

REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS SEPTEMBER 8, 2015

The Rush County Board of Commissioners met in regular session Monday, September 8, 2015 with Commissioners Bruce Levi, Mark Bacon, Paul Wilkinson, Mary Ann Beard Auditor and Attorney Leigh Morning in attendance.

Commissioner Bruce Levi called the meeting to order and led the Pledge of Allegiance.

Minutes of the August 24th meeting were approved on a motion Mark Bacon. Paul Wilkinson seconded the motion. Motion carried.

Minutes of the Executive Session of September 4th were approved on a motion by Paul Wilkinson and seconded by Mark Bacon. Motion carried.

Auditor Mary Ann Beard found an omission in the minutes of August 10th. Beard asked that the insertion of, "VSO grant for reimbursement of a computer purchased by the Veterans Service Officer, was signed on a motion by Paul Wilkinson and seconded by Mark Bacon". Mr. Bacon moved to allow the statement. Mr. Wilkinson seconded the motion. Motion carried

VACATED ALLEY

Gary and Vicki Weitzel requested the closure of an alley between two parcels that they own located at 9422 and 9438 W. Pearl Street in Manilla. Mrs. Weitzel was instructed to submit the request in writing and the Commissioner will set the date for a public hearing.

AUDITOR

- Bi-weekly claims were approved with Mark Bacon initiating the motion and Paul Wilkinson offering a second. Motion carried.
- Payroll claims were submitted. Paul Wilkinson moved to approve the payroll. Mark Bacon seconded the motion. Motion carried.

COURTHOUSE ANNEX

Frank Denzler inquired if the request for a lease of a portion of the Courthouse Annex for a baseball practice facility was being considered. Denzler stated that the name of the business is "Line Drives" and would have no set hours at this time. The Commissioners agreed to an amount of \$200 plus utilities per month. Attorney Morning will draw up the lease. Paul moved to approve a temporary agreement to allow Denzler to move equipment into the building. Mark Bacon seconded the motion. Motion carried.

Commissioner Wilkinson reported that the renewal of the lease agreements with the Rushville Republican, Ivy Tech, and CASA are currently under negotiations. Action on the leases were tabled to a later date.

STAFF VACANCIES

Recently the county council voted to eliminate the procedure of requiring their permission to fill a vacancy in an office when that position is already budgeted. Paul Wilkinson moved to follow the lead, subject to the Rush County personnel policy page 16 paragraph 3.3. Mark Bacon seconded the motion. Motion carried.

SURETY BONDS

Commissioner Bacon moved to sign surety bonds for Peggy Stout, Traci Chandler, Susan Spaeth, and Ashley Stevens. Paul Wilkinson seconded the motion. Motion carried.

CONFERENCE

Notice has been received that the Indiana Association of Indiana Commissioners annual conference will be held in Indianapolis on December 1st-3rd. Registration opens September 8th.

SOLAR ENERGY

The Commissioners received a request from Coldwell Banker Commercial Realty service representing a client that is interested in the potential development of a solar farm on county owned property. It was noted that other Rush County land owners have also received this inquiry. Attorney Morning was asked to obtain additional information.

EXTENSION OFFICE

Kristi Amos reported that the Extension Office has a full array of Fall Activities including a nutrition program in the schools, a high school leadership program and a field day being planned by Ag Agent Will Schakel.

CHAMBER OF COMMERCE

Chamber of Commerce Director Sandy Fussner announced a Job Fair slated for September 26th at the RSE Building at the fairgrounds. The event is opened to Veterans from 9:00a.m.to 9:30a.m., and to other participants from 9:30a.m.to 2:00p.m.

EMA

EMA director Chuck Kemker presented an award letter notifying the county that an EMPG reimbursement grant in the amount of \$5,111 has been awarded to Rush County. Kemker stated that the funds will be used to update weather station incident command boards and to replace the EMA director's VHF radio.

