

SPECIAL MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS

AUGUST 19,2024

PAGE 465

The Jasper County Commissioners met this date at 8:30 A.M. C.S.T at 910 S. Sparling, Rensselaer, Indiana with the following members present: Rein Bontreger, James Walstra and Jeffrey DeYoung. Also present were Auditor, Donya Jordan, Deputy Auditor, Treasure Gilbert and Eric Beaver, the Attorney that represents the Commissioners. Those present stood and recited the Pledge of Allegiance led by Mr. Bontreger. There was a brief moment of silence following the Pledge.

HEALTH DEPARTMENT REMODEL BIDS: Mr. Bontreger asked Ms. Louck to give an update on the process. Ms. Louck said the process has been good and they had a pre-bid meeting last Friday. She said that Mr. Kennell, from Tecton, would be reading aloud the sealed bids. Mr. Kennell read aloud the following:

1A General Trades:	Total Base Bid	ALT #3- New Toilet Partitions
-Big Ben Builders Inc	\$157,700	\$2,500
-Melton's Construction	\$137,172	\$1,950
1B Doors & Hardware	Total Base Bid	
-Central Indiana Glass & Gazing	\$25,809	
-Mulhaupt's Inc.	\$27,458	
1C Storefront & Glazing	Total Base Bid	
-Central Indiana Glass & Gazing	\$11,700	
1D Floor Covering	Total Base Bid	
-Jack Laurie Group	\$52,600	
-Miller's Flooring	\$55,400	
-Flooring Express	\$97,357.89	
1E Painting	Total Base Bid	ALT #3- New Toilet Partitions
-Heritage Classic	\$21,400	\$608
1F Plumbing	Total Base Bid	ALT #3- New Toilet Partitions
-Ziese Plumbing, Heating & Cooling Inc	\$10,967	\$6,777
-Brenneco	\$21,950	
1G HVAC	Total Base Bid	ALT #2- New HVAC Diffusors
-Eberhardt Heating & Cooling	\$224,000	\$5,000
-Ziese Plumbing, Heating & Cooling Inc	\$200,950	
1H Electrical	Total Base Bid	ALT #1 New Light Fixtures
-Brand Electric	\$107,500	\$10,000
-Craig Wagner	\$65,275	\$871
-Kevin Moore Electric Inc.	\$34,800	\$7,636
-Ra-Comm Electric	\$112,000	\$4,000
-D&K Electric Inc	\$67,480	\$4,700
Combination Bids	Total Base Bid	ALT #3- New Toilet Partitions
-Ziese Plumbing, Heating & Cooling	\$10,967	\$6,777

Flooring Express did not fill out the bid form but, their base bid was \$97,357.89. Mr. Roberts, with Tecton, thanked the Commissioners for allowing them to be a part of this. He said they will take all bids under advisement and then work with the Commissioners and Ms. Louck to finalize and get a recommendation letter of approval. He said it looks like they are within budget and should be ready to start in October.

Mr. DeYoung motioned to take all bids under advisement, Mr. Walstra seconded and the motion carried.

SPECIAL MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS

AUGUST 19,2024

PAGE 466

CONFERENCE REQUESTS / RECORDER / ASSESSOR / COMMISSIONERS: There was conference requests from the Recorder and Assessor. Mr. Walstra motioned to approve the two conference requests, Mr. DeYoung seconded and the motion carried.

The Commissioners have a conference December 2-5,2024. Mr. DeYoung motioned to approve the Commissioners, as well as the two coming into office, and Mr. Haberlin going to the Commissioners conference, Mr. Walstra seconded and the motion carried.

MICHELLE LAGESTEE / SARA DEYOUNG / JASPER COUNTY TRAILS CLUB: Ms. DeYoung, with Jasper County Economic Development, said that twelve years ago JCEDO commissioned a trails plan with help from Mitch Barloga, from the Northwestern Indiana Regional Planning Commission. She said that Ms. Lagestee, with the Jasper County Trails Club, and her group are very passionate about trails and wanted to update the plan. She said they worked the Jasper Newton Foundation to get a \$50,000 grant and work with an engineer, Kimberly Horn, to come up with the plan. Ms. DeYoung said the reason why JCEDO is interested in working with this group is because of community development and economic development. She said trails are valuable to the quality of life. She said in the future, if they could add this as an addendum to the comprehensive plan, it would help when they apply for larger grants.

