

**BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS** met in the Henry County Courthouse Circuit Courtroom, on Wednesday March 10, 2021 at 6:00 p.m. with the following members present: Ed Tarantino, Bobbi Plummer, Steve Dellinger, Debra Walker, Henry County Auditor and Martin Shields, County Attorney.

The meeting was opened with the Pledge and Prayer by Ed Tarantino.

A motion was made by Steve Dellinger and seconded by Bobbi Plummer to approve the minutes as presented. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to approve payroll as presented. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to approve claims as presented. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to approve Resolution 2021-03-10-006, A Resolution Transferring Interest In Tax Sale Certificates to the City of New Castle. Motion carried unanimously.

**RESOLUTION NO 2021-03-10-006**

**A RESOLUTION TRANSFERRING INTEREST IN TAX SALE CERTIFICATES TO THE CITY OF NEW CASTLE**

WHEREAS, pursuant to I.C. §6-1.1-24-6, Henry County has a lien on, and an interest in, properties offered for tax sale that are not sold and such lien is evidenced by a tax sale certificate titled in the name of the Board of Commissioners of Henry County; and,

WHEREAS, the City of New Castle has recently established a Landbank Corporation for the purpose of disposing of excess properties it owns, to acquire properties in the City of New Castle for rehabilitation, to promote development and to reduce blight within the City of New Castle; and,

WHEREAS, the City of New Castle has requested that the Board of Commissioners transfer tax sale certificates for certain properties to allow the City of New Castle to eventually obtain title to the properties and to transfer the properties to its Landbank Corporation for the purpose of rehabilitating or demolishing the structure on the property or transferring the property to a responsible owner that will properly maintain the property; and,

WHEREAS, the City of New Castle in its acquisition of the properties, the Board of Commissioners of Henry County wishes to transfer its interest in tax sale certificates in the properties set forth on Exhibit "A" to the City of New Castle which, after acquiring title to the property, will transfer the properties to its Landbank Corporation.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Henry County that all right, title, and interest of Henry County in any tax sale certificate related to the properties described on Exhibit "A," and all lien rights it holds as a result of delinquent unpaid taxes on the properties described on Exhibit "A," are hereby transferred to the City of New Castle. The County Auditor shall deliver the tax sale certificates for the properties listed on Exhibit "A" to the City of New Castle.

PASSED AND ADOPTED by the Board of Commissioners of Henry County, Indiana this 10<sup>th</sup> day of March, 2021.

BOARD OF COMMISSIONERS OF HENRY COUNTY,  
INDIANA

  
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Tracy Harrison presented to the Commissioners her request to change the speed limit from State Road 3 to Golf Course Road to 30 mph. Joe Copeland is helping her look into this matter.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to accept the Henry County Weights and Measurers monthly report. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to approve the request from the Sheriff's Department to allow Mike Rossiter to purchase his duty gun for \$1.00 upon his retirement. Motion carried unanimously.

A motion was made by Ed Tarantino and seconded by Steve Dellinger to put in to public record the proposed Solar Ordinance and email corresponds from the public regarding the proposed Solar Ordinance. Motion carried unanimously.

January 12, 2021

Dear Henry County Commissioners: Ed Tarantino, Steve Dellinger, Bobbi Plummer,

We are enclosing a revised version of the Henry County Solar Ordinance that was passed by the Henry County Planning Commission on November 24, 2020 and forwarded to the Commissioners for their approval. The ordinance was rejected by the Commissioners so that additional changes could be made. Suggested changes are "red" in this revised version.

Many of the changes reflect reorganizing the November ordinance into a more cohesive document. We have also added some important criteria that were not included in the previous version.

