REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS
JANUARY 7, 2019

The Jasper County Commissioners met this date at 8:15 A.M. C.S.T., in the Commissioners Room, Suite 202, of the Jasper County Courthouse located at 115 West Washington Street, Rensselaer, Indiana, with the following members present: Kendell Culp, Richard E. Maxwell and James A. Walstra. Also present were Auditor Kimberly K. Grow, Deputy Auditor Tina Porter and the Attorney that represents the Commissioners, Eric J. Beaver. The meeting was called to order and those present stood and recited the Pledge of Allegiance led by Mr. Woodcock.

REORGANIZATION OF THE BOARD: Mr. Walstra made a motion to nominate Mr. Culp as Chairman of the Board. Mr. Maxwell seconded and the motion carried. Mr. Maxwell made a motion to nominate Mr. Walstra as Vice Chairman. Mr. Culp seconded and the motion carried.

Mr. Culp informed those in attendance that the Commissioners tried to secure the Courtrooms for the meeting; however, they both had hearings scheduled. He stated that the proposed ordinance and a map have been put on the projector. The Commissioners will be taking care of all other agenda items first to make time for the wind discussion.

STEPHEN EASTRIDGE / ECONOMIC DEVELOPMENT DIRECTOR: Mr. Eastridge was present and brought with him a memo from JCEDO regarding NIPSCO’s announcement about the R.M. Schaefer Generating Station. On September 19, 2018, NIPSCO announced that they will be retiring all coal-fired generating units at the R.M. Schaefer plant. This is a significant blow to the county as NIPSCO accounts for seventeen percent of the county’s assessed valuation. The yearly taxes they pay account for almost thirty percent of Kankakee Valley School Corporation’s annual budget. JCEDO has been working to put together a community task force tasked with hearing information from NIPSCO and other parties and coming up with recommendations and a plan of action for the county going forward as we have a few years to address what’s going to happen at Schaefer. The memo outlines meeting dates and times as well as speakers they will have at each meeting. It also lists members of the taskforce. The first meeting will be January 23rd at the Fase Center and Mike Hooper from NIPSCO will be presenting information on their decision, how they made the decision and what it means for Schaefer and how they are viewing that. Mr. Eastridge stated that JCEDO wants everyone in the county to know that this is a serious situation. We have a couple years to address it to minimize the tax blow as much as possible. There are two additional meetings penciled in for February 25th and March 18th. The county Assessor, Dawn Hoffman, will be speaking at the February 25th meeting and JCEDO will present some of the initiatives and projects they are working on within the county. The task force will meet once a month between April and July. They plan to present a letter of recommendation to the county in July. They are still looking for one more person from the central part of the county to be part of the task force. Mr. Culp stated that the meetings are open to the public and he thinks it’s pertinent that everyone is aware of the meetings. He also thinks it’s important that NIPSCO tells their story rather than the county telling their story for them. NIPSCO’s closing will have an effect on all the taxpayers of Jasper County.

Mr. Eastridge stated that JCEDO provides professional staff and support to the Jasper County Tourism Commission. They meet on the first Friday of the month. Jamie Miller announced her resignation as President at the last meeting. She represented Fair Oaks Farms on that board. The board would like to appoint Sharon St. Myers as her replacement. Ms. St. Myers works in group sales at Fair Oaks Farms and reports to Ms. Miller. Mr. Walstra made a motion to appoint Sharon St. Myers. Mr. Maxwell seconded and the motion carried.

GIS AGREEMENT: Mrs. Porter stated that this agreement was previously approved, pending attorney review. Attorney Beaver has reviewed the agreement and is ok with it being signed.

BOND: Mr. Maxwell made a motion to approve a bond for Sheriff Pat Williamson. Mr. Walstra seconded and the motion carried.

NEWSPAPER DESIGNATION: Mr. Walstra made a motion to designate the Rensselaer Republican, the Remington Press and the Kankakee Valley Post News as the newspapers to be used for advertising. Mr. Maxwell seconded and the motion carried.
WHEATFIELD FIRE STATION: Mr. Maxwell made a motion to approve the signing of a letter asking for an extension on the OCRA bond. Mr. Walstra seconded and the motion carried.

CONFERENCE REQUEST: Mr. Maxwell made a motion to approve Kara Fishburn, Dawn Hoffman, Vince Urbano, Kim Grow and Beth Warren to attend the AIC annual conference February 5th and 6th at the Hilton in Indianapolis. Mr. Culp stated that he might also attend. Registration fee is $150.00 for both days. Mr. Walstra seconded and the motion carried.

TREASURER BAD CHECK: Auditor Grow stated that the Treasurer received a bad check in the amount of $263.51. She is requesting approval for the Commissioners to pay the Treasurer’s Office the amount of the check out of County General and that amount will be deducted from settlement. Mr. Culp asked if a lien would be placed on the property and Auditor Grow replied that, from what the Treasurer said, it would be deducted from whatever taxing unit it was. He then asked how the county would collect from the property owner. Mrs. Porter replied that, the property would eventually be sold on tax sale if the property owner does not pay. Mr. Maxwell made a motion for Auditor Grow to cut a check from County General to the Treasurer so the taxing unit can be kept whole. Mr. Walstra seconded and the motion carried.

SHERIFF WILLIAMSON / FMLA EXTENSION / REQUEST TO REPLACE POSITION / TRANSFER OF VEHICLE: Sheriff Williamson was present and requested permission to extend Patricia Hale’s FMLA leave ninety days. Mr. Maxwell made a motion to approve the extension. Mr. Walstra seconded and the motion carried.

Sheriff Williamson requested permission to fill a jail officer position as they had a senior corporal resign to work elsewhere for better pay and better health insurance. Mr. Walstra made a motion to approve the request. Mr. Maxwell seconded and the motion carried.

Sheriff Williamson stated that they have a 2011 Dodge Ram truck that Vince Urbano at the Surveyor’s Office is interested in. It is Ryan King’s old truck. Mr. King is now driving the Tahoe that Sheriff Risner had. The Dodge is ½ ton, four wheel drive. Mr. Culp stated that Mr. Urbano had asked for a truck in the budget; however, it was not approved. Mr. Walstra made a motion to approve the 2011 Dodge Ram to be used by the Surveyor. Mr. Maxwell seconded and the motion carried.

INVESTMENTS: Mr. Maxwell made a motion to reinvest the Public Safety and CUM Bridge CD. Mr. Walstra seconded and the motion carried.

Mr. Culp asked if there was any public comment for any topic other than wind and there was not.

