

POSEY COUNTY COMMISSIONERS TUESDAY, APRIL 6, 2021.

The Board of Commissioners met in a regularly scheduled meeting at the Hovey House, 330 Walnut Street, in Mt. Vernon on Tuesday, April 6, 2021. Commissioners Bill Collins, Randy Thornburg, and Carl Schmitz. Auditor Maegen Greenwell and County Attorney Joe Harrison were in attendance.

B. Collins opened the meeting with the Pledge of Allegiance. Rick Sellers led the Commissioners in the opening prayer.

MINUTES

C. Schmitz made a motion to approve the March 16, 2021 meeting minutes; R. Thornburg seconded. The motion carried with a vote of 3-0.

CLAIMS

C. Schmitz made a motion to approve the claims as presented; R. Thornburg seconded. The motion carried with a vote of 3-0.

TREASURER'S REPORT

R. Thornburg made a motion to approve the February Treasurer's Report; C. Schmitz seconded. The motion carried with a vote of 3-0.

CLERK'S REPORT

C. Schmitz made a motion to approve the February Clerk's Report; R. Thornburg seconded. The motion carried with a vote of 3-0.

REDEVELOPMENT AUTHORITY APPOINTMENT

B. Collins made a motion to appoint Phill Stevenson to the Redevelopment Authority; R. Thornburg seconded. The motion carried with a vote of 3-0.

M.T. VERNON MINISTERIAL ASSOCIATION

Rick Sellers, with the Mt. Vernon Ministerial Association, is requesting the use of the Courthouse western entrance on May 6, 2021, for the National Day of Prayer. Mr. Sellers stated as in the past, the association would like to hold the National Day of Prayer services at the Courthouse. Mr. Sellers stated the ceremony would be completed by noon on that day.

C. Schmitz made a motion to approve this request; R. Thornburg seconded. The motion carried with a vote of 3-0.

E-911 BUILDING UPDATE

Carrie Thompson, with Posey County EMS, addressed the Commissioners regarding the need to replace carpet at the Posey County EMS Building. Mrs. Thompson stated this is the original carpet for that building and is in need of repair. Mrs. Thompson stated this is for four offices, a living space, and two bedrooms in the EMS living quarters. Mrs. Thompson stated both quotes are for removal of the old carpet, replace with carpet tiles, moving furniture, and vinyl cove base. Posey County Auditor, Maegen Greenwell, stated funds could be pulled from the Building Maintenance line.

Mrs. Thompson stated the following quotes:

Greer's: \$6904.00 price includes temporary shelving to hold items during the transition.

Carpet Unlimited: \$6,213.89 + moving furniture \$650.00 + transition trim \$60.00

C. Schmitz made a motion to approve the quote from Greer's due to the fact they are providing temporary shelving during the transition; R. Thornburg seconded. The motion carried with a vote of 3-0.

EVAPAR CONTRACT WITH SHERIFF OFFICE

Posey County Sheriff, Tom Latham, presented the Commissioners with a contract from EVAPAR for the current generator at the Sheriff's office. Sheriff Latham stated since the Jail has been constructed, there has not been a contract for service for the generator. Sheriff Latham

stated this would be paid from the Jail's portion of the Jail Maintenance Fund. Sheriff Latham stated this contract cost is \$2,460.00 semi-annual.

R. Thornburg made a motion to approve this contract; C. Schmitz seconded. The motion carried with a vote of 3-0.

M.T. VERNON UNSAFE BUILDING AUTHORITY

Sherry Willis, with the Mt. Vernon Unsafe Building Authority, addressed the Commissioners regarding a request to take the deed to two properties that are currently on the Commissioners Sale list. Mrs. Willis read the following letter:

Dear Sirs,

As Unsafe Building Enforcement Authority for Dilapidated Properties for the City of Mt. Vernon, I am faced with getting properties cleaned up that have dilapidated structures located on them. Once the properties go through the hearing process and raze order is obtained, and if the owner fails to tear down the structure, the City will request quotes from contractors and tear the structures down on City funds. After their structures are torn down, and the owners fail to pay the costs, a lien is applied to the property to be collected through property taxes.

The City is not only faced with tearing down dilapidated structures, but we also have the task of mowing those same properties when the owner fails to maintain their lawns. Once the owner fails to pay those charges for mowing their lawns, another lien is applied to their property.

These lots, where we remove the structures and mow yards, are the same lots that go up on tax sales and are frequently left unsold. These lots go unsold because of the back taxes and lines amount to more than the employ lots are worth.

