Commissioner Francis called the meeting to order. All Commissioners are present.

MINUTES
Commissioner West made a motion to approve the 11/20/17 minutes. Commissioner Hunt 2nd the motion and it passed 3-0.

PAYROLL
Commissioner West made a motion to approve payroll for 12/8/17. Commissioner Hunt 2nd the motion and it passed 3-0.

CLAIMS
Commissioner West made a motion to approve the claims for 11/22/17. Commissioner Hunt 2nd the motion and it passed 3-0.

JUDGE SPAHR & JUDGE BANINA
Judge Spahr and Judge Banina came before the board to discuss the new legal float position created for 2018. Judge Spahr stated that it was his understanding that the board approved having Jessica Brooks in the same office as Courthouse Security, Tim Hunter, but they are still unclear as to whom she will report to. Judge Banina stated that he could use a 3rd person in his courts and feels that if the legal float is in his office, should be under his supervision. Judge Banina feels that his court and the Clerk’s Office can use the legal float, but the float cannot work in the Prosecutor, Public Defender or Clerk’s Offices due to conflict of interest. Commissioner Francis stated that he did not have a problem with Judge Banina serving as the legal float supervisor, but reminded the judges that the position is at the discretion of the council. Commissioner West made a motion to approve the legal float position to report to Judge Banina. Commissioner Hunt 2nd the motion and it passed 3-0.

Commissioner Francis stated that the board after review of the budgets and available funding, they would determine next steps on a space study.

ASSESSOR BIDS
The board received 3 bids for the 2019-2022 Cyclical Reassessment. The board received bids from: Accurate Assessments $582,000 for all 4 phases, Ad Velorem $557,440 for all 4 phases and Tap Co $384,950 for all 4 phases. The board gave copies of the bids to Sara McAuliffe, Miami County Assessor for review. Commissioner West made a motion to take the bids under advisement and make the final award on January 2, 2018. Commissioner Hunt 2nd the motion and it passed 3-0.

Rick Schultz, Accurate Assessments came before the board to introduce himself and his company. Mr. Schultz stated that in 1989, Accurate Assessments started business. Currently, the company works in 19 counties in Indiana. At the next cyclical reassessment, they will add 3 more. Mr. Schultz stated that the company prides themselves on coming in under budget or at the approved contract and always completes their work on time. Mr. Schultz noted that his bid is all encompassing and not just specific to the cyclical reassessment. Mr. Schultz stated that the company reviews, digitally photographs and downloads 25% of the parcels to the Assessors software during each phase. In addition, Accurate Assessments validates and verifies all new construction countywide, not just, what is a part of the current cyclical phase and offers additional support to the Assessor throughout the year.

HIGHWAY
Janice Hughes, Highway Bookkeeper came before the board to submit the advertisement for the 2018 supplier bids for fuel and aggregate sand materials. Bids are due by 11:00 am on January 2, 2018 with final award on January 16, 2018 at 9:30 am. Ms. Hughes noted that the advertisement would be in the paper and on the county website.
Commissioner West made a motion to approve the bid advertisement. Commissioner Hunt 2nd the motion and it passed 3-0.

WABASH HERITAGE CORRIDOR COMMISSION
The board received a request to appoint a county representative to the Wabash Heritage Corridor Commission. Commissioner West made a motion to reappoint Ken Einselen to the Wabash Heritage Corridor Commission with Alan Hunt serving as an alternate. Commissioner Hunt 2nd the motion and it passed 3-0.

IDEAM
The board received a notice of approval for air quality permit from Smithfield Packaged Meats.

PLANNING/ZONING
The board received a request to purchase a table for the Planning and Zoning Department for $234.85. The table will hold pamphlets regarding permits, services and contractor information. Commissioner West made a motion to approve the purchase the table unless another table is available for use within the Courthouse. Commissioner Hunt 2nd the motion and it passed 3-0.

Tammy Gamble, Zoning Administrator brought 2 weed liens to the board for approval. The weed liens are against a property owned by Robert Fried, Jr located on Mexico Road and Robert & Ruby Gibson located on 200 N. Commissioner Hunt made a motion to approve the weed liens. Commissioner West 2nd the motion and it passed 3-0.

The board asked Ms. Gamble if the new ownership at Eagles Pointe are addressing any property issues. Ms. Gamble stated the new ownership seems to be staying on top of clean-up issues.

Ms. Gamble stated that the Board of Zoning Appeals needed to replace Randy Hileman, who is resigning from his term early. Ms. Gamble stated that she recommended moving Brad Fruth to Mr. Hileman’s position on the Board of Zoning Appeals, which ends in 2018. Mr. Fruth will serve on both the Planning and Zoning Boards. Ms. Gamble stated that the board would need to appoint a Democrat to the board, with the Council appointing a Republican. Both appointments will fulfill terms ending in 2020. Commissioner Hunt made a motion to approve moving Brad Fruth to Randy Hileman’s position on the Board of Zoning Appeals. Commissioner West 2nd the motion and it passed 3-0.