The background information that was used to make these additions or changes include:

- All land for proposed large-scale solar projects is zoned Agriculture 1.
- Every proposed solar project site will be different. There is no cookie cutter plan that will fit all sites.
- Henry County is an agricultural county. Industrial solar projects takeover vast tracts of land.
- At a recent County Council meeting, Corey Murphy pointed out that new jobs increase local income tax revenue for the county. He continued, "As you know your budget over the years has been becoming more and more dependent on local income tax. And that's the way the state legislature likes it." Solar projects create no new jobs except during construction and those that are local are limited.
- Less farmland could mean a loss to agronomists, implement dealers, seed dealers, ag applicators, grain elevators, mechanics, and tiling operations.
- Henry County is positioned to draw people from outside the county to come here to live. A few homesites would take much less land while providing many more benefits to the county. More people would support more business in the county which has a beneficial ripple effect to the county.
- Research states that each dollar spent growing corn results in three dollars returned to the local economy.
- Problems the vegetative control over time: grasses give way to broadleaf annuals that give way to woody species that eventually return to woodlands. Use of strong herbicides would be used.
- One of the purposes of the Henry County Development Code is to protect property values. Nearby solar fields do not provide pleasant viewsheds, nor do massive rows of tall trees placed too close to property lines.

- Solar fields are depicted as temporary, but 35 years or more is not temporary. No one knows what life will be like that far down the road. Imagine trying to restart a farming operation.
- Decommissioning brings with it many uncertainties. If the Decommissioning fund was kept up to date, there should be funds to complete the job. Who will do the decommissioning if the owner has changed? Will there be any salvage value at that time? What if the solar panels had been damaged and hazardous chemicals had leaked onto the ground below? How much will it cost to rebalance nutrient levels (lime, etc.)?
- Can the land be reclaimed into productive farmland? What will it take to restore soil that has been graded, leveled, compacted, disturbed while removing underground wiring, amass with ground covers, scattered with graveled roadways and concrete bases for equipment?

Other factors that may influence a decision about solar is about solar energy itself:

- Solar energy is only about 25% reliable. See accompanied article.
- Solar efficiency in our area is about 8% efficient in winter.
- Solar panels channel water into concentrated streams resulting in more runoff.
- At 200 bushel per acre, every acre of corn absorbs 8 tons of carbon dioxide. Solar panels none.
- How many trees are cut down, making way for the solar panels. Trees are nature's way of converting carbon dioxide to oxygen.
- Another perspective: A typical 1,000-megawatt (MW) nuclear facility in the United States needs a little more than 1 square mile (1 square mile= 640 acres) to operate. NEI says wind farms require 360 times more land area to produce the same amount of electricity and solar photovoltaic plants require 75 times more space. The Bellflower solar project involving about 1400 acres in Henry and Rush Counties is scheduled to produce only 152.5 MW. Big difference.

One last thought, God provided our county with an abundance of good farmland. It is our responsibility to be good stewards of that land. It is irreplaceable.

We welcome any questions or questions that you may have.

Thank you for your dedication and concern,

Rosalind Richey Email [richevfarm@myninestar.net](mailto:richevfarm@myninestar.net), home 765-233-6612, cell 765-465-1341 Gary Rodgers Email [gary.rodgers@gmail.com](mailto:gary.rodgers@gmail.com) , 765-520-6267

Patsy Conyers Email [shoes006@gmai.com](mailto:shoes006@gmai.com) , 765-610-9148

Adjoining Property	Any property where the border is shared in part or in whole with another property, and is not separated by a street, road, or other public thoroughfare separating the properties.
of Solar Energy System	The area shall be calculated to include all the land and equipment inside the perimeter of the system, and shall extend to, and include, any access roads, fencing, setbacks and landscaping
Building-mounted Solar Energy System	A solar energy system that is structurally mounted to a building or structure. A Building-mounted SES can be mounted on the roof or facade of a building or structure.
Ground-mounted Solar the Energy System	A solar energy system that is structurally mounted to ground. Ground-mounted SES can be further classified as Small-scale SES and Large-scale SES.
Height of Solar Energy System	The height shall be calculated as the distance from grade or roof to the top of the solar panel at its greatest incline.
Inverter	A device that converts the Direct Current (DC) electricity produced by a solar photovoltaic system into Alternating Current (AC).
Large-scale Solar Energy System	A Ground-mounted SES that is greater than ten (10) acres in area.
Municipal Utility Solar Energy System	A solar energy system constructed in partnership with a municipal electric utility and located within the corporate limits of the municipality.
Projection	The projection of a facade-mounted SES is measured from the facade to the outside edge of the SES that is perpendicular to the ground.
Setback	Setbacks for Ground-mounted SES shall be measured from the property line to the edge of the nearest SES above ground equipment.

