

Miami County Council Meeting

March 18, 2025

Meeting Information

- Date & Time: 2025-03-18 7:00 pm
- Location: 25 N Broadway Peru IN 46970 GAR ROOM
- Attendees: President Chittum – Present
- Councilman Fruth – Present
- Councilman Scott – Present
- Councilman Wiles – Present
- Councilman Allen – Present
- Councilman Sailors – Present
- Councilman Nutt-Present
- Auditor - Annette Phillippo
- Courtney Schmidt – Purdue Extension

Meeting Notes

1. County Council Meeting Discussions

- **Opening and Prayer**
The meeting was called to order, and Councilman Sailors led the prayer and Pledge of Allegiance.
- **Approval of Minutes**
Councilman Nutt made a motion to approve the minutes from February 18th, Councilman Fruth seconded the motion. Passed 7-0 without any changes.
- **Solar Abatement Moratorium**
Discussion on the solar abatement moratorium, including concerns about the indefinite nature of the moratorium and its impact on future projects.

Councilman Wiles asked for clarity on the Paragraph 3 regarding the Huckleberry Solar Project. Councilman Scott offered to read aloud that section after a request from the audience member, Elaine Anderson. Council Scott stated the last sentence will be: "This memorandum shall not impact, affect, delay, repeal, reject, or deny any obligations of the county council in regard to any abatements required under any existing economic development agreement"

Councilman Fruth raised concerns by stating “in my two years on council, we have not approved every abatement. You know, there has been some projects that have not gone through that abatement process. That would be my only concern with the ordinance as it is presented is that this doesn't allow the council to vote for or against those potential future abatements.

Councilman Scott responded with; not to bring the federal government into this but we're going to the freezing of federal subsidies that are coming with the solar and we're going to see a decrease in these projects coming up but we don't know what the next administration is going to bring and with that comes all this oh we're going to give you money here but that will dry up eventually and I think on the local level I think it's fiscally responsible that we take care of this action now and that's why I put this forward to the council.

Councilman Fruth reiterated that indefinitely is a really, really long time. The plan commission is getting ready to put out an RFP to update the comprehensive plan. And this is a big reason we're doing that is the update to the solar project. Those would be my concerns with the ordinance. So not, again, not for or against solar. How are we going to govern? And what is the ordinances that we are going to put down?

Attorney Mark Frantz clarified that the indefinite part is just meaning, to distinguish between temporary, meaning we have a set end date, or something that has to happen that will end it, that this does not have an end date, right? But nothing this council does can bind a future council in 20 years when seven different people are sitting around this table. So, if that future council said, we want to do away with this and start looking at them again, it can.

Councilman Nutt made a motion to except the solar abatement moratorium, Councilman Sailors seconded.

Councilman Chittum asked for a vote:

Councilman Wiles Abstained; Councilman Fruth voted NO. All others were in favor with Yes vote. Passed 5 yes, 1 NO, 1 abstained.

- **Comprehensive Financial Plan**

Discussion on the comprehensive financial plan with Baker Tilly to prepare a five-year budget and manage upcoming bonds. Councilman Fruth explained what the plan would include upcoming projects including but not limited to potential renovation to the courthouse, bonds coming due highway garage coming up for refinancing in the next couple of years.

Along with concerns about what bills the state will pass and how they are going to affect local government. Baker Tilly assists with a 5-year roadmap for the county for a fee of \$30,000.

Motion to approve the comprehensive plan by Councilman Fruth,
Seconded by Councilman Nutt. Approved 7-0

- **Converse Library Board Appointment**
Councilman Fruth motioned to appointed Rachel Boyer to the Converse Library Board. Councilman Nutt seconded – Motion approved 7-0
- **Request for Audience - Courtney Schmidt**
Courtney Schmidt presented the annual state extension impact report and discussed upcoming programs.
- Councilman Fruth gave a shout out to Courtney stating not every county is blessed to have someone like her. Not every County is this active with so many programs. Thank you, Courtney, for all you and your staff are doing for Miami County.
- **Council Discussion and Committee Reports**
Brief updates on various topics, including the Grissom Inn legal proceedings.
- **Public Comment**
A public comment was made regarding voting rights for a resident. The council advises them to talk to someone in the Clerk office.
- Motion was made to adjourn the meeting by Councilman Nutt, Seconded by Councilman Saylor – passed 7-0

Respectfully submitted

Annette Phillippo
Miami County Auditor



CERTIFICATE OF APPOINTMENT – PUBLIC LIBRARY BOARD MEMBER

Form for Class I Libraries

State Form 31873 (R5 / 5-17)

INSTRUCTIONS: (See IC 36-12-2-19; IC 5-4-1-1.2; IC 5-4-1-4)

- 1. Appointing Authority completes the "Appointment" section then delivers this Certificate of Appointment to the board appointee in person or by mail.
2. Within 10 days of receiving the Certificate of Appointment, the library board appointee must take the oath of office and ensure the "Oath of Office" section is completed.
3. The library board appointee must file the completed Certificate of Appointment with the library and with the clerk of the circuit court of the county in which the library is located.