PURDUE EXTENSION OFFICE
The board received the Extension Contractual Services Agreement between Purdue University and Miami County for year 2018 for $46,890.00 Commissioner West made a motion to approve the agreement. Commissioner Hunt 2nd the motion and it passed 3-0.

HIGHWAY ENGINEER
Ken Einselen, Highway Engineer came before the board to provide quote for materials to place a structure for a drop inlet at the property of Lester Miller. The drop outlet will keep the culvert from extending too far on to his property. Mr. Einselen presented quotes from St. Regis for $6,995.80 and Metal Culverts for $7,431.40. Mr. Einselen recommended St. Regis as the vendor. Commissioner West made a motion to approve St. Regis for $6,995.80. Commissioner Hunt 2nd the motion and it passed 3-0.

WINDFARMs
Greg Deeds came before the board as a follow-up to an email that he sent to Larry West regarding the current wind ordinance. Mr. Deeds stated that he expressed concerns regarding the proposed project as it relates to property values, loss of tax revenue, property owners rights and the potential health risks. Mr. Deeds shared that in 2011, he served as a Commissioner when the company approached the county about wind energy. Mr. Deeds expressed that at the time he was excited about the idea of clean energy and a revenue stream for some landowners. Mr. Deeds feels that since that time, things have changed and there are changes that effects the current ordinance that raises issues for property owners. Mr. Deeds stated he is a land surveyor and works by the turbines in
Tipton County. Based on his work as a surveyor in that county, discussion with a farmer in Tipton County who has land next to a turbine, and his own research he has changed his opinion on the project. Mr. Deeds has personally experienced the flicker effect of the turning blades. In addition, Mr. Deeds feels that the turbines effect adjoining neighbors who do not want them and takes money away from the property owners with reduction in property and resale value. Mr. Deeds read that there will not be any public hearings regarding the proposed project and as long as the company receives a permit, the project continues, causing property owners to lose their property rights. Mr. Deeds stated that he was not trying to place blame or fault, but 7 years of education calls for a review of the ordinance. Mr. Deeds called for a moratorium of the project until the board does further research and review.

Becky Mahoney came before the board to read a letter she had prepared regarding her concerns over the proposed windfarm project. Ms. Mahoney provided copies of the letter, as well as books to each board member entitled “Paradise Destroyed.” Ms. Mahoney spoke to the board about protecting Miami County and the property rights of Miami County residents effected by the proposed project. Ms. Mahoney expressed concern regarding property infringement for a non-participating property owner. Ms. Mahoney spoke about issues within the current ordinance relating to setbacks, the nuisance the turbines cause and safety concerns with the proposed project. Ms. Mahoney pleaded with the board to have empathy for the residents and asked that they protect the rights of the homeowners. Ms. Mahoney requested that the board enact a moratorium on any permit applications for industrial wind turbines in Miami County until the board can thoroughly revisit the ordinance.

Gretchen Copeland came before the board to ask how many Commissioners vote on the windfarm project. Commissioner Francis explained that the board does not have the authority to vote to make changes to the ordinance. All changes to the ordinance must go through the Plan Commission. Commissioner Francis noted that if a developer meets all the requirements of the ordinance, the plan commission can issue a permit and the board does not have authority to stop the issuance. Ms. Copeland stated it is not the job of the homeowners to protect their rights; it is the responsibility of the Board of Commissioners.

Ranelle Finkey asked when the Plan Commission meets next and if the board enacted a moratorium what would happen. County Attorney, Pat Roberts, via Skype addressed the questions of Ms. Finkey. Mr. Roberts explained that the board does not have authority to approve a blanket prohibition of the 2011 wind ordinance. Mr. Roberts further stated that repeal of any part of the ordinance comes under the authority of the Plan Commission and by the proper procedure. Mr. Roberts encouraged the residents to attend the Plan Commission meeting, express their concerns and allow any changes to go through the proper procedure. Changes to the ordinance require advertisements, special hearings and action by the Plan Commission. If there are changes approved by the Plan Commission through the proper procedures, it would then go to the Board of Commissioners where it would take a 2/3 majority vote to overrule the Plan Commission decision. Mr. Robert stressed to the citizens who are requesting changes to the ordinance, to follow the proper process. Ms. Finkey asked Commissioner Francis why he has not recused himself from the meeting as he did in the past. Commissioner Francis stated that he does not have to recuse himself if there is no action taken by the board. Mr. Roberts confirmed that Commissioner Francis did not need to recuse himself in this situation and that it was not trying to place blame or fault, but 7 years of education calls for a review of the ordinance. Commissioner Francis’s job to conduct the meeting and preserve order and questioning his seat in his elected position is “wrong.”

Commissioner West stated that he feels like there is not much that can change with the ordinance after the project started. Commissioner West stated that any change must start in the Plan Commission, but ultimately, the decision to move forward on the project is between the property owners and RES.