Ms. Lagestee said they have been a 501c3 for two and a half years now. She said their club consists of passionate citizen volunteers. She talked about how important trails are and how they attract tourism. She provided a handout which included their master plan and a survey from 610 people from the community about trails in Jasper County. She also talked about how trails are beneficial to peoples' health. Mr. Bontreger said this was a good idea and the county has a lot of wide-open areas that weren't designed with this idea in mind. He asked how much it would cost per mile and how they would work it out with right of ways and easements. He also asked how far they thought children would be willing to walk to school on a trail. Ms. Lagestee said probably a mile walking but, they could go further on a bike.

Mr. Bontreger asked if they were thinking about putting a trail in each community or somehow linking them. He asked how they would connect DeMotte to Rensselaer. Ms. Lagestee said their goal is to connect the communities. She said their thought is that KV High School to Kersey would be an easy road for the DeMotte and Wheatfield area. She said for DeMotte to Rensselaer, they thought going by Fair Oaks Farms would be a good idea. Ms. DeYoung said that bringing in an engineering team would be essential. Mr. Bontreger asked what would be the next step they would like from the Commissioners. Ms. DeYoung said the next step would be applying for a DNR Grant and getting a letter of support from the county. Mr. Urbano reminded them to get engaged with the landowners and get as many landowners involved as possible because of regulated drains.

ANDY BOERSMA / REQUEST TO REPLACE EMPLOYEES: Mr. Boersma requested to replace an employee at the annex who also works for the Sheriff. Mr. Walstra motioned to approve, Mr. DeYoung seconded and the motion carried.

HOLLY ELDRIDGE / UMR MAILING: HR Director, Ms. Eldridge, asked for approval for a UMR mailing for \$230.00. Mr. DeYoung motioned to approve, Mr. Walstra seconded and the motion carried.

TORI NUEST / ANIMAL CONTROL / SHED REPLACEMENT / SIGN REPLACEMENT / CAMERA SYSTEM / 2024 STATS: Ms. Nuest was unable to attend the meeting so, the Commissioners tabled it for the next meeting.

SOLAR ORDINANCE AMENDMENT: Attorney Beaver said this ordinance is product of the joint public commission that was put together earlier this spring to hear the voices of a number of different people who've had different interests regarding the commercial solar energy projects. He said the whole point of the ordinance is to account for new developments that have occurred since it was last revised in 2019. He said the group had put together a series of proposed recommendations and he formatted them to fit the Jasper County Code. He said he has

SPECIAL MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS

AUGUST 19,2024

PAGE 467

SOLAR ORDINANCE AMENDMENT CONTINUED: incorporated all the revisions as directed by the Plan Commission. He recommended that the Board of Commissioners make an action to approve or not approve the Plan Commission's recommendation. He said at this point he does not believe it should be sent back to the Plan Commission with any proposed revisions.

Mr. Bontreger thanked Attorney Beaver for his extensive work on this. He said his intention is to engage the study committee once this fall and in the winter. He thanked everyone for their input and time. Mr. Walstra motioned to approve the solar ordinance amendment, Mr. DeYoung seconded and the motion carried. **Ordinance No. 08-19-2024.**

EDP RENEWABLES: Mr. Bontreger said that EDP Renewables withdrew from the agenda. Attorney Beaver said they will put them back on the agenda in two weeks.

OTHER BUSINESS

RENSSELAER MONUMENTS INVOICE: Mr. Bontreger said they had an invoice from Rensselaer Monuments for \$2,000.00 for the repair of the monuments in Makeever Cemetery. Mr. Bontreger told Attorney Beaver they need to follow through with transferring over the deed to Newton Township. Mr. DeYoung motioned to approve the invoice, Mr. Walstra seconded and the motion carried.