WIND FARM DISCUSSION: Mr. Culp stated that Mrs. Scheurich has handouts with proposed language changes. The ordinance and map were also on the projector. He explained that the Commissioners would be setting a two hour timeframe for this topic. He stated that the county first adopted a wind ordinance in 2008. The ordinance remained unchanged until December, 2017 at which time it was updated and passed by a unanimous vote by the Plan Commission and the Commissioners. The Plan Commission has met multiple times regarding proposed changes to the current ordinance. Unable to come to an agreement, they formed a sub-committee. The sub-committee met twice and came up with proposed changes that they then submitted to the Plan Commission. The Plan Commission unanimously adopted the proposed changes at their November, 2018 meeting. The Commissioners received the proposed ordinance from the Plan Commission at their December 3, 2018 meeting. According to state statute, the Commissioners have ninety days after receiving an ordinance recommendation from the Plan Commission to take action. The Commissioners could continue this to the February meeting as they have thirty days before they are required to act. He explained that, if they make any changes to the proposed ordinance, by statute it goes back to the Plan Commission. The Plan Commission would then have forty five days to respond to the proposed changes. He said the Commissioners did find some grammatical errors, so they will at least be making those changes. The ordinance is not specific to a wind developer. It covers the entire Jasper County and any approval does not mean there will be wind in the county. There are no windmills erected in the county and there are no applications pending.
WIND FARM DISCUSSION CONT'D: The Commissioners will discuss any proposed changes and will then take comments from the audience as time permits. He explained that there are bid openings that were advertised so wind discussion will need to be stopped to address the bids. Public comments will be limited to three minutes per individual. An individual may speak a second time only after everyone that wishes to speak has had the opportunity to speak without interruption. He informed the audience of the rules and expectations during public comment time.

Mr. Molenaar asked what the vote from the Plan Commission was regarding the proposed ordinance. Mr. Culp and Mrs. Scheurich replied that it was unanimous.

Mr. Culp explained that the Plan Commission wants turbines to be allowed in the county with stricter setbacks. As the Commissioners looked at the setback restrictions, they realized that the ordinance contradicted itself because the setbacks were so strict, that would prevent turbines in the county. He stated that the Commissioners have modeled many scenarios to come up with what they will be deciding on today and have taken into consideration many of the testimony from the December 3rd meeting. The Commissioners options are to continue the hearing for an additional thirty days, pass the proposed ordinance as presented by the Plan Commission with no changes or suggest changes and send it back to the Plan Commission. Copies of the proposed ordinance were passed out to the audience and it was on the projector for the audience to follow along.

20.30.140 C. Jasper County Board of Aviation Commissioners is an old term and has been changed to Jasper County Airport Authority

D. Special Exception – A sentence was added for clarification for special exception which would be by the Board of Zoning Appeals.

There were no changes on the second page.

B.4. FAA permit application
The Commissioners found out that the Indiana Regulation of Tall Structures is a state statute that directs how tall a structure can be near an airport. They changed verbiage in (a) from “correspondence” to “compliance”. They also added (b).

B.5. Top Soil Preservation Plan was stricken as the Commissioners believe that should be between the landowner and the developer.

E. Height Limitations. Mr. Culp stated that there were no recommended height restrictions recommended by the Plan Commission to the Commissioners. He said that, instead, it referred to the FAA. From what the Commissioners have learned, the FAA does not have a height restriction. The FAA will approve anything that doesn’t interfere with air space. He stated that they are amending the five hundred and ninety nine foot maximum to five hundred and seventy five feet. He stated that this will rule out super turbines as they are six hundred to six hundred and sixty feet tall.

I. Location Restrictions
2. Utility-Grade Wind Turbine System Setbacks
a. Setback from property line
   i. If you are a participating property owner, the property line setback from another participating property owner would be 1.1 times the tip height of the turbine.
   ii. Each utility-grade wind turbine system shall be located at least ¼ mile from a non-participating property line.
   iii. Property Line Setback Flexibility – Two adjoining property owners may waive the setback if they are both in agreement to do so.
c. Setback from On-site Buildings – This will be 1.5 times the tip height of the turbine to any on-site building.
d. Setback from Off-site Land Uses.
   i. A minimum of 1/3 mile from any existing non-participating residential dwellings, multiple-family residential dwellings, or place of worship.
REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS
JANUARY 7, 2019

WIND FARM DISCUSSION CONT’D: The owner of said dwelling unit may grant permission, in writing and record it with the Jasper County Recorder, waiving the setback requirement to their home. However, under no circumstance shall a utility-grade wind turbine system be closer than two times the tip height to a dwelling unit.

ii. A minimum of 1/3 mile from any land currently zoned R1, R2, VR, M1, M2

iii. A minimum of 1/3 mile from any platted residential subdivision with ten lots or more.

iv. A minimum of ½ mile from each end and ¼ mile from each side of all FAA recognized air strips. Mr. Culp stated that there are approximately four or five airstrips along the Pulaski county line. The Commissioners intend to recognize those airstrips although they are not in Jasper County.

a. Airstrips must be on property owned by a licensed pilot.

b. An operable licensed aircraft must be housed on site.

v. A minimum of six miles from the center of the paved runway at the Jasper County Airport. To the west, that would extend all the way to Newton County. There is an east-west grass strip that the Commissioners will be protecting as the airport has had hopes of paving that eventually.

Numbers 6, 7 and 8 have been stricken and will be addressed in other areas in the ordinance.

f. Setback from Jasper-Pulaski Fish and Wildlife Area – the current setback is from County Road 100 West east to the Pulaski County line and from the Kankakee River to County Road 400 North. That has been the sandhill crane preservation area for Jasper Pulaski. It used to extend to State Road 14 several years ago before being changed. The Commissioners heard from some presenters at the last meeting that were concerned about the wildlife population, birds and specifically the cranes and what they mean to tourism to Jasper County. The Commissioners propose changing the setback from County Road 400 North to Division Road. The entire northern half of the county will be a ‘no wind’ area.

K. Nuisance Prevention

1. The current maximum noise level is sixty decibels. The Plan Commission proposed thirty five decibels. The Commissioners propose fifty decibels as the maximum that would be allowed at a residence.

3. The words “and shall be maintained to the color” was added.

6. The current ordinance does not address shadow flicker. The Plan Commission recommended that there would be no shadow flicker allowed. The Commissioners propose that it shall not exceed thirty hours per year at a non-participating residence.

O. Drainage

1. ‘at the expense of the operator’ was changed to ‘at the expense of the developer’. Mr. Culp stated that the last sentence of this is very important. “Any public or private drain affected by the proposed development shall be maintained by said developer for the life of the project. He explained that this is simpler than a bond or maintenance fund.

P. Public Improvements and Repairs

2. Route and transportation Planning – The Commissioners added maintenance and decommissioning at the end of the first sentence.

3. Pre-Construction Survey – The Commissioners replaced the word conduct with the word submit.

4. Responsibility for Repair after Construction – INDOT Superintendent was replaced with Jasper County Highway Superintendent and/or Jasper County Commissioners.

10. As-built Requirement – Plans will have to be submitted and approved before the development can begin.

11. He read “Change in Ownership” aloud.

He stated that they were able to delete Road Capacity and Route Restrictions as they were covered earlier in the ordinance. Maintenance and decommissioning were put with new construction.