At this time, I am looking at two of those parcels. The City has torn down the houses that once sat there, and the City has mowed each of the parcels several times and several mowing seasons. These parcels have been identified by the County for their upcoming Commissioners Certificate Sale. The City of Mount Vernon is asking the Commissioners for Tax Deed of those parcels listed, which are the addresses 421 East 9th Street and 431 Vine Street.

R. Thornburg made a motion to approve this request; C. Schmitz seconded. C. Schmitz asked if either of these lots are big enough to be sold and rehoused? Mrs. Willis stated the City had sold a large portion of these lots. The motion carried with a vote of 3-0.

AGREEMENT WITH THE CITY FOR HOVEY HOUSE USE

Posey County Auditor, Maegen Greenwell, stated an agreement would be created for the Commissioners to sign to allow the City of Mt. Vernon to hold meetings at the Hovey House. Mrs. Greenwell stated she has spoken with the Mayor, and they know they will have to provide security if needed. Mr. Greenwell asked if the Commissioners would like to charge a fee for the building. Mr. Schmitz stated no. Mr. Harrsion asked if this will be just the Town Council or would it be other City agencies. Mrs. Greenwell stated this would be the City Council and Board of Works. Mrs. Greenwell stated she would like the agreement to include a list of days needed, and Mr. Collins ask that the agreement is for the City Council and Board of Works to use the Hovey House, and any other agency would still have to ask permission.

C. Schmitz made a motion to approve this request; R. Thornburg seconded. The motion carried with a vote of 3-0.

VEI COMMUNICATIONS/RADIO DISPATCH SYSTEM LETTER

Posey County Commissioner Attorney, Joe Harrison, addressed the Commissioners regarding the ongoing issues with VEI. Mr. Harrsion stated the Commissioners entered into an agreement several years ago, and the County has not been happy with the system. Mr. Harrsion stated he had drafted a letter for the Commissioners to sign asking VEI to correct the problems or they would be in breach of contract. Mr. Harrsion stated VEI had made some initial plans to correct a portion of the system and report back to the Commissioners on April 20.

Posey County Sheriff, Tom Latham, stated he spoke with the regional Kenwood representative, and they would like to speak with the President of the Commissioners, the Council, Dispatch Director and himself, to reassure the County that they want the system up and running as it is supposed to. Sheriff Latham stated he would be getting with those people to set up a time for that meeting.

Posey County Council President, Heather Allyn, stated this is an ongoing issue beginning June of 2019. Mrs. Allyn stated on March 11, they met with the VEI via Zoom and made an agreement that the system would be shut down on March 22 to run testing and get a report. Mrs. Allyn stated on March 16th, they were back at the Commissioners meeting and had the same conversation on the timeline of March 22nd, shutting down the old system and updating the Commissioners on April 20th. Mrs. Allyn stated on March 19th the County received an email from VEI stating they need more information in order to move forward and they would not be shutting the old system down on March 22nd. Mrs. Allyn stated she has spoken with Dan Shepard, the President of VEI, who sent a proposal for what it would cost for the County to have the needed testing done. Mrs. Allyn stated this was when she reached out to Mr. Harrsion to see what the legal recourse would be.

R. Thornburg made a motion to approve the letter being sent; C. Schmitz seconded. The motion carried with a vote of 3-0.

SHARED USE AGREEMENT BETWEEN POSEY COUNTY REGIONAL SEWER DISTRICT AND WESSLER ENGINEERING INC.

Jim Kovack, with Wessler Engineering, addressed the Commissioners regarding the need for a shared-use agreement between Posey County Regional Sewer District and Wessler Engineering. Mr. Kovack stated this agreement is needed to allow the Sewer District to place sewer lines within the County's right of ways, where it exists, and where it can be identified. Mr. Kovack stated there are 97 parcels that the Sewer District will be buying easements for to facilitate the Construction, but this agreement avoids the need to abstract some of the properties. Mr. Kovack stated this agreement does not include the exact parcel numbers, and those would be submitted in an appendix.

B. Collins asked that the Drainage Board be advised of the plans for this project. Mr. Kovack stated they met with the Drainage Board last August.

