

## COMMISSIONER MEETING

Monday, October 16, 2017

**Meeting called to** at 6:00 p.m. with Pledge to the Flag. Present: Bryan Lewis, Rick Ranstead, Steve Metzger, Attorney Greg Heller and Auditor Christina Sriver.

**COUNCIL ON AGING** – Georgia Moudy presented the 2018 Operating Assistance Grant for approval. Commissioners approved and signed.

**FORD DRIVE** – Chris Grogg stated that Ford Drive is not currently taken care of by the County Highway Department and requested that they begin maintaining it. Commissioners explained that it was never accepted in into inventory because it has not been brought up to County standards and referred her to the Highway Department for a list of requirements. Gail Karas (E-911 Director) let her know that she will put an alert on the map for Ford Drive. John Geier (Highway Department Supervisor) offered to discuss the issue to the land owner if necessary.

**TREASURER** – Kathy Easterday stated that Invoice Cloud has agreed to release the (credit card) contract as of December 31st and asked permission to enter contract with Forte beginning January 1. Rick motioned to approve, Steve seconded; passed 3-0. She requests permission to allow a part-time employee to carryover 5 days of vacation. Steve motioned to approve, Rick seconded; passed 3-0.

**E-911/COMMUNICATIONS** – Gail stated that the Spillman kickoff took place the first week of October. A few of her employees have earned Lifesaver pins. The EMS Director has been replaced recently.

**SHERIFF** – Chris Sailors reviewed the September reports. Inmate population as of this morning was 105. Josh is working on finishing up working with the camera company on the camera system issues. The convenience fee that credit card companies want to charge are high, he is looking into the same company that the Clerk's office uses. Currently the department accepts cash, money order or certified checks. A handgun training class will take place this Saturday with a full class of 16. He anticipates continuing the class next year also. The vehicle that he is working on ordering won't be available until after the first of the year. He is looking at replacing a couple of vehicles in 2018. He and other members of the community, including faith-based members and the Chamber of Commerce, have been speaking about addiction and mental health issues and have started a program called Celebrate Recovery that will be run by a local pastor to educate inmates on drug use before release. He is working on getting a grant to help fund the program and he could use the Commissary Fund also. He would like to have the program running before the first of the year. He had a part-time secretary resign last week and asks for permission to replace the position; Commissioners approve.

**ROAD SIGN REQUEST** – Nicki Wilson, Zellers Woods's resident, represents 23 households in the addition that requests speed limits in the addition as well as on 100. She is requesting the speed limit to be 15-m.p.h. on both roads and requests *Children At Play* signs within 100 yards west and east of the property lines on the edge of the subdivision. They also have increased traffic due to drivers taking a shortcut to Highway 14. Commissioners stated that a study has to be done before they can address the speed limit.

The Sheriff and the Highway Superintendent will get together to prepare the required study. The county cannot put up *Children At Play* signs. Restricted traffic was also requested. Commissioners stated that they can't restrict who can drive on the roads that the taxes pay for.

**HIGHWAY** – John Geier discussed ongoing activities including mowing, changing culvers, paved the Recycle Center and the Aubbeenaubbee Township Fire Department, cleaning out clogged pipes at Indiana Avenue, the dump bed on one truck and stone chipper have been sandblasted and repainted, and Park Street and Zebra Lane have been begun. INDOT is running a call for Rural Projects, bridges #50 and #32 would each qualify; it is a 20% local match grant. The bridges wouldn't be worked on until 2022. USI offered to do the scoping study for \$2,000 each bridge. Rick motioned to enter into the agreement with USI to do the scoping study for bridges #50 and #32 for \$4,000, Steve seconded; passed 3-0. John asked Commissioners for permission to inject more high-density foam at the bride on Old 31 for \$3,100 to help the bump further; approved by Commissioners. He has gotten estimates for the Community Crossings grant work and presented to contract to the Commissioners from USI and DLZ. He discussed a paving project with money that will not be used for the county portion match to the Community Crossings Grant; Commissioners give approval pending Council approval. Akron would like to sell the county their jet rod machine for \$4,000; Commissioners encourage him to present the request to Council. He is working on getting quotes for employee uniforms. It was decided that November 17<sup>th</sup> will be the meeting date for bid letting. An insurance representative will be in the county on October 30<sup>th</sup> to visit each office to look at safety issues. Greg Heller reviewed the aforementioned proposed contracts and USI's contract was approved.