APPOINTMENT

I/We Sandy Chittum Name(s) of Official(s)

President Title(s)

Miami County Council Name of Appointing Authority(ies)

of

Miami County Municipal Corporation(s)

Indiana

hereby certify that I/we have duly appointed Rachel Boyer to the

Converse-Jackson Township

Public Library Board,

said term beginning on the 1st day of January, 2025 and ending on the 31st day of December, 2028.

[X] This is a full 4-year term. - OR -

[] This is a partial term to complete the unexpired term of Name of Appointee Being Replaced

WITNESS, MY HAND AND OFFICIAL SEAL, THIS 18 DAY OF March, 2025.

Sandy Chittum Signature of appointing official or attesting officer

(Additional line for signatures if joint appointment occurs)

OATH OF OFFICE

STATE OF INDIANA)
Miami COUNTY) SS

I, the undersigned, do hereby solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Indiana and to the best of my ability will faithfully, impartially, and diligently discharge the duties and accept the responsibilities of a member of the Library Board of the Converse-Jackson Township Public Library, and that I will observe and obey all the laws relating to said office now in force or which may hereafter be enacted during my term of service.

Rachel Boyer Name of Appointee

Rachel Boyer Signature of Appointee

SUBSCRIBED AND SWORN TO ME THIS 20th DAY OF March, 2025.

Elishaba A Shields Signature

Elishaba A Shields Printed Name

Notary Public Title



ELISHEBA A. SHIELDS STATE OF INDIANA, MIAMI COUNTY COMMISSION NUMBER NP0764473 MY COMMISSION EXPIRES FEBRUARY 8TH, 2032

If the person administering the oath is a notary public, add the county of residence and date of commission expiration.

County of Residence Miami Date Commission Expires 2/8 2032



CERTIFICATE OF APPOINTMENT – PUBLIC LIBRARY BOARD MEMBER

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INSTRUCTIONS: (See IC 36-12-2-19; IC 5-4-1-1.2; IC 5-4-1-4)

1. Appointing Authority completes the "Appointment" section then delivers this Certificate of Appointment to the board appointee in person or by mail.
2. Within 10 days of receiving the Certificate of Appointment, the library board appointee must take the oath of office and ensure the "Oath of Office" section is completed. The oath may be administered by the circuit court clerk, a notary public, or anyone else authorized under IC 33-42-4-1 or IC 33-42-9-7 to administer oaths.
3. The library board appointee must file the completed Certificate of Appointment with the library and with the clerk of the circuit court of the county in which the library is located. **The form must be filed with the clerk of the circuit court not later than 30 days after the board term begins.**

APPOINTMENT

I/We Gregory S. Kitts,
Name(s) of Official(s)

President

Title(s)

Grant County Council
Name of Appointing Authority(ies)

of

Grant County, Indiana
Municipal Corporation(s)

hereby certify that I/we have duly appointed Mrs. Rachel Boyer to the
Converse-Jackson Township Public Library Board,

said term beginning on the 1st day of January, 2025 and ending on the 31st day of December, 2028.

This is a full 4-year term. - OR -

This is a partial term to complete the unexpired term of _____
Name of Appointee Being Replaced

WITNESS, MY HAND AND OFFICIAL SEAL, THIS 21 DAY OF March, 2025.

Gregory S. Kitts

Signature of appointing official or attesting officer

(Additional line for signatures if joint appointment occurs)

OATH OF OFFICE

STATE OF INDIANA)
Miami COUNTY) SS

I, the undersigned, do hereby solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Indiana and to the best of my ability will faithfully, impartially, and diligently discharge the duties and accept the responsibilities of a member of the Library Board of the Converse-Jackson Township Public Library, and that I will observe and obey all the laws relating to said office now in force or which may hereafter be enacted during my term of service.

Mrs. Rachel Boyer

Name of Appointee

Rachel Boyer

Signature of Appointee

SUBSCRIBED AND SWORN TO ME THIS 21st DAY OF March, 2025

Elisheba A. Shields

Signature

ELISHEBA A. SHIELDS

Printed Name

Notary Public

Title



ELISHEBA A. SHIELDS
STATE OF INDIANA, MIAMI COUNTY
COMMISSION NUMBER NF0754473
MY COMMISSION EXPIRES
FEBRUARY 8TH, 2032

If the person administering the oath is a notary public, add the county of residence and date of commission expiration.

County of Residence Miami

Date Commission Expires 2/8/2032

THE COUNTY COUNCIL OF MIAMI COUNTY, INDIANA

ORDINANCE NO. 03-18-25

**ORDINANCE IMPOSING A MORATORIUM ON
TAX ABATEMENTS FOR SOLAR ENERGY SYSTEMS**

WHEREAS, pursuant to Indiana Code (“I.C.”) 6-1.1-12.1-2(a), a designating body may find that a particular area within its jurisdiction is an economic revitalization area;

WHEREAS, pursuant to I.C. 6-1.1-12.1-2(g), in finding an area to be an economic revitalization area, a designating body may adopt an ordinance establishing general standards, as long as the standards have a reasonable relationship to the development objectives of the area;

WHEREAS, pursuant to I.C. 6-1.1-12.1-1(7) and I.C. 36-2-3-2, the County Council of Miami County, Indiana (“Council”), as the fiscal body of Miami County, Indiana (“County”) is a “designating body”;

WHEREAS, the County has adopted Ordinance No. 10-18-2021, which defines “Solar Farm Energy System” (“SFES”) as a commercial facility that converts sunlight to electricity, whether by photovoltaics concentrating solar thermal devices, or various experimental technologies for on-site or off-site use with the primary purpose of selling wholesale or retail generated electricity.