R. Thornburg made a motion to approve this agreement; C. Schmitz seconded. The motion carried with a vote of 3-0.

*the following minutes are verbatim

POSEY COUNTY SOLAR OPPOSITION COMMENTS

Maria Bulkley, with Kahn, Dees, Donovan & Kahn. The first thing I would like to do is renew my request to remain on the agenda until we get to the end of the process in amending the solar ordinance. Just want to make sure I remain on the agenda. As you probably know, we met on March 11th, March 18th, and March 31st, the Plan Commission met, and we were present to discuss the ordinance amendments and to hear as they developed a recommendation that will be coming forward to you. As of now, they have not, to my knowledge, completed their recommendations in the certified form that they need to be to arrive to you; at least, I don't think they are here yet, I checked yesterday, and they were not here yet. I think they have ten days to get those to you, so I think they anticipate you'll get those anytime. I am here to request another extension of the stay you originally issues on March 2, 2021, and that stay provided for basically a stoppage of the receipt and consideration of solar energy conversion system applications until we get through this process. I did review the minutes from the last meeting; it has been a while since we have been at a Commissioners hearing, a few weeks, I did just review those minutes and re-listen to the recording. It seems like when we were here last time, there was an appetite for doing that. In the minutes, we just said we would come back to this meeting and do another stay if needed. I feel like that is what we are expecting; I would ask, that seems to be something we are all interested in doing. The reason that we are requesting that the stay be put into effect until the ordinance amendments are completed is because if the stay is listed any earlier than that, it would enable developers to come in and file to get their project in under the ordinance that we are currently trying to amend. What I have heard talked about, at both the Plan Commissioner and here, is that we are trying to do is come up with an ordinance that would be the same for any solar developer that comes in. We don't necessarily want to have people coming in under the old ordinance that we are trying to amend. What the sense I get is that we would rather get through that process, amend the ordinance, and then every developer that ever comes into Posey County will be operating under the same set of rules. For that reason, we are requesting that the stay that you previously entered into on March 2 and then extended be continued until we get completed with the ordinance process amendments. I try not to get too bogged down at what is going on at the State House, but I did want to update you on something

interesting in House Bill 1381; as it has been talked about before, there is a State law circulating that would take away power from the local government to make solar ordinance changes. We hope that dies and never makes it into the books, but I did notice that it had a substantial amendment, and what is important about that is that it states, currently reading as it flows through the process, it says that if a local government enters into or enacts an ordinance that is more restrictive than what they are hoping for in that House Bill 1381 before June 30th, then you get to keep that. That is why I want to point that out, Posey County is on pace to well beat that deadline. So if you come up with ordinance amendments for solar, I think it applies to wind too, that are more restrictive than what is in that very unsavory House Bill 1381, those will still stand. I wanted to reiterate that we are on pace to do that, even if when you get the recommendations from the Plan Commission, even if you do not accept all of them and you want to work on them a little more, we are still on pace to have a better solar ordinance for Posey County than what's coming down on that State law, if that even passes. I brought that with me; I brought a summary of that amendment that I want to share with you. I told Joe that I would put that into the record for you. I also brought with me an updated petition. Our client group and supporters consistently that group grows, and they will occasionally provide me with updates to put into the record, so I brought that too. We have 2046, and 419 of those are new people. I want to put that in the record also. I think that is about all I have. Do you have any questions for me?

R. Thornburg: I make a motion to approve the stay. I would rather do it until the Area Plan Commission can get their situation worked out with the amendments.

Maria Bulkley: The request that we have, the process can be a little confusing, I don't know if this motion or request will go anywhere, but we are requesting this stay remain until the completion of the ordinance amendments and at that point, either make a decision to accept them, reject them, or modify them. I think some of them, at least one of them, it was the property value guarantee; they kicked that to the Commissioners to come up with language on. I think that processes, I don't know that that'll be able to happen at a meeting, in one single meeting; it may take time to do that. To the extent you would want to amend any of the things they recommend, which I think has happened with other ordinances that have come before you. That's why we are requesting this stay remain in effect until you get through the process of amending the ordinance, but it is, of course, the will of the Commissioner's if that is what you feel.

R. Thornburg: That would be my motion.

B. Collins: We have a motion to

R. Thornburg: to extend the stay until the work in progress with Area Plan is complete

C. Schmitz: I will second but I would like to amend it, because I think we need a time limit or else Area Plan can not get it done, I would like to amend it to the next Commissioners meeting, the stay. We can move it forward from Commissioner meeting to Commissioner meeting as needed. That way there is a cut-off, or else it could happen, like so much that it will stay in effect forever.

B. Collins: Do you accept that?

R. Thornburg: I second that.

B. Collins: We have a motion and a second to extend the stay, as currently written, until the next Commissioners meeting on April 20th. Is there any discussion?

C. Schmitz: Are you fair with that?

Maria Bulkley: We will be back, yes, at the next Commissioner meeting to see where we are at.

C. Schmitz: You are at every meeting anyway.

Maria Bulkley; Yes, I am sorry.

B. Collins: We have a motion and a second to extend the stay as currently written until the next Commissioners meeting on the 20th. Seeing no more discussion, all those in favor.

B. Collins: aye
C. Schmitz: aye
R. Thornburg: aye

B. Collins: Motion carries.

Maria Bulkley: I am going to hand these to Maegen for the record.