ELECTION

There will be no fall election for the City of Rushville, but there will be an election in the Town of Carthage. In accordance with the Rush County Personnel Policy page 28 paragraph 4.3, the Courthouse will be closed on Election Day.

A resident in attendance asked if a referendum could not be done this year. The County Attorney explained the referendums are only used by units of government that require the commitment of property taxes.

SHERIFF

Sheriff Jim Cowan reported there are 43 inmates currently housed at the jail. Problems continue to plague the Dodge Charger cruiser requiring the replacement of the fuel pump. Officers responded to one fatality, 2 heroin overdoses, and 28.2 grams of meth was confiscated in a traffic stop.

The Sheriff submitted a new proposal from Motorola for the replacement of three 911 dispatch consoles. The contract will be reviewed by the County Attorney and revisited the next meeting.

A jail seminar will be conducted on October 14th. New legislation requires the Sheriff to enroll inmates that have remained in the jail population for more than 30 days in the Medicaid program.

The Bureau of Justice Assistance has awarded Rush County a matching grant of \$6,250 for the purchase of bulletproof vests.

Carthage EMS is not responding to emergency calls during the day. Carthage is training 4 new volunteers. In the meantime, Raleigh Volunteer Fire Department will be dual dispatched with Carthage.

A petition to vacate a city alley south of the present jail and west of the sheriff's garage was signed on a motion by Mark Bacon and seconded by Paul Wilkinson. Motion carried. The alleys are needed to insure adequate space to construct a new jail.

HIGHWAY

Superintendent Jerry Sitton stated that the repair to 5th Street in Carthage would need to be hand patched and chip & sealed at this time. Hot mix would be applied next summer. Bill Davis member of the Carthage Town Board shared that there is a Town board meeting in Carthage on September 14th at 6:00p.m. Josh Douglass of the Carthage Street Department asked that repair begin at Main Street and end at the city limit for a total of 2,184 feet and that manhole covers be located before treating the surface.

BZA COMPLAINT

Tom Monka issued a complaint that during the last BZA meeting. Members of the BZA revisited the issues of the July meeting to revive agreements of the setbacks. Monka stated that he was told he could not discuss information about the windfarms with the BZA, so how could they revisit the issue and why was the public not allowed to speak? Leigh Morning told Mr. Monka that there are state codes for the Open Door Policy and he should contact the Public Access Councilor. Commissioner Levi stated changes are coming to the APC after the 1st of the year. The City and County are working on a combined APC council. Monka noted that changes are needed in the zoning ordinance.

Attorney Leigh Morning was dismissed to attend a scheduled court hearing.

FLAT ROCK WIND FARMS

A great deal of dialogue ensued regarding the Flat Rock Wind project proposed by APEX Clean Energy.

-John Saxon-There have been several meetings with a packed house. This project has created a political nightmare. This is a republican plot hiring Mike Dora as an APEX representative with the Commissioners all being republicans.

-Bruce Levi-I received an e-mail from Renee Adams that allowed me to sleep for the first time in a long time. I am not ready to vote on this issue.

-Paul Wilkinson-I know the will of the people of my district but I represent the entire county. I need to reflect the will of the county, but I must respect property rights.

-Mark Bacon-I do not get direction from the Republican Party and I don't care if Dora is the Chairman of the Republican Party.

*Paul Wilkinson made the motion to disband the development of the Flat Rock wind farm of Rush County with the County's involvement to stop.

-Brian Campbell- can a vote be made without the attorney present? Let's bring the community back together. Put this behind us and move forward no matter the vote. We will survive if we work together.

-Mark Bacon-I have been accused of being for wind farms. I want to be on the record that I don't like accusations and threats. I am still gathering facts of financial feasibility for the county. People didn't like the installment of electricity or school consolidation. Rush County does not like change. People vote for people to do the best job. We must consider the financing of the new jail. I will not second the motion.

-Paul-The will of the people is that they do not want wind turbines in their area. Do not let your involvement in the political process end here. Continue the input of new ordinances if possible.