Small-scale Solar Energy System	<b>A Ground-mounted SES that is less than or equal to ten (10) acres in area. (moved: alphabetical order)</b>
<b>Solar Panel</b>	<b>A photovoltaic device capable of collecting and converting solar energy into electrical energy.</b>
Solar Energy System (SES)	<b>An energy system, and all related solar energy equipment, that uses the power of the sun to capture, store, and transmit energy.</b>
Solar Energy Equipment	<b>Electrical energy storage devices, material, hardware, inverters, substations, all connection and transmission cables, or other electrical equipment and conduit of photovoltaic devices associated with the production of electrical energy.</b>
Utility	Any organization which provides services to the general public, although it may be privately owned. Public utilities include electric, gas, telephone, water, and television cable systems, as well as streetcar and bus lines. They are allowed certain monopoly rights due to the practical need to service entire geographic areas with one system, but they are regulated by state, county and/or city public utility commissions under state laws. <i>(Legal definition: <a href="https://definitions.uslegal.com/lu/utilities-/awl/">https://definitions.uslegal.com/lu/utilities-/awl/</a>)</i>

## **SECTION 10.0 UTILITIES: SOLAR ENERGY SYSTEMS (SES)**

### **10.1 INTENT**

**It is the intent of this Section to protect the public health, safety and general welfare and to preserve the property values and property rights of non-participating property owners of Henry County while accommodating alternative energy needs by establishing requirements and regulations for the placement, construction, modification, and removal of solar energy systems.**

### **10.2 APPLICABILITY**

**The regulations of this Section shall apply to all lands and land uses and structures in the unincorporated areas of Henry County and in incorporated towns and cities that have designated the Planning Commission as their planning agency.** Because Henry County is primarily an agricultural county, efforts should be made to preserve the natural aesthetics and maintain the integrity of the farmland.

Building-mounted solar should be encouraged. All new construction should consider installing building-mounted solar energy systems. Large-scale solar energy projects should be judged on a case-by-case basis to determine if use of farmland are

### **10.3 EXEMPTIONS**

Any SES constructed prior to the effective date of this Section shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to an existing SES whether or not existing prior to the effective date of this Section that materially alters the SES shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.

### **10.4 PROHIBITION**

No Applicant, person or entity shall construct, operate, or locate within Henry County a Solar Energy System (SES) without having fully complied with the provisions of this Ordinance.

### **10.5 COMPLIANCE WITH OTHER LAWS AND ORDINANCES**

All SES shall comply with all Federal, State and local laws and ordinances including, but not limited to building codes, fire codes, placement in floodplains, historic preservation districts, and applicable FAA regulations, including any necessary approvals for installations close to airports.

### **10.6 REQUIRED PERMITS**

Special Exception Use, Commission Approved Use, Improvement Location Permits and Building Permits must be obtained, as outlined in this Section and Title 1 Section 14.6, prior to beginning construction or use of any Solar Energy System in Henry County.

*(Section 10.7 Methods of Measurement moved to Definitions)*

### **10.7 BUILDING-MOUNTED SOLAR ENERGY SYSTEMS REGULATIONS**

Building-mounted SES are a permitted use in all zoning districts under the following requirements:

- A. Building-mounted SES may exceed the maximum allowed building height of the building or structure on which it is located by five (5) feet in residential districts and ten (10) feet in all other districts.
- B. Building-mounted SES may project off a building facade up to three(3) feet into the required setback.