Donna Smith stated that she spoke to an attorney regarding checks and balances in county government. Ms. Smith noted that the people are the checks and balances. Ms. Smith expects that the board will work to protect her property and is aggravated because she does not feel the board is doing their job and as citizens, they are powerless. Ms. Smith wanted to know why Commissioner Francis was attending the meeting and questioned if
he was a Commissioner or an RES employee. Ms. Smith believes checks and balances are necessary and voiced concern over the board having authority over the entire county. Mr. Roberts interjected stating that the Board of Commissioners is the governing body of the county. Commissioner Francis recused himself previously, but because the meeting today requires no action, he is required to conduct the meeting and maintain order. Mr. Roberts further stated that the rest of the board appointed Commissioner Francis to the chairperson position and if there is a conflict of interest, he will remove himself. Mr. Roberts stated that he personally spoke with County Prosecutor, Bruce Embrey and verified that there is nothing of issue with Commissioner Francis serving in both capacities. Mr. Roberts intends to take the concern to the state ethics committee and if there is not a conflict, Commissioner Francis can vote on anything related to the windfarm project.

Ron Withers spoke to the board stating that he has spent his lifetime trying to improve his property, and supports solar energy, but feels like the turbines negatively affect all property owners. Mr. Withers did not know about the project until someone came to his door to sign a lease to place a turbine on his property. Mr. Withers stated that he spoke to approximately 15 other property owners and only 1 was in favor of the project. Mr. Withers state that he will not allow the wind turbine company to take over his property.

John Riffle came before the board stating that he owns farms in Miami and Fulton County. Mr. Riffle explained that he recently built a new home. Mr. Riffle enjoys the current view of his property and does not want to see a wind turbine on his property or his neighbor’s property. Mr. Riffle feels that the project is all about money and does not want to be a part of the project. Mr. Riffle further noted that his property has hundreds of geese and he is concerned about preservation of wildlife with the placement of turbines. Commissioner Francis noted that the DNR conducts studies on birds, bats, geese, etc. and must sign off on all projects.

Mr. Riffle questioned the other members of the board view on the project. Mr. Roberts explained that the citizens are asking the board to vote on something they have not seen. Mr. Roberts again, encouraged the citizens that have an issue with the ordinance to approach the Plan Commission and go about the process in an orderly way as the board can only review what the Plan Commission decides.

Commissioner Francis stated that a certain amount of turbines is required for the project. Commissioner Francis went on to state that unless the majority of the property owners in the project agree and sign the leases, the project cannot move forward.

Greg Pottenger stated that he is not against renewable energy, but he is against the wind turbines. Mr. Pottenger stated that if the project involved solar energy, more people might be in favor of it. Commissioner Francis explained that for this project 600-700 acres of farmland is required as opposed to the 12,000-15,000 acres required for a solar energy.

Ranelle Finkey stated that she did not want to “keep beating a dead horse,” but felt the board owes the respect and courtesy to the citizens to let them know where they stand on the project. Mr. Roberts stated that he has advised the board to decline offering an opinion. Mr. Roberts explained that the citizens are asking the board to pre-judge a project in which they do not have all the information. Mr. Roberts again encouraged the citizens to hire an attorney to draft letters to the Plan Commission with their complaints and follow the proper procedure. Mr. Roberts stressed that the citizens must follow and abide by the law. Ms. Finkey stated that she did not feel that it is unlawful, rude or disrespectful to ask the opinions of the board. Commissioner Francis stated that board could refuse to answer if they do not have all the necessary information to form an opinion.

Karen Trigg questioned the trust and transparency of the board. Ms. Trigg stated that she spoke to her friend about her concerns regarding the wind turbines and they suggested she move before the project starts. Ms. Trigg stated she should not have to move and can trace her roots back to the indigenous people that lived in Miami County. Ms. Trigg feels that it is not right that a project should force her to move.
Commissioner Hunt stated that in 2011 he served on the Council and the Plan Commission. Based on the information that he had at that time, voted for the ordinance, but no longer agrees with the current ordinance.

CLERK
Tawna Leffel-Sands, Miami County Clerk came before the board to discuss an employee issue. Ms. Sands recently reduced a full-time employee to part-time and in doing so was under the impression that the employee’s pay would be at a rate of $13.50 per hour. After speaking to the Auditor, Ms. Sands realized the part-time rate is $10.50 and not $13.50. Ms. Sands stated the Auditor explained that only the positions cut for 2015 from full-time to part-time fall under the $13.50 per hour. Ms. Sands requested a change in the hourly rate for the part-time position to $13.50. The board does not have the authority to change the hourly rate and advised Ms. Sands to take her request before the council. The salary ordinance would change if the council approves the request.

Commissioner Hunt made a motion to adjourn. Commissioner West 2nd the motion and it passed 3-0.

Adjourned
MIAMI COUNTY BOARD OF COMMISSIONERS
_______________________________________, Chairman
Joshua Francis
_______________________________________, Vice Chairman
Larry West
_______________________________________, Member
Alan Hunt
Attest: _____________________________, Auditor
Mary Brown