

THE SHELBY COUNTY COMMISSIONERS MET ON TUESDAY OCTOBER 13, 2020, AT 8:00 A.M. PRESENT WERE COMMISSIONERS NIGH, PARKER, ROSS, COUNTY ATTORNEY AND COUNTY AUDITOR

**MINUTES:**

MOTION TO APPROVE THE MINUTES FROM OCTOBER 5, 2020 WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

**SOLAR PLANT SPEAKERS:**

**GREG ROCK:**

GREG EXPLAINED THAT HE HAS A MASTERS IN SUSTAINABLE ENERGY ENGINEERING AND AN UNDERGRADUATE DEGREE IN GENERAL ENGINEERING WITH THE FOCUS ON ENERGY PRODUCTION SYSTEMS. GREG ADVISED HE IS PRO SOLAR WHEN SITED PROPERLY. HE ADVISED ADDING 4,000 ACRES OF PV TO BENGAL IN ADDITION FO MORRISTOWN'S APPROVED 2,000 ACRES IS POOR SOLAR SIGHTING. HE ADVISED SOLAR SHOULD AVOID PRIM AGRICULTURAL LAND, WHICH BENGAL IS AS IDENTIFIED BY THE COUNTY'S COMPREHENSIVE PLAN, LOCAL UNIVERSITIES, AND FEDERAL DATABASES. HE EXPLAINED A PRIME PLACE FOR THESE SOLAR PLANTS IS THE DESSERT OR LAND THAT CAN'T BE USED TO PRODUCE PRODUCTS TO HELP THE PEOPLE/COUNTRY. MANY STATES HAVE RULES AGAINST SIGHTING SOLAR ON PRIME FARMLAND. AND LIMITS THE SIZE OF THE DEVELOPMENT. HE ADVISED IN BENGAL, S-POWER WILL OWN THE SOLAR PROJECT AND CAPTURE ALL THE PROFITS. SOME LAND-OWNERS WILL LEASE TO S-POWER AND GET SOME FINANCIAL BENEFITS, WHERE ALL OTHER LAND-OWNERS WILL BE NEGATIVELY IMPACTED WITH NO BENEFITS. WHY NOW HE ASKED? BECAUSE SOLAR PRICES HAVE COLLAPSED, SOLAR IS CHEAPER THAN BUILDING A NEW COAL POWER PLANT. SOLAR IS ESPECIALLY COMPETITIVE IN INDIANA WITHOUT THE RULES. GREG ADVISED A TEAM OF SCIENTIST AND ENGINEERS LED BY PROFESSOR PRASHANT KAMAT ARE GENERATING ENERGY FROM SOLAR PAINT. MANY COMPANIES INCLUDING TESLA ARE NOW SELLING PREFABRICATED SOLAR ROOF SHINGLES. FARMLAND IS DOWN AND THE POPULATION KEEPS GROWING. FOOD IS 27 X'S MORE VALUABLE THAN ELECTRICITY. 6,000 ACRES OF INDUSTRIAL SOLAR FIELDS IS 60X LARGER THAN THE LARGEST HOUSING DEVELOPMENT EVER CONSTRUCTED IN SHELBY COUNTY. BASED ON FEEDBACK FROM THE PUBLIC INPUT PROCESS AND STEERING COMMITTEE DISCUSSIONS, ENSURING THE PRESERVATION OF SOILS PRIME FOR AGRICULTURE AND CROP PRODUCTION IS OF GREAT IMPORTANCE TO THE COUNTY. THIS MEANS THAT THOSE AREAS DEFINED AS HAVING THE MOST PRODUCTIVE AGRICULTURAL LAND NEED TO PROTECTED FROM DEVELOPMENT. GREG ADVISED ADDING 4,000 ACRES OF PV TO BENGAL IN ADDITION TO MORRISTOWN'S APPROVED 2,000 ACRES IS POOR SOLAR SIGHTING. PARKER ADVISED HE WOULD LIKE TO GET THIS INFORMATION TO THE PLAN COMMISSION TO REVIEW, THERE IS A LOT OF GREAT INFORMATION HERE.