- C. Building-mounted SES may be installed on legally established nonconforming buildings as long as the installation of the SES does not increase the nonconformity, except for the allowances in height and projection as outlined above.
- D. Building-mounted SES shall be located in such a manner as to ensure emergency access to the roof, provide pathways to specific areas of the roof, and provide for smoke ventilation opportunities. Building-mounted SES shall be located in accordance with the Indiana Fire Code.
- E. All Building-mounted SES must obtain a Building Permit prior to installation. The application for the permit should include a diagram showing wiring layout, where a separate shut off has been included for fire or disaster safety and provided to the local fire district and first responders.

#### **10.8 SMALL-SCALE GROUND-MOUNTED SOLAR ENERGY SYSTEMS REGULATIONS**

- A. Small-scale Solar Energy Systems are ground-mounted SES that are less than or equal to ten (10) acres in area. Small-scale SES are a permitted use in all zoning districts under the following requirements:
  - 1. Small-scale SES shall not be taller than fifteen (15) feet above grade.
  - 2. Small-scale SES shall meet the required setbacks of the district in which they are located. Setbacks shall be the same as what is required for accessory buildings. Setbacks shall be (fifty) 50 feet measured from the property line to the nearest piece of above ground solar energy equipment.
  - 3. Small-scale SES shall not be located over a septic field, unless approval is granted from the Henry County Health Department.
  - 4. Small-scale SES shall not be placed within any legal easement or right-of-way location except if permission is granted in writing by the owner of right-of-way or easement. Nor shall it be placed within the legal easement of any Henry County Drain except if permission is granted in writing by the Henry County Surveyor and/or the County Drainage Board.
- B. Small-scale SES shall be exempt from all required landscaping.
- C. Site Plans shall be submitted to the Zoning Administrator with the Application for an Improvement Location Permit and reviewed as described in Title 1 Paragraph 14.8 of the Development Code.

**SECTION 10.9 LARGE-SCALE GROUND-MOUNTED SOLAR ENERGY SYSTEMS**

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**A. Large-scale Solar Energy Systems are ground-mounted SES that are greater than ten (10) acres in area.**

**1. The size of a large-scale Solar Energy System shall be limited to 500 acres.**

**2. The number of acres in Henry County containing large-scale Solar Energy Systems shall be no more than 2,000 acres.**

**3. Large-scale Solar Energy Systems shall be avoided on prime farmland.**

**B. In addition to all other requirements of this code, Large-scale Solar Energy Systems require a Commission Approved Use in R1, R2, and R3 Residential Districts, as well as Rural Residential (RR) Districts with greater than ten (10) acres.**

**C. In addition to all other requirements of code, Large-scale Energy Systems in districts A1 require a Special Use permit.**

**D. The Applicant/Owner/Operator shall set up an Escrow Account at the time of the Special Exception Use or Commission Approved Application. This Escrow Account will be held a financial institution approved by the County, solely in the name of the County, to managed by County Treasurer (or designee not affiliated with the Applicant/Owner/Applicant). The Applicant will make an initial deposit of \$50,000. The Special Exception Use or Commission Approved Application will not be processed until proof of deposit has been provided by the Applicant. A Special Exception Use or Commission Approved Application will not be heard by the Henry County Board of Zoning Appeals or Planning Commission until all costs incurred by the County, as of the date of the scheduled hearing, have been reimbursed by the Applicant. Funds deposited in the Escrow Account may not be used by the Applicant to pay for any applicable application fees or charges for obtaining an Improvement Location Permit. The Escrow, ,,,,"""."" shall be administered subject to the following conditions:**

**1. Funds may be used for administration of the Application for a Special Exception Use, Commission Approved Use or Improvement Location Permit, including without limitation, to obtain engineering, outside expert health and wildlife evaluations, economic impact, environmental impact, or other professional services to aid in the review any submitted SES**



application, or at any time during the life of the SES when information is needed, subject to the approval of the Henry County Commissioners. The funds may also be used for investigating complaints, and legal fees, including reasonable attorney fees incurred by the County, if the County is a party to any litigation arising out of, or relating to, the SES Project.