Q. Abandoned Systems (Deleted 2, 3, 6)

4. Surety for Damages Related to Decommissioning – The Commissioners are requiring a third party to estimate the cost upfront.
REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS
JANUARY 7, 2019

WIND FARM DISCUSSION CONT’D: The wind developer will be required to have a bond for that amount. Every five years, there will have to be a new study done. If the cost to decommission increases, the wind developer will be required to add to the current bond or submit a new bond.

Mr. Culp put the map on the projector for the audience to see. He pointed out Division Road and stated that the etched area north of Division Road is a no wind area due to wildlife preservation from the Jasper Pulaski Game Preserve. That will take several townships out of the wind area. The red circle on the map is a six mile radius around the airport, which then takes approximately three additional townships out of the wind area. He pointed out Nevoy Culp’s runway which is approximately one mile by one half mile where there can be no wind turbines. He then pointed out the four private airstrips. He explained that the dots on the map are 1/3 mile setbacks from residences.

He stated that there is a developer looking to build turbines in the area west of Interstate 65 in Carpenter Township. He stated that the Town of Remington has a two mile buffer all around the town limits. It is up to the town whether or not they enforce it. Mr. Molenaar asked if the Town of Remington has an ordinance to enforce the two mile buffer. Mr. Maxwell replied that they will probably make that decision after they receive a wind farm application, but he is pretty sure they’re going to use that protection. Mr. Culp stated that he’s been to a few of their meetings and at one time they wanted to protect that space; however, he’s unsure where they stand on the matter today. He pointed out the “open” areas in Marion, Hanging Grove, southern Gillam and Barkley Townships.

COUNTY HIGHWAY BID OPENING:

Tires and Tubes:

Wonderland Tire
Mr. Culp stated that they did not give a specific price. They just stated that all tires are net government price, where applicable.

Pomp’s, Lafayette
11R225’s $320.94

Raben Tire, Otterbein
11R225’s $414.18

Crushed Limestone, Rip Rap 5’s, 8’s, 9’s, 11’s, 12’s, 53’s, 73’s:

Southlake Stone
2’s $10.20 / ton
53’s $8.25 / ton
73’s $9.15 / ton
Riprap $17.50

Rogers Group, Kentland
11’s $13.50 / ton
53’s $7.15
73’s $7.15
Reventment riprap $15.00

US Aggregates, Francesville
11’s $11.90
53’s (crushed) $6.95
73’s (crushed) $6.95
2’s $9.50
Reventment riprap $17.25 / ton
REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS
JANUARY 7, 2019

COUNTY HIGHWAY BID OPENING CONT’D:

Beemsterboer Aggregates, Gary
2’s $5.50 / ton
11’s $6.25 / ton
53’s $3.45 / ton
73’s $4.45 / ton
Uniform B riprap $8.95 / ton

Sand and Gravel

Top Line Trucking
INDOT 23 Sand from Landmark Materials, LaPorte $14.85 / ton delivered to Rensselaer

Seagulls Delta Trucking, Reynolds
Sand $7.50 / ton

Carter Material, formerly Morocco Sand & Gravel
Sand $7.25 / ton

Beemsterboer Aggregates, Gary
INDOT 24 sand $4.25 / ton

Trucking

DeYoung Dirt Works, Wheatfield
To Rensselaer Garage $4.49
To DeMotte yard $4.25
Anywhere in Jasper County
Tri-axle, semi, quad $4.50

Top Line
Hauling to Rensselaer $4.35 / ton

Seagulls Delta
To Rensselaer $8.55 / ton
To DeMotte $9.65 / ton

Beemsterboer, Gary
To Rensselaer $9.95 / ton
To DeMotte $8.75 / ton

DeYoung Dirt Works
Machinery Rental:
Backhoe $125.00 / hr to $168.00 / hr
Payloader $140.00 / hr
Track Dozer $145.00 / hr
Bobcat $125.00 / hr

L & W Mattocks & Sons, Parr
1080 Excavator $120.00 / hr
D7 Dozer $120.00 / hr

Mr. Maxwell made a motion to accept all bids, as presented. Mr. Walstra seconded and the motion carried.

At this time, there was a short break.

The meeting reconvened and the next set of bids were opened.
REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS  
JANUARY 7, 2019  

COUNTY HIGHWAY BID OPENING CONT’D:  

Road Material  

Central Paving, Logansport  
Calcium Chloride $0.24 / gallon for 38% (application only)  

Asphalt Materials, Indianapolis  
AE90 $1.99 delivered from Warsaw  
6422 (oil) $529.00 / ton  

Bitmap, Ashley, IN  
AE90 $1.85 / gallon  
PG6422 $495.00 / ton  

Great Lakes Chloride, Warsaw  
38% Calcium Chloride $0.90 / gallon  

Mr. Walstra made a motion to accept all bids, as presented. Mr. Maxwell seconded and the motion carried.  

WIND FARM DISCUSSION CONT’D:  

Mr. Garrett Dobson stated that, under the drainage section, “developer” should also say “operator” because the wind projects will most likely be sold. Mr. Culp stated that the Commissioners took “operator” out because to them “operator” means farm operator, but they can change it to “turbine owner”. Mr. Dobson added that it should be addressed all the way through the ordinance.  

Mr. Steve Molenaar asked how the Commissioners came up with the setback to a property line and if they addressed any safety issues. He stated that there are safety manuals for every piece of equipment that is manufactured. He asked if any of the wind companies provided the Commissioners with information regarding safety zones around turbines, as far as ice throw and blade throw. He asked if it would be better to state “1/4 mile or a distance at which a turbine can’t be dangerous to a property line”. He asked the Commissioners if they should be requesting safety manuals from the developer. Mr. Culp replied that he knows the Commissioners have not seen safety information. Mr. Molenaar stated that he’s not sure any county has seen safety manuals, but it should at least be addressed for the safety of the residents, their children, their animals and their property.  

(2.a.ii) Mr. Molenaar asked Mr. Culp how they came up with 1,320 feet. Mr. Culp replied that they didn’t think 1.1 was enough and when they thought of property lines, they thought of fields and the turbine falling over, not ice or blade throw.  

Mr. Molenaar stated that there should be a safety zone. He suggested that we find a safety manual and stated that his family’s safety should extend to his property line. We need to know what the safety setback is for a tower that size. He asked the Commissioners if they agree that turbines have safety manuals. Mr. Culp replied that he’s sure they exist and thinks that’s a fair point to make. He said the Commissioners have asked for that information, but have not seen it. They’ve talked to other Commissioners, but have not asked if they’ve seen a safety manual.  