**JUSTIN PARKER:**

JUSTIN ADVISED HE HAS DONE A LOT OF RESEARCH SINCE MID JULY, PARTICULARLY THE HEALTH AND ENVIRONMENTAL AND FINANCIAL ASPECTS IT WOULD HAVE IN THIS COUNTY. A LOT OF FACTS AND INFORMATION HAS BEEN PUT OUT THERE BY THE COMMUNITY MEMBERS ALONG WITH OTHERS

THAT HAVE BEEN RESEARCHING THIS FOR MANY YEARS. I THINK WE WOULD BE KIDDING OURSELVES IF WE SAY WE HAVEN'T LEARNED A LITTLE ABOUT THE SOLAR INDUSTRY AND HOW THESE PROJECTS ARE HEAVILY FUNDED BY GOVERNMENT SUBSIDY PROGRAMS AND OTHER FEDERAL GRANTS AND THEY WOULD NOT BE POSSIBLE WITHOUT THESE BECAUSE THEY ARE NOT A SUSTAINABLE SOURCE OF ENERGY. WE KNOW THESE COMPANIES HAVE NO TIES OR INTEREST IN INDIANA LET A LONE SHELBY COUNTY. WE KNOW THESE COMPANIES PREY ON FARMLAND BECAUSE IT IS ALREADY CLEARED. EASILY STATED THEY WILL TAKE FULL ADVANTAGE OF ALL OF THE HARD WORK THE FARMERS HAVE DONE. I WORRY FOR THE FUTURE OF SHELBY COUNTY IF WE DON'T TAKE A STANCE AND PROTECT WHAT IS HERE. IT'S OFTEN NOTED THAT SHELBY COUNTY IS THE LAST OF THE SO-CALLED DONUT COUNTIES TO BE ECONOMICALLY DEVELOPED. EVERYONE HAS THEIR OWN OPINIONS ON WHY WE SHOULD OR SHOULDN'T DEVELOP ECONOMICALLY AND SO QUICKLY. IT IS MY OPINION WE HAVE MAINTAINED OUR RURAL COMMUNITY IS BECAUSE THAT IS WHAT COUNTY, CITY LEADERS, BUSINESS MEMBERS AND COMMUNITY MEMBERS WANT. WE KNOW THIS BECAUSE THIS IS WHAT WAS ADOPTED IN THE COMPREHENSIVE PLAN IN OCTOBER OF 2019. AS I READ THROUGH THIS COMPREHENSIVE PLAN, I EXPECT THERE WOULD BE RULES, GUIDELINES, REGULATIONS TO FOLLOW JUST LIKE ANY BUSINESS WOULD HAVE OUT FOR THEIR EMPLOYEES. I ENVISION THESE PEOPLE PUTTING THEIR INPUT TO BE THE RESIDENCE OF SHELBY COUNTY AND THE PEOPLE WHO ARE HIRED TO HELP WITH THIS. SOME PEOPLE ASK WHY DO WE EVEN HAVE A COMPREHENSIVE PLAN, THE EASY ANSWER TO THAT IS BECAUSE THE STATE MANDATES THAT EVERY COUNTY AND CITY HAVE ONE ON FILE. A LOT OF TIME AND EFFORT WENT INTO THIS PLAN AND COST THE RESIDENTS OF SHELBY COUNTY ROUGHLY \$68,000.00. IT IS MY OPINION THAT THESE RULES AND REGULATIONS BE FOLLOWED AS CLOSELY AS POSSIBLE. WE HAVE HEARD SEVERAL MEMBERS OF THE COUNTY THAT COULD BE AFFECTED OR INDIRECTLY NEGATIVELY AFFECTED BY A PROJECT OF THIS MAGNITUDE. WHAT WE HAVEN'T HEARD FROM ARE THE PEOPLE THAT ARE REPRESENTING THIS OUT OF STATE COMPANIES THAT ARE LOOKING TO TAKE ADVANTAGE OF THE LAND USE AND TAX CREDITS IN SHELBY COUNTY. I WAS A LITTLE NERVOUS WHEN I SAW A MEMBER OF SPOWER WAS GOING TO BE HERE TO SPEAK TODAY. I'M NOT NERVOUS BECAUSE OF HIS NAME OR TITLE, I WORRIED BECAUSE MOST OF THE TIME THEY ONLY TALK HYPE TO THE COUNTY OFFICIALS AND TRY TO MAKE THIS SEEM LIKE A GOOD THING. SO, I STARTED DOING SOME RESEARCH ON HIM. HE SHARES SOME OF THE SAME CONCERNS THAT MOST SHELBY COUNTY RESIDENTS HAVE ALREADY SHARED WITH YOU. HE HAS A GREAT CONCERN ABOUT THE USE OF AGRICULTURAL LAND AND I BELIEVE HE IS HERE TO GIVE AN APOLOGY TO THE RESIDENTS OF SHELBY COUNTY FOR HIS COMPANY FOR EVEN SHOWING UP IN THIS COUNTY, BECAUSE HE DOESN'T EVEN BELIEVE IN THIS PROJECT. IN HIS OWN WORDS MR. GALERIA AGREES WITH THE 2019 COMPREHENSIVE PLAN, HE STATES AND I QUOTE " ONE OF OUR BIG INITIATIVES HERE IS IDENTIFYING LAND THAT IS UNDER UTILIZED, SO THE IDEAL PLACE FOR THIS PROJECT WOULD BE ABANDONED FARM LAND, TAKING SOMETHING THAT IS BARREN FROM A BIOLOGICAL STAND POINT AND THEN REUSING IT IN AN APPROPRIATE WAY. AND THAT IS VERY IMPORTANT TO ME, BECAUSE EVEN THOUGH WE TOUT THE ENVIRONMENTAL BENEFITS OF SOLAR, IF YOU DON'T DEVELOP THESE PROJECTS IN A RESPONSIBLE MANNER, THERE CAN BE UNFORESEEN CONSEQUENCES" I MUST SAY THAT I AND MANY OTHERS AGREE WITH MR. GALERIA. NOT SURE IF HE HAS STUDIED MUCH ON SHELBY COUNTY, BUT WE ARE ONE OF THE LARGEST PRODUCERS OF CORN AND SOYBEANS IN THE STATE OF INDIANA, WHICH IS WHY WE ARE TRUE RENEWABLE ENERGY