R. Thornburg: I have something I would like to interject here. I received an economic impact statement concerning solar from Mike Shopmeyer, from Ball State Economic Professor. I just highlighted some statements that he made. Removing 3000 acres of prime farmland out of agricultural production for 35 years. Indiana is one of three states with over 50% of its land designated as prime farmland. It is the best farmland in the Nation. Agriculture contributes an estimated 44.2 billion to Indiana's economy, and 13.8 of that is related industries. Indiana is the 8th largest agricultural leader in the Nation. Indiana agriculture supports 190,000 Hoosier jobs. 70% of all urban development and 62% of all development took place on agricultural land in the U.S. By 2012, prime farmland to support food production has dropped to 17% of the total land in the United States of America. That is prime farmland food production. Maddison County professor from Michigan State recently had an economic impact. They are entertaining a solar project too; their impact study stated that 1890 acres solar farm that they would have lost 2.3 million over the length of the project. Farmland versus solar. Proposed Posey Solar project would have a total contribution of 114.4 million over 37 years, which would be the total contribution of the proposed solar project. Posey County agriculture will contribute 223.8 million in the same period. 238 million if you add 2.5% inflation. That is a net loss of \$109,393,000.00 over the course of 35 years. Other considerations are job losses, farm-related industries, yield, fertilizer, seed, fuel cost, herbicides, fungicides, leasing equipment, trucking, labor, parts, mechanical labor, gas, utilities, and grain drying. 90 jobs will be lost at AB Brown coal-fired station, average salary \$60,000.00 per year. 50% of those employees live and reside here in Posey County. That is 5.4 million dollars annually. Posey County Regional Sewer District just completed a sewage plant at Harbor Town, and one of our plans was to develop East of there, and that would take 3000 acres off the board for any future development that might provide more than four jobs. The corridor comprehensive plan here in Posey County, the number one item was the need to establish a Countywide sewer system, as Jim Kovack just reported, we have a new plant at Harbor Town on 62, and we're working on Wadesville and Poseyville, the long-range plan will eventually get Countywide. I think number 5 on the list was to preserve farmland and open spaces. That is part of our comprehensive plan. That is diametrically opposed to what our comprehensive plan states, and it takes 3000 acres of prime farmland out of production. Just to show you the negative impacts on individuals employed in other areas. I have already stated there is going to be displaced workers at AB Brown, and there is going to be displaced workers in the farm industry. I just think we need to think long and hard about what we choose to bring into our County. I think our property can be used in better ways than a 3000-acre solar farm with 750,000 plates of glass on it. That is all I have as far as that is concerned; I just wanted to get that out there.

*end verbatim minutes

DEPARTMENT UPDATES

Posey County Sheriff, Tom Latham, gave the following inmate housing update:

\$34,335.00 from Vanderburgh

Posey County Inmates: 71

Vanderburgh County Inmates: 31

DOC: 7

Total: 99 inmates

Posey County Treasurer Vicki Peerman stated tax bills have gone out.

Posey County Auditor, Maegen Greenwell, gave the following animal control report:

Complaints: 40

Animals picked up: 5

Bite Report: 5
\$54.00 in fees.

Mrs. Greenwell stated the Auditors office is getting ready for budget season. Mrs. Greenwell stated Form 1's will be going out in early May, and budget hearings will be done similar to how that was done last year.

R. Thornburg gave the following Workforce Development report:

Unemployment Rate:

U.S: 6.3%
Indiana: 4.2%
Vanderburgh: 4.7%
Perry: 4.6%
Pike: 4.6%
Spencer: 4.3%
Knox: 3.8%
Dubois: 3.6%
Warrick: 3.6%
Posey: 3.3%
Gibson: 3.2%

Area most affected:

Manufacturing: 19.6%
Construction: 18.1%
Retail Trade: 9.7%
Food Services: 9.6%
Administrative: 8.1%

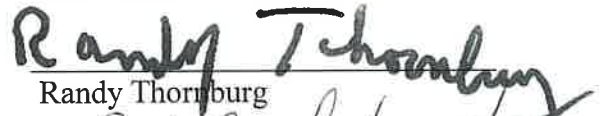
Top 5 Positions Listed:

1. Farmworkers/laborers
2. R.N
3. LPN
4. Home Health Aide
5. Agricultural Equipment Operators

B. Collins asked for a moment of silence for former Mayor Jack Higgins. Mr. Collins stated Mr. Higgins was a public servant for many years, and his service is appreciated.



Bill Collins



Randy Thornburg



Carl Schmitz


Attest: Maegen L. Greenwell