2. This Escrow Account will be funded during the life of the SES from application through completed decommissioning by the Applicant/Owner/Operator. The Applicant/Owner/Operator will replenish all Escrow funds used by the County within 14 days of being sent written notification and explanation of any withdrawal by the County. Failure to maintain the Escrow Account at \$50,000 (within 30 days of being sent notice) will result in revocation, or denial of renewal, of the Special Exception Use. Commission Approved or Improvement Location Permit. Once the Applicant/Owner/Operator has satisfactorily complied with the decommissioning conditions as specified in any Decommissioning Plan, it  
send the County written notification. The County shall have 180 days after receipt of notification to verify that all decommissioning conditions have been satisfied. If there is non-compliance with the Decommissioning Plan and any agreement between the County with the Applicant/Owner/Operator, the County will notify the Applicant/Owner/Operator. If all decommissioning conditions and obligations have been satisfied, the County will release any funds remaining in the Escrow Account, less related expenses incurred by the County, along with a statement detailing all expenses incurred.
- 3.

operator to the total of the required amount within 30 days after notice from Henry County of the amount deducted and the deficiency created.

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*(THIS SECTION MOVED HERE FROM SECTION 10.19 DECOMMISSIONING FUND)*

4. If the Special Exception Use or Commission Approved Application is denied, all Escrow Account funds will be returned to the Applicant, less expenses incurred by the County. The funds will be returned, along with a statement detailing the expenses incurred within ninety (90) days after the Application is denied and legal proceedings, if any, related to the Special Exception Use or Commission Approved Application are concluded, or within ninety (90) days after receipt of a written request by the Applicant to withdraw the application. All fees paid at the time of Application or in connection with a request to obtain an Improvement Location Permit shall not be refunded.

## SECTION 1 0 APPLICATION REQUIREMENTS

### I. Application Requirements for a Commission Approved Use Permit or a Special Exception Use Permit

A. A site plan, drawn to scale, including distances pertaining to all applicable setback requirements. All drawings shall be at a scale of one (1") inch equals thirty (30') feet (1 inch= 30 feet). No individual sheet or drawing shall exceed twenty-four (24") inches by thirty six (36") inches {24 inches by 36 inches). The following shall be indicated on the site plan:

1. Property lines subject to the application with the names of owners of record of each parcel and adjacent parcels.
2. Location and name/number of public roads surrounding, abutting, and/or traversing the SES and any SES ingress/egress road.
3. Setback lines showing the distances from the SES to each setback requirement.
4. Location and height of fencing, access roads, berms and landscaping associated with the SES.
5. Location and spacing of panels/arrays, key components and associated equipment.
6. Any structure within one quarter (1/4) mile of the proposed SES boundary.
7. A drainage plan for construction and operation must be developed and approved by the Henry County Drainage Board.
8. Indicate proposed path of connection to the grid. *new infrastructure  
be needed?)*

### II. Application for Improvement Location Permit

- A. Contiguous Large-scale SES projects (adjoining properties, single Owner) may submit a single application and be reviewed under the same proceedings, including notices, hearing(s), reviews and denials, or approvals.
- B. The Applicant shall apply to the Zoning Administrator for an Improvement Location Permit. In addition to the information required on the Improvement Location Permit Application, and subject to the additional requirements stated in this section and this Code, specifically Title 1 section 14.6 and 14.8, the Applicant shall provide the following information to the Zoning Administrator prior to the issuance of an Improvement Location Permit:

1. A site plan, drawn to scale, including distances pertaining to all applicable setback requirements. All drawings shall be at a scale of one (1") inch equals thirty (30') feet (1 inch= 30 feet). No individual sheet or drawing shall exceed twenty-four (24") inches by thirty six (36") inches (24 inches by 36 inches). The following shall be indicated on the siteplan:
  - a. A United States Geological Survey (USGS) topographical map, or map with similar data, of the property and the surrounding area, with contours of not more than five (5') foot intervals.
  - b. Property lines subject to the application with the names of owners of record of each parcel and adjacent parcels.
  - c. Location and name/number of public roads surrounding, abutting, and/or traversing the SES and any SES ingress/egress road.
  - d. Setback lines showing the distances from the SES to each setback requirement listed in this Section.
  - e. Location of any substations or battery storage units.
  - f. Location of any electrical cabling outside of fenced areas.
  - g. Location of any proposed structures associated with the SES.
  - h. Location and height of fencing, access roads, berms and landscaping associated with the SES.
  - i. Location and spacing of panels/arrays, key components and associated equipment.
  - j. Any structure within one quarter (1/4) mile of the proposed SES boundary.
  - k. The location of any wetlands based upon a delineation plan prepared in accordance with the applicable U.S. Army Corps of Engineers requirements and guidelines, within one quarter (1/4) mile of a proposed SES.
  - l. The location of any county drains, stormwater drains, or sewer lines within one quarter (1/4) mile of a proposed SES.
  - m. The location of any municipal water wells within one quarter (1/4) mile of a proposed SES.