Mr. Tony Walker stated that he and his wife hunt their property six months out of the year for their livelihood and that is how they pay their bills. He said that, if there were to be turbines put up at the setbacks the Commissioners are considering, they would not be able to hunt anymore and would take a loss on their property value. More than anything, the safety of the county’s constituents and their quality of life have been what the residents of the county are concerned with. He said that he and his wife have put everything they have in their home and it’s their nest egg. Are they supposed to take a twenty to fifty percent hit on their property value if they decide to sell because the neighbor decided they want turbines and are reaping the benefits from it. The Plan Commission’s proposal made it so the small property owners had to be part of the process.
WIND FARM DISCUSSION CONT’D: He said that small property owners are going to suffer because of a handful of giant, absentee property owners that own thousands of acres in holding companies that live outside of Jasper County. He doesn’t see how anyone can think that would be a good thing and doesn’t see how the majority of the county who are against turbines are being protected. He asked that the Commissioners set it up to where, if the wind company wants to destroy people’s quality of life, they have to talk to and write a check to everyone, not just the neighbor. He stated that he thinks it’s been brutally evident over the past three months that the majority of the county does not want turbines. He also doesn’t see how the county can be divided in half, with half keeping their quality of life and the other half not. He said that he does not want litigation, but will not stand idly by and have his property rights and his quality of life trashed so a handful of large property owners can make a bunch of money. A number of people in the audience agreed with him and were given a warning for speaking out of turn.

Mr. Scott Green stated that he agrees with everything Mr. Walker said. This is about protecting everyone in the county. The Plan Commission, Mr. Walstra included, spent six months and voted 8-0 to help protect the health, safety and welfare of everyone in the county. He said that he’s very appreciative of what the Plan Commission did. He thinks there are some on the Plan Commission that are wondering what their purpose is and he said that he has the same question. He said they expected a little tweaking, but what the Commissioners have done is cut the protections in half.

Mrs. Jody Molenaar stated that she has a few safety concerns. She said that she’s worried about fire and is pretty sure the volunteer fire department doesn’t have the means to take care of something of this nature. In the fall, the fields will be full of corn and soybeans. When a turbine catches on fire and the blades start falling off or it starts throwing flames into a dry corn field, there are going to be houses, barns and animals in the way and there will be no capability to stop the fire. She stated that her second concern is that, back in October, RES was told to take the MET tower down by January 1st. It is now January 7th and the tower is still standing. She asked the Commissioners what makes them think RES will follow the ordinance when they can’t even complete one simple task of renewing their application for the MET tower and then were told to take the tower down but did not.

Mr. Jeff Manns stated that he finds it disconcerting that there has been some resistance to wind farms. He doesn’t understand why someone in a political position would want to make it more difficult to get wind power. We should embrace clean renewable energy such as wind and solar. Coal not only pollutes our environment, it causes chronic health issues. With the imminent closing of the Schaefler plant in Wheatfield, Jasper County will lose a huge percentage of tax base and it will be devastating to the school services and costly to the average taxpayer. He said that there is misinformation and fake news on facebook. He said that farmers in Benton and White counties are bringing in millions of dollars annually and that studies have shown that farms with wind turbines are more economically stable.

Mr. Steve Thomas asked how the foundations are constructed and how deep they are. He said he would assume there’s quite a bit of concrete and rebar. He stated that, in his part of the county, a good well is in the fifty to sixty foot range. He asked what is going to be done if some sort of slurry is pumped in to drive pylons and it contaminates wells. What is going to be done for the people?

Mr. Jeff Laster stated that Mr. Manns disappeared as soon as he was finished talking; however, what he stated is a myth. Wind turbines are not green energy sources. The amount of material and the carbon footprint after they mine and haul everything and refine everything and all the magnets in them, they will never produce the amount of electricity required to manufacture and erect them. The carbon footprint for one turbine from start to finish is enormous. He asked who is financially responsible when the litigation starts and if their decision to have turbines causes harm to the rest of the community, are they financially responsible? He said he, too, is concerned with wells being contaminated and stated that this is a few people profiting on the backs of everyone else. He then asked the Commissioners if they are receiving any benefit from any of the companies, financial or otherwise, that would sway their decision and if there’s any reason they would go against so many members of the community.
REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS
JANUARY 7, 2019

WIND FARM DISCUSSION CONT’D: He asked the Commissioners if any of the wind companies have approached them with any incentives that would benefit them as Commissioners that the general public is not privy to.

Mrs. Brenda Green stated that she finds it amazing that Mr. Molenaar is addressing the issue regarding safety manuals for the turbines. She also finds it amazing that we can take what is recommended by the Plan Commission and the Commissioners make changes to it without having any idea what the safety concerns are for turbines. She asked who is in control and why are we not getting that information from the companies? She thinks that’s a big issue that needs to be addressed. She asked the Commissioners why they feel at liberty to make changes when they have no idea what the safety concerns are of the people that will have to live around them. She said that she used to live in the country, but now lives in town; however, she is concerned for the people that will have to live next to these turbines. She asked why the conversation is even taking place when we don’t know the safety concerns. If the wind companies want to come in, they should be required to provide it and the changes, if any, need to be based on the safety concerns.

Mrs. Linda Moore asked what criteria the Commissioners used to draw the line at Division Road. Mr. Culp replied that the current setback for Jasper Pulaski is County Road 100 West and County Road 400 North. He believes it previously extended to County Road 200 West and State Road 14. He said the Commissioners want that space protected for the cranes as they have heard that from a lot of people. They had a map that showed dwellings in the whole county. He said the majority of the population in the northern part of the county. Thirty percent of the population resides in Keener Township. He explained that they removed setbacks from CAFO’s. In talking with CAFO owners, none of them asked for the setbacks; however, they are not going to sign their farm up. They also did not have proof that turbines are a concern for the animals. He pointed out the CAFO’s on the map. He said that a majority of the subdivisions are in the northern part of the county and stated that there are several areas where they could’ve drawn the line, but Hanging Grove is a lot less populated and is the smallest township in the county and they decided that Division is kind of a natural line. Mrs. Moore explained that the reason she asked is because she lives one and one half miles south of Division and has seen an influx of sandhill cranes within the last five years on their farm. The population has increased year after year. She said they were still on her property last week. Mr. Culp asked if they were cranes or geese and she replied that they are sandhill cranes and there are hundreds of them. She stated that, also, the MET tower that is one mile north of her property is still standing and has been out of compliance since February, 2017. She asked who will be enforcing the ordinances when the tower removal has not been enforced. She said that they had concrete work done at their house this fall and were informed by the driver that he had spent most of his summer delivering concrete for turbine construction and that it takes forty complete loads of concrete for one turbine, not including base work.

Mr. Tom Moore stated that he has not seen underground utilities addressed. The county has four pipelines and he has farm ground on three of them. Some of the pipeline is so shallow that they had to stop farming that area. He said that there’s no way they can cross the pipelines with cranes or transmission lines. He said that he’s lived in this county most of his life and has seen big companies come in and build hotels and gas stations along the interstate and abandon the business when they are no longer profitable so then we are left with the eyesores. He asked the Commissioners what happens in twenty or twenty five years when the turbines are obsolete.

Mr. Brian Moore stated that the majority of the county is against turbines, but because of a handful of people that want turbines, they’re going to be forced upon everyone else. He said that it’s disheartening. He then asked why they would take the CAFO setback out because of a couple guys that said they don’t care. If the CAFO owners don’t care, they could sign a waiver, but he thinks that setback should stay.