**MINUTES** – Steve motioned to approve the minutes from the Commissioner's Meeting held on October 2, 2017, Rick seconded; passed 3-0.

**CLAIMS** – Approved as presented.

10-9-17	Credit Card Claims	\$486,641.11
10-12-17	Misc. Claims	\$125.00
10-13-17	Payroll	\$174,051.06
10-16-17	Voided checks reissued	\$639.00
10-16-17	Regular claims	359,181.11

**TRANSFERS** – Approved as presented.

Department	Fund	From Account	To Account	Amount
		Medical & Hospital		\$10,000.00
		Part-time Cook		\$5,400.00
Sheriff	County General	Health Insurance	Prisoner Meals	\$4,600.00
To fund prisoner meals through the end of the year due to overcrowding.				
		Computer Maintenance		
Network Admin	County General	Software	Telephone	\$6,000.00
To pay for county-wide phone service.				
Pros. Attorney	County General	Witness Fees	Trans & Depo	\$183.00

Short funds.

Probation	County General	Dues-\$150 Repair Equipment-\$450	Postage-\$250.00 Gas/Oil-\$350	\$600
To pay the amounts in the Postage and Gas/Oil accounts.				
Health Dept	Health Maint.	Clerk	Board Member	\$500
To cover public hearings and additional reorganization meetings for the board.				
Health Dept	Health Maint.	Postage-\$750 Photo Supply-\$60 Envir. Hth/Rabies-\$400 Photo Copying-\$200	Office Supply	\$1,410.00
To cover office supplies				
Health Dept	Health Maint.	Legal Fees/Exp.-\$970 Hth Care/Pren.-\$100 Comp Data System-\$200 Liability Ins.-\$145 Rebind Books-\$500	Training	\$1,915.00
To cover training for new/additional staff.				

**NEW BUSINESS** – The Auditor requested to have a previous employee rehired; Steve motioned to approve, Rick seconded; passed 3-0. The Auditor also requested to have the probationary period waived. Steve motioned to waive the 8% reduction and probationary period, Rick seconded; passed 3-0.

**OLD BUSINESS** – Bryan stated that the Opera House demo is almost completed. Bryan received a closure letter from IDEM on the old landfill on 450 N. He will ask the neighboring land owner to clear the fence row at the old landfill. Rick announced that the Insurance Committee will meet next Monday to hear the insurance quotes. The floor was opened for discussion on wind turbines.

Lynn Studebaker spoke of concern with the setbacks for nonparticipating adjacent land owners. Nancy Crowe spoke of the Fulton County Property Rights Group she belongs to and is also against the wind farm. Lieutenant Colonel Allen Miller has been in conversation with the flight commander in Fort Wayne concerning the flight pattern for military operating area and the altitude restriction should consider the military air training space. Judy Reed stated that 63% of land owners with acreage in Wayne Township and 40% in Liberty Township do not want wind turbines; the people also want more information. She spoke to the Tipton County Auditor and he gave positive feedback but his office staff gave about a 50/50 estimate of landowners who are in favor of their wind turbines. Joe Waggoner asked how the topic got started; commissioners stated that the original wind ordinance was started 8 years ago and they are trying to make restrictions tighter than they currently are. Kenny Reed suggested 2.5 to be the height-distance ratio instead of 2x the height. Rebecca VanHorn asked when the county was first contacted by the wind farm company (RES); Commissioners stated approximately 3 months prior.