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2. Copies of all recorded access easements and necessary recorded utility easements.
3. A Memorandum of Agreement for all agreements of any description signed by participating landowners authorizing the placement of the proposed SES on landowner's property.
4. Copies of all written waivers, describing the standard or requirement which is being waived, signed by adjoining property owners.
5. A drainage plan for construction and operation must be developed and approved by the Henry County Drainage Board.
6. An erosion control plan developed in consultation with the Henry County Soil and Water Conservation District.
7. An emergency response plan for construction and operation of the SES, prepared in cooperation with the Henry County Homeland Security Emergency Management, the Henry County Sheriffs Department, and the responding Fire Department.
8. A road and transportation plan approved by the Henry County Highway Department Superintendent or Engineer identifying all proposed routes that will be used for transportation of construction materials, construction of the SES, and/or maintenance of the SES.
9. Written acknowledgement that the applicant and all current and successive owners and/or operators of the SES do not have the right to remain free of shadows and/or obstructions to solar energy caused by development of adjacent or other property or the growth of any trees or vegetation on such property. Also that any and all current and successive owners and/or operators of the SES do not have the right to prohibit the development of, or growth of any trees or vegetation on such property. This document is subordinate to any solar easements entered into with adjacent landowners and subject to the terms agreed to therein.
10. A document stating that the applicant and all current and successive owners and/or operators of the SES shall agree to allow entry by the County or their designee to remove an abandoned, hazardous, or decommissioned installation if said SES has not begun decommissioning as described in this code.

- C. Site plans shall be submitted to the Zoning Administrator with the Application for an Improvement Location Permit and reviewed as described in Title 1 Paragraph 14.8 of the Development Code.
- D. Plan schematics are to include a wiring diagram, where a separate shut off has been included for fire safety and made available to the appropriate fire department or district.

### III. Building Permit

- A. A Building Permit shall be obtained before beginning construction, alteration, repair or demolition of any Large-Scale SES.
- B. All solar energy systems shall meet approval of local building code officials, consistent with the State of Indiana Building Code, and Electric Code.

### SECTION 10.11 SETBACKS

- A. Setbacks shall be measured from the property line to the nearest piece of above ground solar energy equipment. Setbacks do not apply to underground cabling, fencing, access roads/lanes or ingress/egress roads.
- B. Large-scale SES shall be set back a minimum of ninety (90) five hundred (500) feet from the center of any adjoining public road from the property line of any public road or highway, railroad right-of-way, state or county parks, protected lands, or any nonparticipating adjoining property  
*(combined B & C)*  
Large scale SES shall be setback a minimum of one hundred (100) feet from any nonparticipating adjoining property
- C. Inverters must be placed a minimum of one hundred (100) fifteen hundred (1500) feet from any nonparticipating adjoining property line.
- D. Any Large-scale SES must be set back a minimum two thousand six hundred and forty (2,640) feet from any municipal corporate limits. The municipal governing body may waive this requirement by filing a written waiver with the Zoning Administrator.
- E. No nonparticipating adjoining property with a legal dwelling or current building permit for a dwelling may be bordered on more than two (2) adjoining sides by a Large-scale SES. Participating and non-participating adjoining property owners may waive this requirement by filing a written waiver with the Zoning Administrator.

