMES IN. I ASK FOR YOU PLACE A MORATORIUM IN FOR THE NEXT THREE TO SIX MONTHS TO GIVE THE PLANNING

COMMISSION TIME TO REALLY DO WHAT IS RIGHT, TO HEAR THE CITIZENS OF SHELBY COUNTY AND TO PROTECT THEM.

KYLE BARLOW:

I DON'T HAVE A LOT TO SAY TODAY, I HAVE SAID ENOUGH TO ALL OF YOU GUYS. I'M GOING TO SHOW A VIDEO, THERE IS NOT SOUND. THIS IS OF THE PROJECT IN SPOTSYLVANIA. THE ONLY THING THAT I KNOW TO DO TO MAKE PEOPLE UNDERSTAND, I CAN SIT UP HERE AND TALK AND TALK, BUT YOU CAN LOOK IT FOR YOURSELF AT WHAT THEY ARE DOING RIGHT NOW, TO THIS LANDSCAPE, IT IS DISHEARTENING, IT'S SAD. BEST I CAN FIGURE 10-20 PEOPLE STAND TO GAIN FROM THIS IN SHELBY COUNTY. HOW IN THE WORLD ARE ALL OF THESE OTHER VOICES JUST BEING SILENCED? PEOPLE JUST STAND TO GAIN, IS THIS HOW IT IS. THIS IS WHAT WE ARE LOOKING AT DOING GUYS. THIS IS A DRONE FOOTAGE, MASSIVE DRAINAGE PROBLEM, THIS REALLY LOOKS LIKE IT IS GOING BACK INTO FARMLAND. YOU KNOW WE KEEP SAYING THERE IS THIS CODE, THIS IC CODE THAT WE HEARD. WE CAN'T PUT TO MANY RESTRICTIONS ON THE SOLAR COMPANIES. OR THEY MIGHT SUE US. YOU MIGHT GET SUED EITHER WAY. THAT IS WHAT SOME PEOPLE ARE BANKING ON. I DON'T KNOW, BUT THERE SOUNDS LIKE THERE ARE OTHER CIVIL LAWSUITS OF COUNTIES, SUING OTHER COUNTIES AGAINST DIFFERENT BOARDS. IS THAT WHAT WE WANT TO DO HERE SO THAT 10 PEOPLE CAN BENEFIT? IT WILL TEAR THIS COUNTY APART. IT WILL TEAR THE FABRIC THAT BUILT THIS COUNTY FOR HUNDREDS AND HUNDREDS OF YEARS. WE HAVE A GROUP RIGHT NOW IN BENGAL GOING THRU THE HISTORY JUST FOR FUN BECAUSE WE NEED SOMETHING POSITIVE TO THINK ABOUT. IT IS VERY INTERESTING TO SEE HOW THE LAND WAS PLOTTED OUT WHO WAS GIVEN WHAT. HOW IS WAS SIMULATED, HOW IS HAS CHANGED, THE HOUSES THAT HAVE BEEN TORN DOWN OVER THE YEARS. DIFFERENT FARMS THAT HAVE GONE AND NEW ONES HAVE COME. THIS IS WHAT WE ARE GOING TO LOOK LIKE. SO, EVERYBODY, WHO EVER IS SITTING IN HERE. THIS IS WHAT IS COMING, THIS IS THE BEST VIDEO THAT I HAVE BEEN GIVEN TO SHOW YOU GUYS. THIS ISN'T EVEN THE WHOLE PROJECT; HE FOLLOWED THE BOUNDARY LINES. YOU THINK ALL OF THAT WAS BARE LAND? WHAT ARE WE DOING, THIS IS WHAT WE ARE THINKING ABOUT DOING? I URGE YOU ALL, I URGE YOU ALL TO RECONSIDER. EVERYONE WHO THINKS THEY ARE MAKING \$800.00 TO \$1,200.00 AN ACRE, GUESS WHAT, WHIT OUR RESEARCH TRY AGAIN. I DON'T KNOW WHAT THE AMOUNT WILL BE, BUT IT ISN'T GOING TO BE THAT AND THESE COMPANIES AREN'T GOING TO SIT AND HELP THE COUNTY OUT, OR THOSE LANDOWNERS, WE HAVE READ THE LEASE, ITS CRAZY WHAT IS IN IT. OR AT LEAST THE RANGER POWER LEASE. I THINK WE HAVE RAISED A LOT OF HEADS IN THIS COUNTY. I REALLY DO, I THINK THERE A LOT OF PEOPLE TAKING NOTES. EACH WEEK MORE AND MORE PEOPLE AND THEY ARE DISGUSTED WITH OUR OFFICIALS THAT THEY AREN'T LISTENING TO US. TAKE A LOOK AT THESE HOUSE ON THE LAKE AND THESE HAVE TO BE THESE PEOPLES DREAM HOUSES NOW LESS THAN 100 FEET AWAY. I'M GOING TO END YOU WITH A QUOTE. "EACH TIME A PERSON STANDS UP FOR AN IDEA OR ACTS TO IMPROVE A LOT OF OTHERS OR STRIKES OUT AGAINST INJUSTICES HE OR SHE SEND FORTH A TINY RIPPLE OF HOPE, AND CROSSING EACH OTHER FROM A MILLION DIFFERENT CENTERS OF ENERGY AND DARING, THESE RIPPLES BUILD A CURRENT THAT CAN SWEEP DOWN THE MIGHTIEST WALLS OF A PRESSION AND RESISTANCE" ROBERT F. KENNEDY