WHEREAS, the Council acknowledges a prior and existing proposal for large-scale commercial solar energy generation, storage systems, or facilities receiving economic tax incentives therefrom, and that this Ordinance shall not be deemed to impact, effect, delay, repeal, reject or deny any abatements for any prior and existing proposal;

WHEREAS, the Council has found that, especially with the most recent discussions with and within the Miami County community, there is a lack of public support for commercial solar facilities and the suggestion of offering tax incentives for commercial solar facilities is even less popular;

WHEREAS, the Council believes that tax incentives for SFES in the rural areas of the County should be prohibited, subject to any comprehensive plan and/or zoning ordinance; and

WHEREAS, pursuant to I.C. 36-1-3 (“Home Rule”), a unit in the State of Indiana has all powers granted it by statute and all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute, and may exercise those powers to the extent that the power: (i) is not expressly denied by the Indiana Constitution or by statute; and (ii) is not expressly granted to another entity.

NOW, THEREFORE, IT IS ORDAINED AS FOLLOWS:

1. The name of this ordinance is the “Solar Tax Abatement Moratorium,” or the “Tax Abatement Moratorium” where the context is obvious.
2. The foregoing recitals, including all defined terms, are hereby incorporated into this Ordinance.
3. The Council hereby imposes an indefinite moratorium on the filing, processing, review, consideration, and granting of all applications for tax abatement and other incentives, credits, or subsidies that relate to SFES or other alternative energy generation, storage systems, or facilities.

This moratorium shall not impact, effect, delay, repeal, reject or deny any obligations of County Council in regard to any abatements required under any existing economic development agreement.

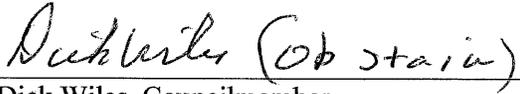
4. References. Except where a specific version or edition is given, reference to another section of this ordinance or to another law, document, fund, department, board, program, public servant, or public office, shall extend and apply to the same, as may be subsequently amended, revised, recodified, renamed, reappointed, or renumbered from time to time. Reference in this ordinance to a law, document, fund, department, board, program, public servant, or public office without reference to another jurisdiction, shall be construed as if it were preceded or followed, as appropriate, by the words “(of) Miami County (Indiana).”
5. Judicial Review. This Ordinance is intended only to improve the internal management of the County. Notwithstanding anything in this Ordinance to the contrary, nothing in this Ordinance shall be construed to create any new legal duty, right, or benefit, whether substantive or procedural, enforceable against the County; nor to waive or diminish any protection that may be applicable to the County or any of its elected or appointed officials, employees, agents, or representatives under any applicable law providing governmental immunity, or any other rights, protections, immunities, defenses, or limitations on liability that the County or such related parties are provided by law.
6. Conflicts. No part of this Ordinance shall be interpreted to conflict with any local, state, or federal laws, and all reasonable efforts should be made to harmonize the same.
7. Severability. Should any section or part thereof of this Ordinance be declared by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of this ordinance as a whole, nor any other portion thereof, and for this purpose the provisions of this Ordinance are hereby declared to be severable.
8. Promulgation. The Auditor is hereby authorized, empowered, and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this Ordinance effective.
9. Effective Date. This Ordinance shall take effect immediately upon adoption.

ADOPTED this 18 day of March, 2025, by the Miami County Council.

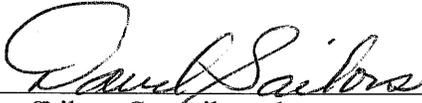
COUNTY COUNCIL OF MIAMI COUNTY

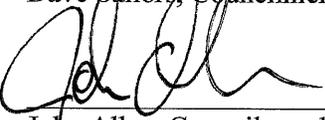

Sandy Chittum, President


Brian Nutt, Vice President


Dick Wiles, Councilmember

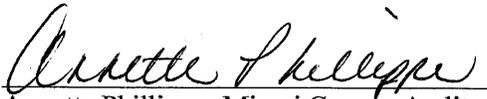

Brad Fruth, Councilmember

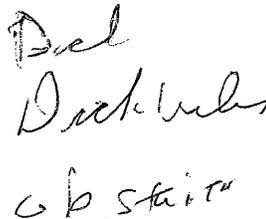

Dave Sailors, Councilmember


John Allen, Councilmember


Thomas Scott, Councilmember

ATTEST:


Annette Phillippe, Miami County Auditor


Dial
Dick Wiles
ob stairs