Ms. Vandenmark stated that she is new to the county. She agrees with everything that’s been said regarding the safety. She said she is a resident of Hanging Grove Township and when the Commissioners say Hanging Grove is less populated, she hears that they don’t matter and their tax dollars don’t matter. She stated that she hopes the Commissioners rethink the turbines and keep in mind that it’s going to affect people moving to the county.
WIND FARM DISCUSSION CONT’D. She said she encourages friends that live in Indianapolis to move to Jasper County because the views are beautiful; however, she is thinking she shouldn’t be telling people that if we are going to erect wind turbines. She stated that she is also speaking on behalf of some neighbors that were unable to attend the meeting and none of them want turbines in their views.

Ms. Paula Dobson stated that the ordinance has a stipulation that bonds have to be obtained by the wind company to pay to correct roads, but the Commissioners removed the stipulation that bonds have to be obtained for private roads and she would assume private wells. She asked what responsibility the wind turbine company has and how she would enforce it to have her well or tile fixed. She thinks she would have little support unless there is a bond in place.

Mr. Dave Pitro stated that, working at the quarry, they are not allowed to work with noise over 34 decibels in an eight hour period. He asked if fifty decibels is at the turbine or at the property line. Mr. Culp stated that fifty decibels is at the dwelling. He asked how the Commissioners think someone could live with higher decibels than what they can work with.

Ms. Kathy Miller stated that, at the last meeting, a representative from the wind company said fifty decibels is too high and suggested forty-five. She said it seems as if the Commissioners care more about the birds than the people.

Mr. Steve Hageman stated that he understands the concerns. He said that he is building twelve turbines in Benton County. When NextCo? came in, which is the group to the west that Hathaway signed with, they elected not to sign with them. When Horizon, which is now EDP came in, they asked if EDP would work with them on placement. He said he had no interest unless they were installed in a straight line. He said he doesn’t know who is in the northern portion of the county, nor does he care, but he knows who they want to work with in the southern portion and it’s EDP. He stated that every homeowner (even non-participating) gets paid $1,000.00 per home per year. For a lot of homes, that will cover the tax bill. Mr. Walker yelled out “A $300,000 loss for $1,000.00 a year!” Mr. Hageman stated that he will let EDP address safety issues, but would say that there are approximately fifteen thousand acres that property owners in Jordan and Carpenter Township have signed up. He said they have no interest in telling the rest of the county what to do. He told the Commissioners that the original ordinance was well done and mirrors other counties in the area. He said that the signers don’t want their property rights taken away either. He asked that his time be turned over to Mr. Thornton from EDP to address any questions. Mr. Culp stated that he has a list of questions and will call on Mr. Thornton and the other developers at the appropriate time once they are done with all comments and questions.

Mr. Marcus Rust stated that they recently returned from Europe and there were windmills everywhere. He said that there were some blue ones and told the Commissioners they did a good job to ensure the color doesn’t stick out. He said he’s seen more anti-wind signs in Jasper County than they did driving twelve hundred miles through Europe.

There were no other public comments.

Mr. Culp stated that the Commissioners would now address questions:

1. What is the Plan Commission for? Mr. Culp stated that the Plan Commission is an advisory group to the Commissioners. He stated that, normally, over the years that he’s been Commissioner, ninety percent of the time the Commissioners accept what the Plan Commission recommends. The Commissioners asked for a presentation of this ordinance in order to have a better understanding of it and Mr. Urbano presented the information at the December 3rd meeting. The Plan Commission conveyed to the Commissioners that they did not want to ban turbines in the county. Mr. Culp stated that the ordinance that the Plan Commission presented is a ban. The Commissioners asked Benton County apply the setbacks being proposed by the Plan Commission to their new development which consists of sixty one turbines. With the proposed ordinance, it would take sixty of the sixty one turbines out. That told the Commissioners that the Plan Commission saying they wanted turbines contradicted the setbacks they proposed.
2. Regarding fire, Mr. Culp stated that he’s not sure he has a good answer for that. He asked Attorney Beaver who is responsible if a turbine on a neighboring farm catches the corn crop on fire and burns the neighbor’s crop. Attorney Beaver replied that he hasn’t specifically researched fire; however, in common law, if something on your property spreads out to a neighboring property, the offending property owner is strictly liable. He assumes that the same concept would apply in regards to fire.

3. Regarding the MET tower status, Mr. Culp stated that he will let Mrs. Scheurich address this. He stated that the enforcement of any ordinances the county has is done by her office. Mrs. Scheurich stated that she received a phone call last week from RES. They claim that, by the middle of this week, the tower will be removed. Mrs. Molenaar asked what fine was imposed on RES and Mrs. Scheurich replied that we haven’t gotten to that point but it doesn’t mean that we won’t or can’t fine them. Mr. Culp stated that she would have to talk to Attorney Sammons about that.

4. Regarding Mr. Walker’s concern (Good Neighbor policy), Mr. Culp stated that it’s his understanding that in Benton County, some neighbors to developments receive $1,500.00. He’s also heard someone during this meeting mention $1,000.00. However, some neighbors do not receive payments. He thinks that Jasper County should require the wind companies to pay neighbors that want to be paid.

Mr. Culp stated that the property owners are in control. If the wind companies are unable to get the base number of acres signed up, they will not build here. He stated that RES has been here for going on four years. They still don’t have twenty thousand acres signed up and he’s unsure if they are even still in the county. He stated that his family has not and will not sign any of their acres up and he knows of several other neighbors that are not signing up.

5. Foundation depth? Water? What the hole is filled with? Safety manual? Decommissioning? Mr. Culp asked Mr. Thornton from EDP to address these questions. Mr. Thornton stated that the depth of the foundation is typically ten feet and it typically takes six hundred and sixty to seven hundred cubic feet of concrete for a spread out foundation. When soft soils are determined to exist, geo piers may be recommended to be installed; however, geo piers are very expensive and very laborious. He stated that the safety manual is proprietary information and is owned by the wind turbine vendors and would have to come from them. He stated that there are no permanent safety setbacks that EDP is aware of. He said that there are likely emergency procedures that are recommended. Mr. Culp asked Mr. Thornton if he’s ever received or seen a safety manual and he replied that he has not personally. Mr. Culp then asked if EDP is erecting the turbines. Mr. Thornton replied that they have. Mr. Culp then asked Mr. Thornton if he’s familiar with what’s in the manual and stated that the Commissioners have asked many different entities multiple times for that information to no avail. Mr. Thornton recommended that the Commissioners talk to the turbine vendors. Mr. Molenaar asked Mr. Thornton if the public can get the contact information for the turbine vendors from him and he replied “Yes”. Mr. Thornton stated that, regarding crossing pipelines, they have to obtain permission from the pipeline company. An agreement would then be signed. Regarding decommissioning, Mr. Thornton stated that, in Benton County, they were required to have a third party engineer determine the decommissioning costs of the wind farm and then required to purchase a bond for that amount to be drawn upon when the farm is no longer operable. EDP is obligated at their expense (through bonds) to take down all facilities up to four feet underground to return the ground to normal condition for the farmer. Mr. Culp stated that there was also mention of bonds for road damage. Mr. Thornton replied that that’s normal. Typically what’s entered in to with other counties is a road use agreement, which specifies much more than what’s in the ordinance.
WIND FARM DISCUSSION CONT’D:

Mr. Culp asked what other agreements the wind farm would have with the county and Mr. Thornton replied a Permit to Build, Road Use Agreement, Economic Development Agreement, Drainage Crossing Agreement and Decommissioning Agreement.