Casi Cowles explained when Area Planning and zoning was established and explained that the wind ordinance was written with the intent to safeguard landowners. There was a question about the intent of a code concerning which elements of wind farms require special exceptions approval and that is what

started the conversations with commissioners concerning setbacks. Allen Miller stated that the area being proposed for the wind farms are too densely populated for the turbines and setbacks that are being proposed. William Allen Jr. stated that the landowners who live north of Marshall County are also opposed to wind turbines not just people on Lake Maxinkuckee. He is concerned with what will happen to the wind turbines in 25-30 years and restrictions to neighboring property owners.

Wayne Hazelby spoke of a contract his family signed a contract with NIPSCO in 1961 and how careless they are when they have to come onto the property.

Rachel Hazelby spoke of the vibration that the blades spinning will cause.

Rhonda Smith questioned why the height of the towers is 600 feet rather than 400 feet. Commissioners answered that she would have to ask the wind company that question. She went on to discuss an article concerning snow and ice throw from the blades.

Russell Crowe questioned if RES would be presenting any information at the meeting that is being planned for the southern part of the county. Commissioners responded that they would like to have people for and against attend the meeting. Brad Lila from RES stated that he would like to attend and present at the meeting.

Kathy Miller questioned how much area the safety retreat zone in their employee manual covered; Brad Lila responded that he has never seen any such area in a personnel manual.

Lynn Studebaker stated that if there is no safety zone then how do they know what would be safe and that the cart is being put before the horse.

A member of the audience pointed out that there are schools that have wind turbines.

Casi stated that they are still in the preliminary stages. The zoning codes are not being looked at for one particular company, but a safeguard for the entire county. She stated that the county did not seek RES,

Steve Ulrich asks if there any setbacks for a non-participant. Casi responded that she doesn't have engineering reports for that. He also asked how GPS and internet with line-to-sight are affected. Casi stated that she has contacted other counties and no complaints have been reported.

Steve Hazelby asked if anyone has applied for a permit and how much they are offering. Commissioners stated that is why Umbaugh has been contracted with the county to explain the economic impact. He relayed what RES proposed to him.

Sarah Craig questioned the size of the base of the windmill. Brad Lila explained that the turbines have not been chosen yet but his best guess is 16 feet. She went on to question what the commissioners will do to ensure the health and safety of the kids who attend Caston Schools. Commissioners stated that they would like scientific proof concerning health issues brought to them if residents have it.

Vicki White owns land in Wayne Township and stated that she has researched health issues. She has found that there is very little data reporting illness due to wind farms from the United States. She has

brought articles with her that states the setback should be 1,850 feet from a hearing point due to sleeplessness and agitation.

Gary Sriver stated that he is interested in the finances that could come from this due to the threat of consolidation to North Miami and Caston schools. Those schools could use the money to do upgrades and stay open. He agrees that the health issues are important issues but without schools it's not an issue at all.

JoAnn Nault from Whitley County discussed what she experienced in her county. She would like commissioners to consider adding to the ordinance that any developer who wants to build in the county should file a notice of intent to keep the taxpayers informed. Also, to require the wind developer to notify every owner of record in the proposed area and two miles outside of the proposed area by certified mail.

Brad Lila (RES) mentioned that the reason that wind mills were created was for health, safety and welfare. He stated that 96% of energy in Michigan is generated from coal. There is a scientific study that wind turbines have had no residual effects. Of the energy that is generated from lights in homes, 70% of people every year die from air pollution. The odds of fire from wind turbines are very low compared to natural gas; the setback from natural gas in the event it catches fire is over a half mile.

Bill Fred stated that the commissioners have had vague answers tonight and the ball is in their court. He questioned property tax rebates. Commissioners stated that this is just the first step of the process there are still four additional packages that have to be addressed. Casi stated that the state law gives commissioners 90 days to act on the recommendation, if they do nothing then the recommendation stands. The company still needs contracts to be signed, then the development plan is reviewed including what model, where they're going, how many, what roads and drainage. Part of what JoAnn Nault suggested (certified mailing) is part of the proposed amendments. After the development plan is approved then they will apply for the permits.