*Mr. Wilkinson moved to rescind the motion on the table. Mr. Bacon seconded his motion. Motion carried.

-Rob Probes, APEX Energy stated that the final agreements have not been seen.

-Michael Dora-Have I spoken to any of you (Commissioners) since I took the position? The Commissioners responded "No".

-Hank Campbell, Sr.-You need to share the view of the landowners. People are against it. Industrial Wind Farms prey on counties with weak ordinances and are in need of money. We are not desperate. We are a strong, proud community. Ban wind turbines. Call for a vote to cease and desist. Ban all wind turbines in Rush County.

-Bruce Levi-I do have concerns with wind farms and have shared those concerns.

-Michele Sprinkle, CPA-I have learned so much about wind energy conversion systems. I think it is a positive move that the county hired Darren Bates as a financial advisor.

-Bruce Levi-Asked Michele Sprinkle to review the numbers of the Umbaugh financial report.

- Rob Probes-Rush County was selected for its good wind sources, owners were willing to contract, and the connection to the grid. We look to see if county ordinances would work for the project. We do not look at the economics of the county. Opposition under minds property rights.
- Joseph Trent-Procedures were not followed in the installation of two MET towers.
- Victoria Foley-Remember APEX sued the county.
- Tom Grenisen-I have respect for farmers. Respect for property rights are for 60 people yet these wind turbines will always be in my back yard.
- Jeanie Trebley-Why would you do business with someone that is suing you?
- Tom Monka-The MET tower is in the wrong position but APEX can just reapply.
- Rob Probes-The MET towers meet the requirements of the ordinance. The farmer asked that the tower be moved. This doesn't comply with application but APEX has reapplied.
- Tierney Hall-If there is a lease agreement, why do they have complete control of the property?
- Brian Campbell- I attended a Chamber meeting and learned that the production tax credit ended in 2014 but a production credit project can apply through 2016. How can we do business with someone we don't trust?
- Ann Redick-Why is the county paying for the retention pond north of town? I know we have to have growth and development. How can neighbors give property rights to a third party?
- Robin Warner-You do not have all the facts. Stand firm, get the facts, and make a decision.
- Hank Campbell-How can you get all the facts? There is no comparison to the introduction to electricity. We do not fear the unknown. Cut the head of the snake right now.
- John Saxon-Bruce, we have your back. Make the decision now.
- Michele Sprinkle-You need an exception to have a home based business. Is this a home based business?
- Paul Wilkinson-Point of order. I will not support the Flat Rock Wind Farm and would like the Commissioners to join me.

A twelve minute recess was granted on the action of Mark Bacon with Paul Wilkinson seconding the motion.

Commissioner Levi reconvened the meeting.

*Paul Wilkinson-I make the motion to cease and desist all negotiations with APEX Wind Energy on the Flat Rock Wind and reject the project.

*Mark Bacon-I second the motion.

*Bruce Levi-All in favor signify by saying "Aye". There were three "Ayes", Paul Wilkinson, Mark Bacon, and Bruce Levi. Motion carried.

COURTHOUSE ELEVATOR

Jerry Sitton sent four requests for quotes for service of the Courthouse elevator. Three quotes were returned. ThyssenKrupp, Able, and Otis submitted a quote. Sitton recommended ThyssenKrupp at an amount of \$350 per month which includes a monthly fire safety test and two five year load tests. Mark Bacon moved to sign the contract with ThyssenKrupp for elevator service. Paul Wilkinson seconded the motion. Motion carried.

- EMS monthly report was submitted by Raleigh Volunteer Fire Department.

Mark Bacon moved to adjourn. Paul Wilkinson seconded the motion. Motion carried.

/s/ Bruce Levi
Bruce Levi, Chairman

/s/ Mark Bacon
Mark Bacon

/s/ Paul Wilkinson
Paul Wilkinson

ATTEST:

/s/ Mary Ann Beard
Mary Ann Beard, Auditor