Mr. Culp stated that they talked to the Benton County Commissioners who have the same statement in their ordinance that they put in Jasper County’s regarding public and private drain tile. It states that, for the life of the project, the wind farm company is responsible for any damage. He said that there’s state statute that dictates how a maintenance fund works. They considered a maintenance fund where all the acres within a development are assessed a fee and the wind developer would pay that assessment. The only downside to the maintenance fund is that it goes through the county’s claims process and takes the county surveyor’s time. A maintenance fund is still a possibility, but he’s spoken with people in other counties and this is what works well for them. Mr. Thornton stated that they do everything they can to request maps from landowners so they are aware of where the drain tiles are and they site the facilities in a way that aligns with the way drain tiles are installed to prevent future impacts. They can also re-route the drain around the foundation of the turbine to ensure drainage continues and water doesn’t get in to the foundation.

Hunter Armstrong with NexTerra Energy stated that their vendor has approved release of tech specs that addresses safety concerns.

6. CAFO setbacks – Mr. Culp stated that they’ve asked the CAFO owners if they could provide us with documentation or research that shows that turbines are detrimental to animals and they were unable to.

7. Mr. Culp stated that he is insulted that a comment was made that it seems the Commissioners don’t think Hanging Grove Township matters as he is also a property owner in Hanging Grove Township. His grandparents also live in that township as well as many people in the audience. He stated that Hanging Grove is the lowest populated township in the county and when he said that, he didn’t mean anything other than to provide information on population.

8. Financial benefit to the county – Mr. Culp stated that Benton County has given the Commissioners their financial information and they have received some financial information from vendors as well as possible assessed value change. He stated that Mr. Thornton has talked about a PILOT. All of these things would have to be negotiated, but would be a benefit to the county. He stated that it was asked if the Commissioners are benefiting personally and he stated that he also takes offense to that and hopes that people have a good understanding of who he is and what his morals are. He hopes that it wasn’t insinuated that the Commissioners are accepting bribes because the honest answer is no and he does not appreciate being accused of that. He stated that the three Commissioners are elected to represent the entire county. He said that their personal opinions do not matter; but their opinions representing the county do matter. He stated that he personally has voted against things that he’s supported.

9. The statement regarding the map and caring more about the birds than the people. Mr. Culp explained that thirty percent of the population lives in Keener Township. They are not allowing turbines where the majority of the population is.

Mr. Culp stated that he believes that concludes addressing all of the questions that were asked. He asked if there was anyone that would like to speak a second time.

Mr. Molenaar stated that, through research, he found that the World Health Organization says that noise should not be higher than forty decibels inside a home. Mr. Thornton stated that he believes fifty decibels is meant to be outside the home, not inside.
REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS
JANUARY 7, 2019

WIND FARM DISCUSSION CONT’D:

Mr. Molenaar continued, stating that a 4.2 megawatt, which is what RES was proposing to build in Jasper County was one hundred and four decibels at their hub height. He stated that the World Health Organization is a good source of information and that fifty decibels is high, regardless if it is inside a home or outside on someone’s property. Regarding the shadow flicker, thirty hours per year is five minutes per day. When the sun is low in the sky, he believes five minutes will be exceeded exponentially. He also asked how that will be kept track of. He asked if the turbine will be taken down if the flicker exceeds thirty hours per year. He stated that he also found, through research, that France and Germany require one mile setbacks from houses.

Mr. Moore explained how he interpreted Mr. Walker’s statements and stated that he feels that shadow flicker should be zero.

Mr. Ty Walker stated that all the concrete should be removed when a turbine is taken down. Mr. Armstrong from NextEra replied that it depends on what the agreement states; however, normally three or four feet of concrete is removed, along with the top pad. He stated that the concrete is the same type that would be used for a foundation of a home. Mr. Walker then asked why they would not be obligated to remove all of the concrete. Mr. Armstrong stated that it would have to be something that would be discussed with each individual signor. Mr. Walker said that it should be for every turbine, not something that is negotiated with landowner. Mr. Culp stated that it would be really difficult to take four or five feet of concrete out of a hole and concerned landowners shouldn’t sign their farm up. He said that is not a concern as a county and is more of a landowner responsibility.

Mr. Green stated that, according to Mr. Thornton, there’s been some studies done in Benton County on the value of decommissioning. He asked what the final price was. Mr. Thornton replied that it was just over three million dollars for sixty one towers, which includes removal of four feet of concrete from the top of the ground down. He explained that there’s a tremendous amount of scrap value in the turbines. Mr. Green stated that he’s seen estimates from one half to one million dollars per turbine. Mr. Maxwell stated that every five years the value will change so it will have to be re-estimated.

Mr. Moore stated that he doesn’t think it can ever be restored back to what it was. When he was a young teenager over sixty years ago, two pipelines were installed through his property and they still have issues. Also, from what he understands, the turbines change ownership multiple times and he asked what would stop one of the companies from just walking away. Mr. Thornton replied that each project is it’s own LLC; however, the LLC can have it’s own investors. Mr. Molenaar stated that LLC stands for Limited Liability Company and an LLC can file bankruptcy.

Ms. Kathy Miller asked Mr. Culp if the wind companies have ever taken a turbine down. Mr. Armstrong replied that NextEra has taken some down in California, but he does not have personal experience with it. He stated that he could do some research on it and get back to the Commissioners. Mr. Thornton replied that EDP has not taken any down. Mr. Molenaar stated that he spoke with someone that has seen one come down in Illinois. They cut in to the side of the turbine and let it collapse. They then have numerous, numerous workers with five gallon buckets that walk in grids and pick up as much plastic and carbon fibers as they can.

Mr. Culp stated that, for the decommissioning, whether it changes ownership or not, the county will be the holder of the bonds. If the wind farm walks away from the project, the dollars are still there, although the county may have to coordinate the decommissioning. Also, he explained that there are a lot of safeguards and checks and balances to this process. There are six different county entities that have to vote to approve a wind farm coming to the county before it ever gets a permit from Mrs. Scheurich’s office, which are the Commissioners, the Drainage Board, the Board of Zoning Appeals, the Plan Commission, the Airport Authority and the County Council (for tax abatement).