JASON DEYOUNG CONSTRUCTION / QUOTE FOR MAINTENANCE BUILDING: Mr. DeYoung said he reached out to a few people and got one bid back. He said he had a quote from Dream Homes, LLC, d/b/a Jason DeYoung Construction for the pole barn at the Highway Department. He said the prices were for the whole floor. The dividing wall would be \$4,430.00, \$17,560.00 for half of the floor and \$29,120.00 for 40' x 112',6" thick for the whole floor. He said for the rough in bathroom with plumbing, toilet and sink, it would be \$4,800.00. Mr. Bontreger said he is waiting to hear back about spray foam. Mr. DeYoung said the estimated quote was \$38,350.00. Mr. Walstra motioned to approve the quote, Mr. DeYoung seconded and the motion carried.

BF&S / SAFETY GRANTS: Mr. Dammarell said there's two opportunities for grants, one being SS4A, which is the Safe Streets for All program. He said this is done through the federal government. He said this application is due by the end of August and they have already been working on it. He said there's also an application for HSIP funding that is handled through INDOT. He said these applications aren't viewed until the first week of October. In order to do these things, they would want to have a small working agreement where they are contracted hourly on a not to exceed \$3,000.00 to complete all those efforts on both applications for the county moving forward. Mr. Bontreger asked Attorney Beaver if he had yet reviewed this subject and he said he had reviewed the big one so, he is fine with this one. Mr. DeYoung motioned to approve agreement, Mr. Walstra seconded and motion carried. Mr. Walstra motioned to approve Mr. Bontreger signing on behalf of the Commissioners, Mr. DeYoung seconded and the motion carried.

VINCE URBANO / ZELESTRA TO COVER ATTORNEY FEES: Mr. Urbano said to follow up from the Special Drainage Board meeting last week, Commissioner Deyoung put it on Zelestra said that they were going to cover all the costs. He said they need their attorney's numbers tallied up and Attorney Ahler had already sent his. Attorney Beaver said he didn't have anything and he was covered for the year.

HIGHWAY UPDATE: Mr. Bontreger said he saw the blinking stop light on 1000 and asked how many intersections they had these on now. Mr. Cain said he had ordered a few and they are significantly cheaper than led stop signs. He said his idea with all of the highway construction going on is to start putting them up on the detours. He said they are getting ready to shut down 114 from 65 to the county line.

JACKSON'S STRIPING: Mr. DeYoung said Mr. Jackson is going to attempt striping this coming Sunday.

SPECIAL MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS

AUGUST 19,2024

PAGE 468

SHERIFF WILLIAMSON / REPLACE EMPLOYEE: Sheriff Williamson requested to replace a correctional officer Mr. Walstra motioned to approve, Mr. DeYoung seconded and the motion carried.

HEALTH DEPARTMENT ORDINANCE FOR STATEWIDE ONLINE NETWORK: Attorney Beaver said this is a Health Department initiative that has to do with the Health Department being able to join a statewide network to be able to access electronic records from the other members. He said the other members are probably every hospital in the state. He said it allows for the member to access whatever information that comes to them. He said this is in regards to communicable diseases and they can share information that way it is secure and digital. He said the fees are \$1,750.00 to have an initial annual fee that sets it up and about the same amount per year for 3 years. He said ordinarily, he always says that the Board of Commissioners should be the contracting party however, this is a very unique situation and he thought it would be better if it was the Health Department. Mr. DeYoung motioned to approve the contract and authorize the Health Department to enter into the agreement, Mr. Walstra seconded and the motion carried.

CARMEN FORTNEY / REQUEST FOR NEW SHED: Ms. Fortney joined via Zoom and said that they need a shed at the Extension Office. She said they are currently sharing a storage space with the Surveyor's office but, they are needing to add more things in there. She said they are looking at a few different sheds and one of them was about \$400-500 so, they are asking for permission to purchase one. She said they are wanting to get a shed that is 10 x 5. There were some sound issues at this time so, Mr. Bontreger asked her to come to the next meeting in person.

PUBLIC COMMENT

REBECCA DEARDORF: Ms. Deardorf asked if there was a definition in the solar ordinance that defined prime farmland. She said one of the changes was to emphasize the protection of prime farmland. Attorney Beaver said the existing ordinance requires a landscape buffer that includes planting of trees. He said the study committee said after 30 or 40 years those trees are full grown and too hard to remove for farming so, the approach is to increase setbacks and eliminate the landscape buffer. Mr. Bontreger said the topic of prime farmland is in the ordinance but, he doesn't believe the definition of prime farmland is in there. Ms. Deardorf asked if an animal gets inside the fencing if they could get out. Mr. Bontreger said there would be a one-way door for the animal to get out. She also asked who is liable if a person tries to go inside and gets hurt. Mr. Bontreger said essentially, that person would be trespassing.