INVESTORS TO POET AND BUNGE. WE ARE TRULY BLESSED BECAUSE OUR FARMLAND HERE IN SHELBY COUNTY HAS BEEN DESIGNATED PRIME FARM GROUND BY LEADING AGRICULTURIST AT PURDUE UNIVERSITY. WHAT SOME OF US ARE MORE BLESSED WITH IS THE MANY GENERATIONS OF OUR FAMILY FARMS THAT HAVE BEEN PASSED DOWN ALONG THE WAY.

**JESSICA MCCAIN:**

I GREW UP IN BENGAL AND LIVE THERE NOW. I KNOW YOU COMMISSIONERS NIGH AND ROSS MUST BE GETTING VERY TIRED OF PEOPLE ASKING YOU FOR A 6 MONTH MORATORIUM ON INDUSTRIAL SOLAR PROJECT. SO, I WANT TO PRESENT TO YOU GUYS AN ALTERNATIVE IDEA THAT YOU MIGHT BE MORE RECEPTIVE TO. THIS IDEA CAME TO ME AS I WAS DRIVING BY A NEW BUILT HOME IN MY AREA. THIS HOME IS TENTATIVELY SET TO BE SURROUNDED BY SOLAR PANELS; I BELIEVE IT BELONGS TO A POLICE OFFICER. COULD IT POSSIBLE MEAN THAT THE VALUE OF THIS HOME ISN'T GOING TO BE GOOD BEING SURROUNDED BY ALL OF THESE PANELS. WHAT DOES THIS MEAN. THE FACT IS NO ONE WANTS TO LIVE NEXT TO THESE PANELS. WE NEED TO ASK THE ONES THAT ARE SIGNED UP FOR THIS, IF THEY HAVE SIGNED UP THEIR PROPERTY THAT IS ADJACENT TO THEIR HOMES? THERE IS NO WAY THAT THE FAMILY THAT BUILT THEIR NEW HOME COULD HAVE ANTICIPATED THE COUNTY WOULD REZONE SO MUCH FARMLAND FOR INDUSTRIAL USE FOR SOLAR PANELS. SO, ROSS AND NIGH IF YOU DON'T WANT TO PUT A MORATORIUM ON THE SOLAR ORDINANCE THEN MAYBE MY IDEA IS PUT A MORATORIUM ON LETTING PEOPLE BUILD IN THIS COUNTY. DOING SO WOULD ALLOW YOU TO PLACE A MORATORIUM ON THE BIGGEST THING THAT IS GETTING IN THE WAY OF THESE PROJECTS AND THAT IS THE FAMILIES THAT ARE TRYING TO LIVE IN YOUR COUNTY. SUCH A MORATORIUM WOULD GIVE YOU TIME TO GET THE NEW OUT. YOU CAN GO BACK ON THE RADIO AND LET THE PEOPLE KNOW THAT UNDER YOUR LEADERSHIP YOU ARE BANKING ITS FUTURE ON SOLAR PANELS. LET PEOPLE KNOW HOW HARD YOU ARE WORKING TO ATTRACT INDUSTRIAL SOLAR PLANTS WITH AN UNINCUMBERED SOLAR ORDINANCE AND HOW SUCCESSFUL YOU HAVE BEEN. THANK YOU FOR LISTENING TO MY IDEA.