PLAN DIRECTOR / SOLAR ORDINANCE AMENDMENT:

DESIREE PRESENTED THE COMMISSIONERS WITH THE FINAL CSES ORDINANCE. ON DECEMBER 1, 2020, THE PLAN COMMISSION VOTED 8-0 TO GRANT FAVORABLE RECOMMENDATION TO AMEND ARTICLE 2, ZONING DISTRICTS ON ARTICLE 5 SECTION CSES01 COMMERCIAL SOLAR ENERGY FACILITIES. I THINK AT THIS POINT EVERYONE IS AWARE OF WHAT IS IN HERE. JUST REAL QUICK, I THINK WHAT MIGHT BE HELPFUL IS TO OVER WHERE THIS INFORMATION CAME FROM. WHAT I DID WAS, I LOOKED AT THE INDIANA DRAFT MODEL ORDINANCE, THAT APA RECOMMENDATIONS, MARSHALL COUNTIES ORDINANCE. THE PLAN DIRECTOR THERE WAS INVOLVED WITH AN INDIANA MODEL ORDINANCE, SO I LOOKED AT THEIR ORDINANCE, POSEY COUNTY WHICH IS WHAT THE GROUP HERE HAD BEEN LOOKING AT. I DID A COMPARISON TABLE; THE PLAN COMMISSION HAD A COPY OF THAT AND LOOKED AT ALL OF THAT INFORMATION. I PUT TOGETHER A DRAFT ORDINANCE. FROM THE INFORMATION THAT I GOT BACK FROM THE DIFFERENT PLAN COMMISSION MEMBERS WE HAD TWO DIFFERENT MEETING AND THAT IS HOW WE CAME TO THE FINAL DRAFT. I THINK THAT IS IT, UNLESS YOU HAVE PARTICULAR QUESTIONS FOR THINGS THAT ARE IN THE ORDINANCE. I FEEL LEGALLY THIS IS WHAT WE CAN DO AS FAR AS REGULATING THESE. THAT LAST THING WOULD BE, IF THIS DOESN'T GET APPROVED, WE REVERT BACK TO THE OLD ORDINANCE. I WOULD HIGHLY RECOMMEND THIS GO AHEAD AND GET APPROVED AND WE MOVE ON FROM THERE. ANY QUESTIONS? PARKER – YOU SAID THE VOTE WAS 8-0 TO APPROVE? DESIREE – TO APPROVE PARKER – OR TO BRING IT TO THE COMMISSIONERS DESIREE- TO BRING TO THE COMMISSIONERS. PARKER – IN THE ORDINANCE, I DID NOT SEE ANYTHING ABOUT TESTING GROUND WATER. WE HAVE HAD INDIANA AMERICAN WATER HERE. HE HAS BEEN HERE FOR THREE MONTHS, SITTING IN, THEY ARE REALLY CONCERNED ABOUT WHAT IS GOING ON. WHY DO WE NOT TEST THE GROUND WATER? DESIREE – SO THE OVERALL UNIFIED DEVELOPMENT ORDINANCE ACTUALLY HAS A WELL HEAD PROTECTION DISTRICT, SO IF THIS FALLS INTO THE INDIANA AMERICAN WATER WELL HEAD DISTRICT THEY WILL AUTOMATICALLY GET A REVIEW OF ALL OF THE DOCUMENTATION AND THEY CAN MAKE WHATEVER COMMENTS THEY WANT TO MAKE AND REQUIRE WHATEVER TESTING THEY NEED TO REQUIRE. THIS ORDINANCE ALSO REQUIRES THAT IT IS IN HERE TWICE ESSENTIALLY AND ALL OF THE INFORMATION IS REQUIRED TO BE SENT TO IDEM DIVISION OF WATER QUALITY, AND IDNR DIVISION OF WATER, SO WITH ALL OF THOSE REVIEW PROCESSES I FEEL LIKE WE ARE COVERED. PARKER – SO DOES THAT INCLUDE PERSONAL WELLS FOR HOMES? DESIREE – THAT WOULD BE UP TO IDEM AND DNR, IF THAT IS SOMETHING THEY FEEL SHOULD BE REQUIRED. THEY HAVE THE EXPERTISE MORE THAN WE DO. ROSS – SO TO YOUR QUESTION, NO. DESIREE -YES, ROSS – THAT ORDINANCE IS FOR THE WELL HEAD FOR THE CITY'S WELL HEAD RIGHT? DESIREE – WHICH ONE? ROSS – THE ONE THAT YOU TALKED ABOUT THE WELL HEAD PROTECTION. DESIREE – YES, THAT IS FOR THE CITY'S WELL HEAD. IT DOESN'T DIRECTLY ADDRESS PRIVATE WELL HEADS. ROSS – THAT IS WHAT IS WAS TALKING TO YOU ABOUT DOC, IT DOESN'T ADDRESS PERSONAL WELL HEADS. PARKER – BUT THAT WATER GOES TO FRANKLIN, GREENWOOD, BACK TO SHELBYVILLE AND MAKES A WATER CIRCLE. DESIREE – THE PLANS WILL BE IN THE WELL HEAD PROTECTION DISTRICT THEN THEY WILL ALL BE SENT TO THE MANAGER OF THOSE WELLS, SO INDIANA AMERICAN WATER IN THE BENGAL CASE. PARKER – ABOUT THE PANELS, CONTAINING PFA'S AND GENX. WHAT CAN YOU TELL ME ABOUT THAT? WHY ARE WE NOT THAT – DESIREE – SAME DEAL, I MEAN AT THE COUNTY LEVEL, WE