Ms. Deardorf said she believes the speed limit going through Teft is 30mph but, there is another speed limit sign that says 5mph that was put up in the last couple of weeks. Mr. Cain said it was not the Highway Department that installed it and it is 30mph through there. Ms. Deardorf showed Mr. Cain a picture of the sign and asked if it just stays there. Mr. Cain said he will check it out.

DAVE HERMAN / LEMAR / REQUEST TO TRIM TREE ON 114: Lemar representative, Mr. Herman said there is a sign out on State Road 114 by the fairgrounds with a McDonald's advertisement on both sides. He said they have requested to have a tree trimmed, which Lemar would cover the cost for. Mr. Bontreger asked Attorney Beaver if this was their decision or the Fair Board's. Attorney Beaver said the as the owners of the property, it would be the Commissioner's decision. Mr. Bontreger asked Mr. Cain if they would be able to supervise; he said yes. Attorney Beaver said they would have to hold Jasper County harmless. Mr. Herman said they hold Jasper County harmless. Mr. DeYoung motioned to allow Lemar to trim the tree, Mr. Walstra seconded and the motion carried.

DOREEN RAY: Ms. Ray asked if the property guarantee was included in the new ordinance. Attorney Beaver said yes and there's a requirement that they give an offer of a 5-year guarantee to all the residential property owners within a 1-mile radius, at the time of application for special exceptions. He said the five years will begin at the time of the commencement for commercial operations.

SPECIAL MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS

AUGUST 19,2024

PAGE 469

MICHELLE HOFFMAN: Ms. Ray said there was an online comment from Ms. Hoffman that she would like to be read aloud. Ms. Hoffman submitted an online comment as follows: “Good morning Commissioners, I will be as brief as possible with the items I would like to discuss with you today. First, I would like to make it publicly known that a few of us have requested the leases obtained by land agents for solar, wind, or any other type of land lease be recorded within 45 days of execution in the office of Jasper County records or those leases become void. There is an Indiana Code 32-31-2-1, Necessity of Recording, for lease of real estate for a period longer than three years which states;Not more than forty-five (45) days after its execution, a lease of real estate for a period longer than three (3) years shall be recorded in the Miscellaneous Record in the recorder's office of the county in which the real estate is located.; I would like our county to uphold this Indiana Code. I would also like to see the county make any lease submitted to records be void if passed 45 days of its execution. Second, I would like to see the commissioners protect the residents by requiring filing for a solicitor/ peddler/ transient license/permit by all single solicitors not a blanketed company permit, whether it be land agents soliciting for leases or salesmen. This will comply with IC Title 25 ARTICLE 37. TRANSIENT MERCHANTS , and more specifically IC 25-37-1-3 Necessity for License & IC 25-37-1-4 Application for License; Attached Statements. This permit should be required to be on the person at times and available when asked to view it while they are soliciting. The reason I ask this is twofold. By implementing this type of will keep the County Government informed of what is taking place within the county and further the provision for the public health, safety and welfare of the citizens . It will give residents the ability to access records to; who is soliciting, the company they work for, and what they are soliciting for. Giving residents a peace of mind that these strangers who show up really are who they say they are. I know from first hand experience and know of a gentleman who told a similar story, Kirby salesmen tend to travel in pairs and the driver will drop his partner off at one house and proceed to the next. There are times when a homeowner does not see this man being dropped off and all they know is that there is a strange man on their property without a means of transportation wanting to give a demo without any equipment, because it is supposedly in the vehicle with their partner who is at the neighbor’s house. It would be nice to see the permit to know what they are saying is the truth. It's crazy that we have to worry about such things, but this is the world we live in now. Thank you for your time, Michelle Hoffman”

Attorney Beaver said these are many of the issues that should hold up the passing of today’s ordinance and he will be looking into it. He said some of this may not be within a zoning or land-use ordinance but instead, it would be under the authority of the Commissioners to protect the health and safety of property owners. Mr. Bontreger said this is an ongoing topic of discussion.