**RYAN GALERIA:**

RYAN INTRODUCED HIMSELF AND HE IS WITH SPOWER. HE GAVE INFORMATION TO THE COMMISSIONERS. HE IS PRIMARILY HERE NOT TO ASK FOR APPROVAL OF ANYTHING OR SUBMIT AN APPLICATIONS. IM HERE TO ANSWER QUESTIONS, AND LISTEN TO PEOPLE. WE ARE AN IPP (INDEPENDENT POWER PRODUCER) SO ESSENTIALLY A RENEWABLE WHOLESALE GENERATOR OF SOLAR POWER WE ARE ALL OVER THE COUNTRY. THE COMPANY HAS WIND PROJECTS, SOLAR PROJECT, BATTERY PROJECTS. WE ARE CURRENTLY IN 14 STATES IN THE US AND EMPLOYEE 300 EMPLOYEES WHICH HALF ARE LOCATED AT OUR HEADQUARTERS IS IN SALT LAKE CITY WITH 6 OFFICES ACROSS THE COUNTRY. THESE PROJECTS CAN LAST TYPICALLY ABOUT 30 YEARS MAYBE 35 YEARS, IT CAN BE AS SHORT AS 20 YEARS. WE ARE KIND OF A MEDIUM SIZE RENEWABLE ENERGY COMPANY. MY JOB IS TO TRAVEL AROUND THE COUNTRY AND FIND PLACES WHERE THERE IS A NEED FOR ENERGY GENERATION. AS MR ROSS POINTED OUT THERE IS A NEED HERE, THEY ARE TRYING TO PHASE OUT COAL AND NATURAL GAS POWER PLANTS RIGHT NOW. SO, THERE IS A DEMAND. WHEN WE LOOK AROUND THE COUNTRY, WE LOOK AT IS THERE A DEMAND AND NEED THERE. WE LOOK TO SEE IF IT IS POSSIBLE TO GET POWER ONTO THE GRID. IN THIS AREA WE FOUND TRANSMISSION LINES, SO AT THIS POINT WE FILE AN ENTER CONNECTION REQUEST WITH THE POWER COMPANY. AND WHILE THEY