DON'T HAVE THE EXPERTISE TO REVIEW THAT SO ONCE AGAIN IT WILL BE SENT TO IDEM AND DNR AND IF THEY FEEL THERE IS A CONTAMINATION ISSUE, THEY WILL TAKE A LOOK AT THAT. WE ALSO REQUIRE AT THE APPLICATION STAGE THAT THEY SUBMIT ALL OF THE PLANS, THE SPECIFIC MODEL OF PANELS THAT THEY ARE GOING TO PUT IN. SO, IF THERE IS AN ISSUE WITH THAT, WE WILL HAVE THAT ON FILE. WHICH SPECIFIC PANEL IS GOING TO BE PUT IN. PARKER – SO WE CAN APPROVE OR DISAPPROVE OF THAT WHEN THEY BRING THEIR PLANS IN? DESIREE – AT THE BZA STAGE IF THERE IS AN ISSUE, THEY CAN PUT A CONDITION ON IT. BUT WHEN THE APPLICATION COMES IN, THEY JUST HAVE TO PROVIDE THAT INFORMATION. IT ISN'T THAT WE ARE APPROVING OR DISAPPROVING IT. PARKER – ON YOUR SETBACKS, 660 FEET FROM A BUILDING OF SOME TYPE. DESIREE -YES OF THE PRIMARY STRUCTURE AND THE DEFINITION OF A PRIMARY STRUCTURE IS INCLUDED IN THE OVERALL UNIFIED DEVELOPMENT ORDINANCE. PARKER – OK SO MY HOME, IF I WANT TO BUILD A GRAIN BIN, DO I HAVE TO BE SO MANY FEET FROM A BUILDING? DESIREE – FROM A BUILDING NO, FROM THE PROPERTY LINE YES. PARKER – BOUNDARY LINE THANK YOU VERY MUCH, THAT IS WHAT I WANTED TO HEAR YOU SAY. DESIREE – BUT THIS IS MUCH FURTHER THEN OUR USUALLY 10 – 20 FEET. WE DO HAVE A DISTANCE FROM THE PROPERTY LINE I BELIEVE IT IS A 150 FEET FROM THE PROPERTY LINE AND 660 FEET FROM THE PRIMARY DWELLING. PARKER – IMPACT STUDY, WE AREN'T GOING TO DO THAT? DESIREE- NO IT IS NOT REQUIRED IN THIS ORDINANCE, NO. PARKER – NO A PRIORITY? DESIREE – NOT TO THE PLAN COMMISSION, NO. PARKER – WELL IN THIS ORDINANCE AND YOU AS THE COUNTY DIRECTOR, THIS IS AN ORDINANCE WRITTEN FOR SHELBY COUNTY, DESIREE – CORRECT, PARKER – THIS IS NOT AN ORDINANCE THAT FAVORS A SOLAR COMPANY. SHELBY COUNTY IS NOT GOING OUT THAT I KNOW OF TRYING TO BRING SOLAR COMPANIES IN HERE. SOLAR