

WHITLEY COUNTY COMMISSIONERS

February 21, 2023

The Whitley County Commissioners met in regular session Tuesday, February 21, 2023, at 1:00 PM, in Meeting Rooms A/B, located in the basement of the Whitley County Government Center. Commissioners in attendance were Chair Chad Banks, Vice Chair Theresa Baysinger and Commissioner Robert Schuman. Others in attendance were Attorney Matthew Shipman, Auditor Tiffany Deakins, Commissioner's Assistant Cami Hippenhammer, Human Resources Director Jennifer Shinabery, Deputy Auditor Tamela Tincher, County Planning Director Nathan Bilger, Health Director Scott Wagner, Treasurer Kay Gatton, Recorder Rosemary Brown, Sheriff Jason Spencer, Todd Cook, Engineer Brad Allen, Assessor Kim Erdly, Council Members Kim Wheeler & James Argerbright, Ardonna Angel from the EDC, Ron Case, Sonya Emerick, September McConnell, Arthur Miller, Leanne Facer, Cynthia Zollinger, Mike Rowland, Ginny Rowland, Chris Crowell, Pil & Marelynn Hively, Curt Anderson, Thomas Sroufe, Kayla Wigent, Art & Susan McClesk, Debbie Gay, Laura Mowrey-Wall, Mary Ann Ranley, Phil Hively, Diana DuPont, David Trimmer, Douglas Hosler, Mark Mowrey, Rachel Hartman, Jason Dafforn, Teresa Hall, Bruce Hazelet, Jay & Dale Bolante, Joseph & Bete Trahin, Debra Hosler, Leanne Trimmer, Karen & John Dafforn, Ena & Dennis Colbart, Brad Laux, Sharon Simmons, Karen Reust, Barbara Lahrman, Jana Baker, Jane Wasmuth, Michael Love, Don & Emylie Osos, Brandt & Terri Mowrey, David Bremer, Richard Kyler, Paul & Jayme Lea and Leslie Blakley.

Chair Banks opened the meeting with the Pledge of Allegiance.

COUNTY ATTORNEY REPORT: Attorney Shipman had nothing to go over at this time.

OPIOID MATCHING GRANT: September McConnell from the Community Foundation came to request some of the opioid monies that the County will be receiving over the next several years. September explained to the Commissioners & constituents that were in attendance what the Community Foundation does. She stated that the County has a 77% recidivism rate for the jail and that the County has a real need for mental health assistance, with adults and children. September let everyone know that the Whitko Career Academy sees over 400 students per day and in the evening, there are programs offered for community corrections work release individuals to get certified. The Community Foundation has already received 1 of 11 grants that were awarded for \$2.6 million and are looking to get more with the help from the Commissioners. Commissioner Baysinger made a motion to approve \$20,000 of the Opioid funds to support programming for offenders with co-occurring substance abuse and mental health disorders, seconded by Schuman, and passed with a 3/0 vote.

COUNCIL ON AGING VOUCHER APPROVAL: Leslie Blakley from Whitley County Council on Aging was present to request the approval of her 4th quarter voucher in the amount of \$116,659. Commissioner Baysinger made a motion to approve the voucher, with a second by Schuman, carrying with a 3/0 vote. Commissioner Baysinger asked about the status of the 2 vehicles that Council on Aging ordered during the pandemic. Leslie stated that she had received good news and they hope to receive them in July or August of this year.

REZONING ORDINANCE AMENDMENT: Planning Director Nathan Bilger was present to seek an amendment for a correction to the solar code. The error was a 0 was missing on the original ordinance which throws off the equation. The Plan Commission gave a favorable pass to the Commissioners for this amendment. Commissioner Banks stated that he struggles with the sliding scale for property lines. Commissioner Baysinger made a motion to table the amendment until the Commissioners can better understand. Seconded by Schuman and carried with a 3/0 vote. Commissioner Schuman gave a speech on solar and the texts and emails that he is receiving from the constituents that are concerning. He also feels that this is all moving very fast and that is worrisome. Commissioner Schuman made a motion to direct the Plan Commission to enact a moratorium on corporate/industrial solar requests. Seconded by Baysinger and carried with a 3/0 vote. Many constituents spoke on their opposition of solar farms coming into Whitley County for many reasons. There were landowners, farmers, an at home daycare and disgruntled neighbors. Commissioners listened to the questions and concerns that were had and also had Nathan Bilger the Planning Director explain the process along with next steps. The Plan Commission is meeting March 15th at 7:00 PM to discuss and vote on the Leward project, this would then come back to Commissioners for final approval.

ELECTRONIC ATTENDANCE RESOLUTION: Attorney Shipman let Commissioners know that he worked with Amy Biggs EMA Director to piggyback off of the County's Electronic Attendance Resolution for her Local Emergency Planning Committee. This would be the same for them as it is currently set for Commissioners/Council to be able to electronically attend meetings to be able to vote and still participate. Commissioner Baysinger made a motion to approve Resolution 2023-08, seconded by Schuman and passed with a 3/0 vote.

CUM CAP DEVELOPMENT RATE DISCUSSION: Commissioners stated that they are not in favor in increasing the CUM CAP Development tax rate at this time. Commissioner Baysinger made a motion to leave the rate the same, seconded by Schuman and carried with a 3/0 vote.

FACILITIES REQUESTS: Commissioner Banks presented two facility requests, one for the use of the gazebo from the Whitley County Domestic Violence Task Force on April 12th from 9-9:30 am. Commissioner Baysinger made a motion to approve the request, seconded by Schuman and passed with a 3/0 vote. The second request was for St. Paul of the Cross to use the gazebo April 2nd from 10-10:30 a.m. for Palm Sunday. Commissioner Baysinger made a motion to approve the request as presented, seconded by Schuman and passed with a 3/0 vote.

MINUTES AND CLAIMS: The claim distributions from February 7, 2023, through February 21, 2023, were reviewed by the Commissioners. Commissioner Schuman stated he reviewed the claims with Councilman Warner and saw no issues. Commissioner Schuman made a motion to approve the accounts payable claims, seconded by Baysinger and passed with a 3/0 vote. Commissioner Schuman made a motion to approve the payroll claims, seconded by Baysinger and passed with a 3/0 vote. The Commissioners reviewed minutes from the February 6, 2023, regular meeting minutes. Commissioner Baysinger made a motion to approve the minutes, with a second by Schuman and passed with a 3/0 vote.

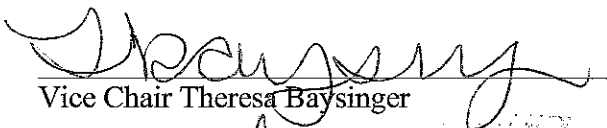
OTHER BUSINESS: Constituents again addressed their concerns with the Commissioner and public regarding the unknowns with solar and the impacts for the County. Commissioner Baysinger wanted to put in the minutes that she was approached by several constituents of the County that were questioning why the Commissioners didn't pass the Broadband Resolution. She wanted to go on record that the Commissioners did not decide against the Broadband Resolution that was the County Council.

There being no further business and no further questions or comments from the public, Chair Banks adjourned the meeting at 2:07 PM.

WHITLEY COUNTY COMMISSIONERS



Chair Chad Banks



Vice Chair Theresa Baysinger



Commissioner Robert Schuman

Attest:



Tiffany Deakins, Auditor