ARE DOING THEIR STUDY, WE DO OURS. WE EITHER PURCHASE OR LEASE THE LAND THAT WE USE. IT IS ALL IN A PRIVATE TRANSACTION, THERE IS NO FORCING PEOPLE DO THIS, AND IN THE LEASE THERE ARE THINGS LIKE THE DE-COMMISSIONING OF THE PLANT AT THE END OF ITS LIFE AND RESTORING THE LAND BACK TO HOW IT WAS. AT THIS POINT WE ARE ONLY WORKING WITH PEOPLE TO SEE IF THERE IS LAND AVAILABLE. THE NEXT PHASE WOULD BE IF THE POWER COMPANY COMES BACK AND SAYS WE CAN CONNECT, WE THEN MEET WITH THE LANDOWNERS THEN WE HAVE TO DO FURTHER STUDIES (SURVEYS, SOIL STUDIES, GEOLOGICAL STUDIES). THIS IS A LENGTHY PROCESS AND WILL BE NEXT SUMMER BEFORE WE EVEN SEEK PERMITS AND BRING OUR COMPREHENSIVE PLAN FOR THIS. WE LIKE TO WORK WITH EVERYONE INVOLVED, GOVT, COMMUNITY NEIGHBORS, FIRE. I'M REALLY HERE TODAY TO INTRODUCE THE PROCESS AND HAND OUT SOME INFORMATION. I WILL STICK AROUND AND ANSWER ANY QUESTIONS YOU OR THE COMMUNITY MEMBERS HAVE. AT THIS TIME PARKER ASKED YOU MENTIONED AN ORDINANCE, WOULD YOU HAVE THAT TO SHARE, MR. GALERIA ADVISED HE WAS TALKING ABOUT THE COUNTY'S ORDINANCE. MR. GALERIA SAID THEY HAVE WORKED WITH PEOPLE WHILE THEY WERE PUTTING THEIR ORDINANCES TOGETHER, THERE ARE FEDERAL, STATE AND LOCAL REGULATIONS OUT THERE. LOCALLY WE MAINLY WORK ON THE LOOKS OF THE AREA (TREES, BUFFERS, ETC.) MY GOAL IS THAT WE INSTALL A PLANT AND IT PRODUCES CLEAN RENEWABLE ENERGY. I THINK A BIG PART OF THIS IS WE DO IT IN A RESPONSIBLE WAY, WE NEED TO MAKE SURE THE LAND WE ARE USING IS SUITABLE, WE CAN'T DESTROY HABITAT. I DON'T WANT TO TAKE LAND OUT OF ITS BEST AND HIGHEST USE. PARKER ASKED YOU MENTIONED TRANSMISSION LINES YOU TALK ABOUT CAPACITY, WE HAVE SURROUNDING COUNTIES LIKE JOHNSON, BARTHOLOMEW ALSO LOOKING AT THIS SAME TRANSMISSION LINE. HOW MUCH CAPACITY WILL EACH TRANSMISSION LIKE HOLD? MR. GALERIA SAID HE ISN'T SURE, THAT'S WHY WE GO TO THE UTILITY COMPANY, THEY KNOW HOW MUCH EACH OF THESE LINES WILL HOLD. MR GALERIA ADVISED THAT FOR EVERY 10 PERMITS THAT ARE FILED ONLY 2 PLANTS ARE BUILT. PARKER- WHEN YOU BUILD THESE SITES IS THERE SOMEONE THAT WOULD POLICE THE CONSTRUCTION OF THIS PROJECT. MR GALERIA ADVISED THAT SOME COUNTIES HAVE THE MANPOWER TO HAVE SOMEONE LOOK OVER IT EVERYDAY, PUT SOME COUNTIES HAS A THIRD-PARTY INSPECTOR DO IT. WE REIMBURSE THE COUNTY FOR THOSE COST. PARKER THEN COMMENTED TO START A PROJECT LIKE THIS IT MUST TAKE A LOT OF CAPITAL, YOU GUYS MUST HAVE VERY DEEP POCKETS. MR GALERIA ADVISED THAT COMPANY THAT HE WORKS FOR IS OWNED UNDER A JOINT VENTURE TWO COMPANIES 50/50 SHARE. ONE IS CALLED AIMCO (CANADIAN PENSION FUND) AND THE OTHER IS AES CORPORATION (IPL). WHAT IS THE GOVERNMENTS INVOLVEMENT? MR. GALERIA ADVISED THEY ARE NOT INVOLVED WITH THE GOVERNMENT PROGRAMS. THERE IS A FEDERAL TAX CREDIT (ITC), OURS IS AN INVESTMENT TAX FOR RENEWABLE ENERGY. THIS IS A TAX CREDIT THAT IS DWINDLING OVER TIME SET TO EXPIRE IN 2023. SOME FACILITIES THAT HAVE ALREADY PURCHASED EQUIPMENT TO CONTINUE. THERE USED TO BE ALL KINDS OF FEDERAL BACKING. BUT THERE WERE HUGE COMPANIES THAT CAME IN AND FAILED. THIS IS A COMPLETELY DIFFERENT PROGRAM.

**SHERIFF:**

SHERIFF KOCH ASKED JOHN DEPREZ IF HE HAS HAD A CHANCE TO LOOK OF THE CONTRACT FROM QUALITY CORRECTIONAL CARE THAT WAS PRESENTED LAST WEEK. DEPREZ ADVISED HE HAD AND EVERYTHING LOOKS FINE. MOTION TO APPROVE THE CONTRACT WITH QUALITY CORRECTIONAL CARE WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

**HIGHWAY:**

N/A

**CLAIMS:**

**REFUND** – MOTION TO APPROVE A REFUND IN THE AMOUNT OF #3,287.47 WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

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

**TRANSFER/ADDITIONALS:**

REQUEST FOR AN ADDITIONAL APPROPRIATION IN FUND 1169-36522-0000LOCAL ROAD AND STREETS (COMMUNITY CROSSING GRANT) IN THE AMOUNT OF \$180,000.00 WAS MADE BY PARKER, SECONDED BY ROSS, APPROVED 3-0

**MISCELLANEOUS:**

**EMERGENCY MANAGEMENT:**

**HOMELAND SECURITY GRANT:**

RYAN ADVISED THAT EMERGENCY MANAGEMENT HAS RECEIVED A FEMA GRANT IN THE AMOUNT OF \$43,000.00. HE ADVISED THEY WILL BE USING THIS GRANT TO PURCHASE A NEW ROBOT FOR THE SWAT TEAM. MOTION TO APPROVE WAS MADE BY ROSS, SECONDED BY PARKER, APPROVED 3-0

**BURN BAN:**

RYAN IS REQUESTING THE COMMISSIONERS TO SIGN A BURN BAN FOR 2 WEEKS. THINGS ARE VERY DRY AND WITH WHAT LITTLE RAIN WE RECEIVED MONDAY THINGS ARE STILL AT A HIGH RISK. MOTION TO A BURN BAN EFFECTIVE UNTIL OCTOBER 27, 2020 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**