COMPANIES ARE COMING HERE, THEY WANT TO COME HERE. WHY DO THEY WANT TO DO THAT? WE HAVE A WEAK ORDINANCE. DESIREE – I CAN'T SPEAK TO WHY THESE COMPANIES WANT TO COME HERE. PARKER – I SEE IT THAT WAY. PARKER – I FEEL THIS ORDINANCE SHOULD BE WRITTEN FOR SHELBY COUNTY, NOT FOR THE SOLAR COMPANIES. EVERYTHING FAVORS THE SOLAR COMPANIES. KEVIN ARE YOU STILL ON THE PHONE. ROSS – TO YOUR POINT DON, I HAVE BEEN INVOLVED WITH THIS FROM THE BEGINNING AND TO SAY IT WASN'T WRITTEN FOR SHELBY COUNTY, I RESENT THAT THERE ARE LOT OF PEOPLE THAT PUT IN TIME AND EFFORT TO THIS, WHETHER IT AGREES WITH SOME OR NOT IS NOT THERE. OUR JOB WAS TO PUT IN THE ORDINANCE TO REGULATE THIS, SO TO SAY WE WELCOME THE SOLAR COMPANY OR INVITED THEM THE WAY WE WROTE THIS, NO WE DID NOT. SO, WITH THAT BEING SAID, THERE WERE A LOT OF PEOPLE THAT PUT TIME INTO THIS AND WE LISTENED, AND I HAVE SPENT A LOT OF TIME ON IT MYSELF. SO, TO SAY THIS WAS WRITTEN TO FAVOR THE SOLAR COMPANIES, I DO NOT FEEL IT IS A FAIR CHARACTERIZATION, I RESPECT YOUR OPINION ON THAT AND UNDERSTAND WHY, BUT I'M PUTTING THAT PART OUT FROM WHAT YOU SAID, THAT IS WHERE I AM COMING WITH ON HOW THIS WAS DONE AND HOW WE GOT TO WHERE WE ARE. WITH THAT BEING SAID, WE HAVE AN ORDINANCE BEFORE US. DESIREE – I DID NOT SPEAK TO ANY SOLAR COMPANY IN DOING THE REVISION. PARKER – I HAVE ANOTHER QUESTION I HAVE BEEN WANTING AN ANSWER FOR. WHEN THE BZA WAS SUED BY SPEEDWAY SOLAR, THAT IS PUBLIC INFORMATION, CAN YOU EXPLAIN WHY AND HOW THAT GOT DROPPED? ROSS – I CAN, THEY FILED THAT LAWSUIT BECAUSE THE PENDING LAWSUIT THAT WAS IN COURT IN DECATUR COUNTY HAD NOT BEEN RESOLVED, POTENTIALLY NOT GOING TO BE RESOLVED BY THE END OF THAT YEAR. THE LAWSUIT THAT WAS FILED AFTER THAT DATE AND AT THE END OF THE YEAR, THEY WOULD NOT HAVE HAD ANY REPROCUTION AND THAT