Russ Phillips questioned if the four packages would be addressed simultaneously and if they would have to have separate meeting? Greg stated it would have to be in a public meeting, not necessarily a separate meeting. Russ questioned if there would be any eminent domain to take the power from the turbine over properties. Casi stated that they would have to get an easement and because it is a private company so they would have to get land owners permission. Russ questioned the timeline for approval and commissioners stated that they would like to have the public meeting the first part of November.

Kenny Reed questioned if Liberty and Wayne Township would have a TIF district. Commissioners said that is where the economic impact study will come in handy. Casi stated that a TIF would have limited uses in the rural area.

Rhonda Smith questioned the distance from the towers to each other. It is currently unknown.

Commissioners were questioned if they would be there for the landowners if there are problems. Casi said that there is a process in the code for violations.

Larry Long stated that the money that a wind farm could give to a school district can only be used for Capital expenditures; teacher's salaries won't benefit. Statistics support that the school age population declines when a wind farm moves in.

Angela Slocum questioned if they are a public works project? Greg answered that they are not considered a public works project.

Wayne Hazelby stated that the rain doesn't come out of the west since the wind turbines have been put in in the western part of the state.

Allen Miller stated that the Commissioners could change the Ordinance to add that turbines are not allowed and they could review it again at a later date. public comments don't matter until the ordinance amendments are in place.

David Fred asked if anyone has seen any 600 foot towers. Commissioners stated that there aren't any in the United States. He wondered how the wind company didn't know which model they will be using if they have decided that they will be using a 600 foot turbine, how many that size could there be.

Kathy Wilson asked for clarification on what Casi was referring to with the violations being in the contract? Casi clarified that the violation is covered in the zoning ordinance and spoke to ways the landowner and company are required to find amicable solutions.

Rhonda Smith asked what happens when the wind company sells off to another company. Casi stated that buyer is still bound by the same standards as the original owner.

Joe Waggoner questioned who makes the decision that the wind farm is not wanted. Greg stated that the commissioners could make the setbacks enough that it would eliminate the possibility of wind farms.

Bryan stated that his role is to watch out for the health, safety and welfare of the citizens. He is looking for scientific proof that there are adverse health issues that would cause not to consider the possibility.

Jan Thomas from Wayne Township stated that the need for energy will increase. She spoke of noise from traffic and the unknown present dangers, the need for repair will be there but maintenance can be performed, and there is flicker from the trees and bushes. She encourages people to be broad-minded and move with the times.

William Allen Jr asked what the recourse for starting a petition would be. Greg stated that they can certainly start a position but he doesn't know how much weight the commissioners would give it.

A member of the audience stated that half-mile would be a safe setback for noise and safety.

Russ Phillips suggests that in addition to scientific and peer-reviewed studies Commissioners should consider anecdotal documents and studies. He asked if commissioners would like to receive letters from affected families. Commissioners stated that they would like to have letters from anyone. He continued to question what would make the petition legitimate. Greg stated that verifiable information should be included such as name, address and phone number.

Nick Sommers commented that he travels and drives through a lot of communities that have (turbines) and many of them are not running and questioned why expand if you could run the current turbines

more? What is the right of the homeowner who is not benefiting? He is concerned about his assessed value going down. Families won't want to live in or community with wind farms.

Joann Nault pointed out to Commissioners that they could amend the Ordinance to say large wind energy development is not a permitted use in our county. Also, the responsibility of Commissioners is not to the wind company but to constituents.

Gary Sriver stated that the \$15-20 million need to build a jail needs to come from somewhere, currently the taxes are being considered to pay for it.

Bryan stated that there will be another meeting that will be posted on the website.

**RECESS** – Rick motioned to recess at 9:41 p.m., seconded by Steve; passed 3-0.