Mr. Culp asked Mr. Maxwell to discuss the southern part of the county and the wind farm there.
Mr. Maxwell stated that the wind company has been shown the most interest from landowners in the southern part of the county that want windmills. He stated that the windmills will be south of County Road 1200 South. Interstate 65 will be the east boundary and County Line will be the west boundary. It will be in Carpenter and Jordan Townships. There will be no other wind development allowed until that project is completed and up and running for a couple years. Mr. Molenaar asked if the Commissioners are confident that that’s where the first farm will be and if those acres are in place. Mr. Walstra replied that that is where the interest is and Mr. Maxwell replied that that’s where it’s proposed and he will not let it go any further north than that. Mr. Culp asked Mr. Thornton if they have acreage under contract and Mr. Thornton replied that Mr. Hageman stated earlier that he represents fifteen thousand acres, which encompasses a large portion of what they would need; however, not all fifteen thousand acres are under contract today.

Mr. Hathaway asked a question about the circles on the map representing homes. Mrs. Scheurich replied that the circles represent buildings, not just dwellings. Mr. Molenaar asked what the setback is to a building and Mr. Culp replied that it’s one and one half times the tip height to a building. He added that that is assuming the surrounding landowners are non-participating. If they choose, they may waive the setback.

Mr. Mike Ratcliff stated that he lives on State Road 14. He said he’s attend meetings in the past for other topics and has always been puzzled by the fact that what the people of the county want has nothing to do with what ends up taking place. He said there are so many people in the county saying they don’t want turbines and asked why turbines are even being considered if the consensus of the members of the county are that they don’t want turbines.

Mr. Culp stated that Mr. Walstra represents Keener and West Walker. He asked for a show of hands of who was present from those townships. There was no one that raised their hand. He stated that he represents Wheatfield, East Walker and Kankakee. He asked for a show of hands from those townships. He counted three people. He said that he challenges the assertion that the entire county was being represented at the meeting. He stated that everyone is invited to a meeting on January 23rd at the Fase Center to hear a presentation by NIPSCO. He said that NIPSCO has really backed the county in to a corner. He thinks any future development in the county will face opposition because it’s going to affect someone. He said he wishes NIPSCO wasn’t closing; however, we do know about coal and the emittance in the atmosphere. He wonders how the people that live near NIPSCO feel about having a coal plant in their back yard. He stated that he had a methanol plant built two miles from his house. We all have change affecting us The Commissioners’ challenge is that they have to look at the whole county. He explained that there is a developer that wants to come in and landowners that want turbines. He is aware that not everyone wants them. He stated that there are some present at the meeting that own property in White or Benton County that own property that have turbines on them. He said it’s a different scenario in the southern part of the county than it is in the central part of the county. He said that their challenge is to figure out how to allow them to go where there is more tolerance for them and not less tolerance.

Mr. Culp briefly mentioned language that talks about the red flashing lights being shut off for safety reasons if the FAA allows. Mr. Walstra stated that it would be where the planes could turn the lights down automatically but the technology has not been accepted yet by the FAA. He stated that he lived one and one half miles from Interstate 65 for forty one years. There’s thirty two miles of I-65 that passes through Jasper County that’s created a lot of opportunity for a lot of people. He’s sure that people that live within one mile of I-65 deal with more than forty decibels. Being one and one half miles from it, he could hear the traffic thirty percent of the time when he was inside his house. He said that everyone has annoyances that they have to deal with and the Commissioners have to look at the county as a whole. He said if they don’t create four or five hundred million dollars of worth of taxable entities, there will be thousands of people mad because of a fifty percent tax increase on the north end and twenty percent on the whole county. He welcomed anyone’s ideas on how the county can come up with five hundred million dollars of investment. He stated that he agrees with Mr. Culp that the whole county was not being represented at the meeting.
REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS
JANUARY 7, 2019

WIND FARM DISCUSSION CONT’D:

Mr. Standish stated that DeMotte is exempt so the people from DeMotte would have no reason to be at the meeting as they are exempt. Mr. Culp and Mr. Maxwell stated that the map was not made public until today. He replied that that’s not really a fair statement because it’s never been talked about for the north end. He then stated that the setbacks are from the foundation of a dwelling but they should be from the property line. He doesn’t see how an ordinance can be passed based on a setback to a foundation because that is property rights infringement.

Mr. Steve Thomas expressed concern for his shallow well and is worried that it could be contaminated. He stated that he’s a small property owner and has no control over what happens around him. Mr. Thornton replied that, prior to construction, they do a geotech investigation on the soil.

Mr. Culp asked if there was anyone from Jordan Township that could speak on the depth of their well. Mr. Kenny Waibel stated that his well is sixty feet. Mr. Waibel asked why the line was drawn at County Road 1200 South. Mr. Maxwell replied that there’s not much room between that and the airport.

Mr. Tom Moore asked if the wind farms would be considered for tax abatement. He stated that it seems the county has always been really generous when giving abatements. Mr. Culp replied that that would be the County Council’s decision. He mentioned that there’s also a PILOT program, which means a payment in lieu of taxes. Mr. Molenar stated that there would be no reason to give the wind companies an abatement as they are the ones that want to be here. Mrs. Molenar stated that she’s done some research on abatements and the property must be in an ERA, which is an Economic Redevelopment Area, to qualify for a tax abatement. To be considered a redevelopment area, the land must be obsolete or need improvements, etc. She does not believe that applies to farm ground.

Mr. Culp thanked everyone for their comments and questions. He explained that, if the ordinance is passed by the Commissioners, it goes back to the Plan Commission and they have forty five days to react. If the Plan Commission does not act within the forty five days, what the Commissioners send to them becomes ordinance. Attorney Beaver added that, if the Plan Commission does not accept what the Commissioners send them, then it would come back to the Commissioners for a re-vote. The Commissioners can reaffirm what was sent to the Plan Commission or kill it.

Discussion took place amongst the Commissioners, Attorney Beaver and Mrs. Scheurich while the audience talked amongst themselves.

Mr. Culp called the meeting to order. He asked Mr. Walstra and Mr. Maxwell if there is a motion to present. Mr. Maxwell stated that there are a few changes to make to the proposed ordinance. He made a motion to limit the height of a turbine to five hundred and seventy five feet, change the word “developer” throughout the ordinance to “turbine owner”, lower the decibels from fifty to forty five and change “area plan” to “advisory plan”. Mr. Walstra seconded and the motion carried.

Mr. Culp stated that this will now be sent back to the Plan Commission for consideration. The Plan Commission has forty five days to act. Their action will then come back to the Commissioners. The Plan Commission can vote a positive recommendation or a negative recommendation; however, they cannot make changes, but they can start a whole new process. Attorney Beaver further explained that the Plan Commission will report back to the Commissioners what their action is. If the Plan Commission votes no, the Board of Commissioners has to re-vote on what they sent to the Plan Commission. If the Plan Commission votes yes, it becomes law. If the Commissioners do not vote or vote no, the proposal dies. Mr. Walker stated that, in other words, if the Plan Commission votes no, the Commissioners will push through what they choose. Attorney Beaver responded that the Plan Commission is an advisory commission. Mr. Culp explained that that was why they changed area plan to advisory plan.