WAS TOLD TO US. DESIREE -YES THAT WAS CORRECT. ROSS – SO IT WAS FILED AS A PROTECTION THING IF THAT COURT CASE WENT PASSED THE END OF THE YEAR AND IT DID IT WENT INTO 2019. THAT FILING THERE THE ONLY REASON IT GOT DROPPED BECAUSE THE COURT CASE IN DECATUR COUNTY IN 2019 ENDED UP BEING THROWN OUT. THE SUIT WAS NOT SUING A PARTICULAR, IT WAS GETTING THAT ON THE COURT DOCKET, IT WAS GETTING IT IN ON THE COURT RECORDS, BECAUSE THERE IS A DEADLINE FOR SOME OF THAT AND THEY FILED IT BEFORE THE END OF 2018 BECAUSE OF THE PENDING COURT CASE IN DECATUR COUNTY HAD NOT BEEN RESOLVED. KYLE BARLOW- WHY DID THEY SUE? ROSS – DON'T KNOW ON THAT KYLE. PARKER – IT IS A MAJOR CONCERN OF MINE, IF WE WOULD WANT TO DO BUSINESS WITH SOMEBODY WILLING TO SUE JUST TO GET SOMETHING PASSED. IT IS WHAT APPEARS TO ME. SO, MY MOTION WOULD BE IS TO SEND IT BACK TO THE PLAN COMMISSION HAVE THEM REVIEW IT AND ADDRESS THESE SITUATION, THAT I AM NOT COMFORTABLE WITH AND THE OTHERS AREN'T, CONCERNING MONITORING THE WELLS, SOIL TEST, AND THE SETBACKS- I DON'T KNOW HOW TO SAY IT BUT NOT BOUNDARIES. DESIREE – I WILL SAY THAT IS PRETTY TYPICAL IN OTHER ORDINANCES TO HAVE A STRUCTURE SET BACK AND A PROPERTY LINE SET BACK. THE WAY THAT OURS IS WRITTEN; I KNOW THAT WAS DISCUSSED PRETTY HEAVILY FOR 20 MINUTES TO HALF HOURS. ROSS – WE HAVE A MOTION TO SEND THE ORDINANCE BACK TO THE PLAN COMMISSION, DO I HEAR A SECOND, NO MOTION. MOTION DIES FOR LACK OF SECOND. NIGH, MOVES TO APPROVE THE ORDINANCE PRESENTED FROM THE PLAN COMMISSION, ROSS, SECONDED, APPROVED 2-1 (PARKER)

SHERIFF:

N/A

HIGHWAY:

N/A

CLAIMS:

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

TRANSFER/ADDITIONALS:

THE COMMISSIONERS HAVE TWO ADDITIONAL APPROPRIATION REQUESTS:

LOCAL ROAD & STREET REQUEST AN ADDITIONAL APPROPRIATION OF \$76,729.77, MOTION TO APPROVE WAS MADE BY PARKER, SECONDED BY NIGH, APPROVED 3-0

CUM BRIDGE – REQUEST FOR AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$1,020,000.00, MOTION TO APPROVE WAS MADE BY PARKER, SECONDED BY NIGH, APPROVED 3-0

MISCELLANEOUS:

N/A

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

AYE:

NAYE:

ATTEST:

AMY L. GLACKMAN

SHELBY COUNTY AUDITOR