JACOB MISCH: Councilman, Mr. Misch, said in the past he has offered his criticism around solar ordinances and he wanted to thank the Commissioners for taking action and protecting the citizens. He also wanted to thank Ms. Scheurich and the Plan Commission for their actions. He said he also appreciates Mr. Bontreger saying they will have future discussions and keeping that moving.

DOUG BURTON: Mr. Burton said he’s been attending the Commissioners’ meetings for awhile and he thinks it’s important to follow along what is going on in the county. He said he finds it difficult to do sometimes and for example, there was an approval for the zoning ordinance for solar and he doesn’t even know what was approved. He said it’s important for the people to understand what the issues are before the Commission votes on those issues. He asked if it was possible for someone who isn’t able to attend, to think of some things that the Commissioners don’t think of that are relevant to the decision. Mr. Bontreger said this is why they have had the study committee, which included people who were across the spectrum in being affected by solar. He said this included non-participating landowners. He said they have had many discussions and it did go through the Plan Commission so, it has been back and forth between meetings. He said what they did is increased setbacks and differential setbacks if there is more than one around a property. He said also, from the property line and not the foundation of a structure. He said they addressed some of the landscaping, fence heights and battery energy storing systems, which they are trying to direct

SPECIAL MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS

AUGUST 19, 2024

PAGE 470

DOUG BURTON CONTINUED: most of that activity towards the Schahfer campus so that batteries amongst the community would be ten acres or less. He said these were the top items that they adjusted.

Attorney Beaver said there's requirements for the implementation of these projects to include road-use agreements, decommissioning agreements and economic development agreements. He said the economic development agreement may or may not contain an abatement by the Council. He said it also requires the offering of a five-year property value guarantee to residential landowners within a 1-mile radius. He said at the time of a special acceptance application, the five-years begins at the time of commercial operations. Mr. Bontreger said construction compliance monitors are also a part of the process now. Mr. Urbano added that he believes Ms. Scheurich has these things available to the public after the Plan Commission meetings in the Planning & Development office.


Mr. Burton asked if there was more land available for solar development than there was before these revisions in the ordinance. Mr. Urbano said, "I would say no." Mr. Bontreger said this will make it more restrictive for people to come in and try to answer to the new specifications. He said they took input from participating neighbors, Surveyor's Office, Highway Department, Council, a NIPSCO representative and people across the board with different opinions. He said they weighed in to carve out the language. He said he understands that these adjustments may need revisited but, they are heading in the right direction now.


Mr. Burton said he thinks it is important for the public to have an opportunity, like he had today, to weigh in on these documents that Mr. Urbano is saying are available to them. He said he thinks the public needs to weigh in on the decisions before they are made, based upon the best information available. Mr. Bontreger said that Mr. Burton was a part of the weighing in process when he held the public meetings, which was a part of gathering information to craft the new ordinances. He said by attending those meetings and the comments he's made before, he was a part of the information gathering. Mr. Burton said he understood. Attorney Beaver added that the Plan Commission also holds a public hearing before they make a recommendation to the Commissioners and in this case, it was held back in May. Mr. Burton said he needs to understand before the meeting and have an opportunity to weigh in on what it is they are going to be voting on before they vote on it. He said with this information, he thinks that will help.

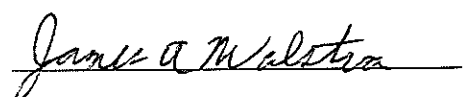
Mr. Haberlin asked if they post the minutes on the County website after a meeting. Ms. Gilbert said as soon as minutes are approved at a meeting, she goes back and uploads them. Mr. Bontreger said the minutes are on the website and they are in the process of updating the website. Ms. Gilbert said that she's been working with IT on the sound issues and they are going to be replacing some cords. Mr. Bontreger apologized for any disruptions with the sound.

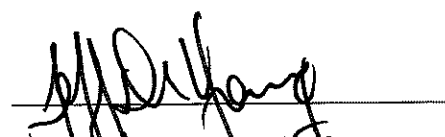
There being no further business, Mr. Walstra motioned to adjourn the meeting, Mr. DeYoung seconded and the motion carried.

ATTEST:


Donya G. Jordan, Auditor of Jasper County


Rein Bontreger, President


James A. Walstra, Vice President


Jeffrey DeYoung, Member