Mrs. Molenar asked if they are going to leave the setbacks even though they have not seen a safety manual. Mr. Culp asked Mrs. Scheurich to address the question.
REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS
JANUARY 7, 2019

WIND FARM DISCUSSION CONT’D:

Mrs. Scheurich stated that a special exception has five points an applicant has to prove and one of them is the health, safety and general welfare of the community, or surrounding area. Mr. Culp stated that the dilemma is, do they really want to wait for a safety manual. If they wait, the odds are great that this process would have to be started over again. He said that, if they don’t get anything passed, the county is still under the previous ordinance, which is less restrictive. If someone were to come in with an application in the meantime, it would fall under the Board of Zoning Appeals under that criteria and then hopefully the Commissioners can get the manual. Mr. Molenaar asked if they would allow construction before receiving the manual and Mr. Culp replied that they would not. He said that there are six entities that have to approve a project, so that is the safeguard. Mr. Walker suggested that the Commissioners get third party validation that the safety manual is factual as he suspects the wind companies will give the Commissioners what they want them to hear. Mr. Culp stated that that is a good point. He asked Mr. Thornton when construction would begin if a development goes through in Carpenter Township with his company. Mr. Thornton replied that it would be 2021. Mr. Molenaar asked Mr. Thornton what the top three turbine manufacturers are that they choose from. He asked if they use Vesta and Mr. Thornton replied “yeah”.

Mr. Culp stated that there is a Drainage Board meeting at 1:30. This meeting now stands in recess.
GIS REQUEST: Mr. Shanks stated that he has a GIS request from Orion Renewable Energy Group out of California. He said they developed windmills in Benton County and also did a solar project in Troy, Indiana. He showed the Commissioners the layers that they are requesting. The charge would be $750.00 for the whole county. Auditor Grow stated that this request would be for a solar project in Kankakee Township as they were at the last Council meeting to begin discussion for that project. Mr. Shanks stated that Orion also asked for flood boundaries. Mr. Shanks showed the Commissioners the new flood map that he received from the DNR last week. Mr. Maxwell pointed out that it has almost doubled from the previous map. Mr. Culp asked if the new map was adopted with the new ordinance. Mr. Walstra stated that he thought it was just the ordinance. Mrs. Porter replied that there was nothing done with the map. Mr. Shanks stated that the elevations did not change, they just included more area in the flood zone. Mr. Shanks asked permission to put the new flood map on beacon and Mr. Culp informed him to check with Mrs. Scheurich. He stated that the DNR informed him that this is the newest flood map they have. Mr. Maxwell made a motion to approve the Orion request with the $750.00 charge. Mr. Walstra seconded and the motion carried.

HOLIDAY SCHEDULE: Ms. Ackerman was present and stated that ninety nine percent of the Highway Department is upset about having to work on Christmas Eve and having the day after Christmas off. She said they would prefer Christmas Eve and Christmas Day off, like it’s been for years. She said she’s going to have guys requesting off and although she sees the purpose of wanting a long weekend, those wanting a long weekend should use a vacation or personal day. She said that she doesn’t believe the Highway Department are the only ones upset with it. Mrs. Porter stated that there were many years that Christmas Eve was not a holiday. Auditor Grow stated that she’s checked the Handbook and it does not state that Christmas Eve is a holiday. Mr. Culp asked if the handbook states the number of days and she responded that it does not. Mr. Culp stated that on non-election years, there are thirteen holidays and on election years, there are fifteen holidays. He stated that Thanksgiving and Christmas are two days each. Auditor Grow stated that Attorney Beaver previously presented an ordinance to the Commissioners to declare the holiday days and there was no action taken. She showed the Commissioners what is in the handbook regarding holidays. Ms. Ackerman stated that, years ago before Auditor Grow and Mrs. Porter worked here, county employees got Lincoln’s birthday and Washington’s birthday off. A survey was done at that time and the county employees traded those two days for President’s Day and Christmas Eve. Auditor Grow stated that there have been years since she’s been here that Christmas Eve was not a holiday. Mr. Walstra stated that, for 2019, there’s a one day gap either way, although he assumes most people would want Christmas Eve off. Mr. Culp suggested there be a survey done. Mr. Maxwell and Mr. Walstra agreed. Auditor Grow stated that she will send out a form that everyone has to select their preference and sign. A due date will need to be set.

PNC BANK BUILDING RENOVATIONS: Mr. Maxwell stated that he received a bid from Titan Construction for installing an elevator in the stairwell and remodeling the restrooms. The amount was $203,000.00 including sales tax; however, the sales tax will be subtracted off. This bid is good until January 28th. There was discussion regarding the elevator installation and the restroom remodeling. There was also discussion regarding an additional restroom for probation. Mr. Walstra stated that Mr. Andree received the bid from Hamstra’s; however, there was no price on it. Mr. Walstra estimates their bid will be twice what Titan’s is based on what they propose. Mr. Walstra asked if they have an obligation to put this out for bids. Mr. Haberlin stated that anything over $175,000.00 has to be advertised; however, they’ve hired for roads to be paved before that were more than $175,000.00. There was discussion about needing detailed specs before requesting bids. Mr. Culp called Attorney Beaver to ask what the threshold is for requesting bids. There was a brief discussion regarding how much money is in the budget for renovations. Auditor Grow stated that there is $350,000.00.

MILEAGE / COUNTY CARS: Mr. Culp asked Auditor Grow if mileage is a handbook issue and she replied that it’s not. Mr. Walstra asked if it’s a hassle to have the cars and Auditor Grow replied that her office takes care of scheduling as well as scheduling maintenance and taking the vehicles to the shop. Mr. Maxwell asked what the cost was for servicing them for 2018. Auditor Grow replied that she can run a report as Auto Works does most of the work on the cars.
PNC BANK BUILDING RENOVATIONS CONT’D: Attorney Beaver replied to Mr. Culp and informed him that if the project is under $150,000.00, the County should invite quotes from three vendors. If the project is $150,000.00 or higher, the County must request bids.

MILEAGE / COUNTY CARS CONT’D: Auditor Grow stated that the federal rate is $0.545 and the state rate is $0.44. The Health Department also has a vehicle and they take care of their own scheduling. They do contact the Auditor’s Office if the vehicle needs servicing. There was discussion regarding how mileage should be handled.

Mr. Maxwell made a motion to set the mileage rate at $0.44 per mile for out of county travel. The county car must be used for in county business, if available. If an employee wishes to use a county car for out of county business, they are able to do that, if one is available. Mr. Walstra seconded and the motion carried. Auditor Grow added that, if it’s in county and a county car is not available, mileage will be paid. Mr. Culp stated that carpooling is requested.

HANDBOOK COMMITTEE MEETING: Auditor Grow told Mr. Culp that she will need to speak with him regarding an agenda for the Handbook Committee meeting. The meeting will be held on the January 22nd at 8:30.

MAINTENANCE COMMITTEE: There was a brief discussion regarding setting up a maintenance committee, along with a small budget to take care of minor repairs.

There being no further business, this meeting is continued to January 22nd at 8:00, if needed and now stands in recess.

Kendell Culp, President

James A. Walstra, Vice President

Richard E. Maxwell, Member

Kimberly K. Grow, Auditor of Jasper County