- F. Participating and non-participating parcel owners may waive any setback requirements by filing a written waiver with the Zoning Administrator.

## SECTION 1 2 LANDSCAPING AND SCREENING

A Pollinator-friendly plants and grasses are required as ground cover for any Large-scale SES. Such ground cover shall be planted and maintained under and around all solar panels, in setback buffer areas, and on any ground in the SES that is not covered by equipment or established access roads. (For reference, best practices, and maintenance information see *Technical Guide; Establishment and Maintenance of Pollinator-Friendly Solar Projects (2020) - Northern Indiana - Michiana Area Council of Governments, as amended*, or alternate pollinator guides that may be provided by the Zoning Administrator.)

Large-scale SES may claim that the site provides benefits to pollinators only if the site meets the standards of the Purdue University Solar Site Pollinator Habitat Planning Scorecard and the applicant/owner uses the following best management practices:

1. Ground around and under solar panels and in project site buffer areas shall be planted, established, and maintained for the life of the solar project in perennial vegetated ground cover.
2. Perennial vegetation ground cover shall be based on a diverse seed mix of species consisting of meadow grasses and pollinator-friendly wildflower forbs and/or clover species based on guidance specific to the local area provided by the National Resources Conservation Service, Soil and Water Conservation District, or Purdue University. If the site is to be used for grazing, ground cover shall consist of grasses and vegetation approved for grazing and foraging by the Purdue Cooperative Extension Services
3. The site shall be planted and maintained to be free of all invasive species, as listed by the Indiana Invasive Species Council. Maintenance shall include eradication of all noxious weeds and plants, as identified by the Purdue Cooperative Extension Services, prior to the weeds seeding and spreading.
4. No insecticide use is permitted on the site. This provision does not apply to insecticide use in on-site buildings, in and around electrical boxes, or as otherwise may be deemed necessary to protect public health and safety.
5. The owner or operator may use livestock grazing as a way to manage vegetation.

6. Alternate ground cover landscaping plans that encourage the use of the property for agricultural purposes, such as grazing or under panel crops may be submitted for consideration by the Planning Commission. Such alternate agricultural based plans must fully detail the estimated yearly schedule for planting and harvesting or grazing. The owner or operator of the Large-scale SES must submit and receive approval for any deviations or changes to the originally submitted agricultural based plans.
- B. Where a Large-scale SES abuts a nonparticipating adjoining parcel which has a legal dwelling, a landscaping buffer shall be installed along the entire length of where the two (2) parcels abut. The buffer must consist of either/or:
1. A six (6) foot tall earthen berm planted with grass and/or other appropriate vegetative ground cover.
  2. A row of evergreen trees, at least four (4) feet tall at the time of construction, initially planted at five (5) foot intervals.
  3. An existing tree line may count as a sufficient barrier if the trees and vegetation are healthy and are equal to or greater than the required screening height and density.
  4. Opaque fencing is not considered an acceptable landscaping buffer.
  5. Screening landscaping shall be done in accordance with a certified landscape plan that shows a visual barrier with a predicted minimum height of seven (7) feet within three (3) years of planting, and will be achieved by the selected species and planting size and density during normal growing conditions. A minimum height of seven (7) feet is to be maintained over the life of the project. Height is measured from the original grade. The effectiveness of screening shall be maintained as the plant materials mature.
  6. Tables 21, 22, 23 and 24 in Title 1 of the Henry County Development Code list plant materials approved for specific applications. Plants used to fulfill the requirements of this Section must be selected from the following tables, unless the Planning Commission approves the use of another plant for cause shown.
  7. Plant materials shall conform to the requirements described in the latest edition of the American Standard for Nursery Stock, which is published by the American Association of Nurserymen. Plants shall be nursery grown.

8. No trees or other landscaping otherwise required by the county ordinances or attached as a condition of approval of any plan, application, or permit may be removed for the installation or operation of a SES.
  9. Screening landscaping must be located between the adjoining property and the SES fence.
  10. Adjoining property owners may waive landscaping requirements by filing a written waiver with the Zoning Administrator.
- C. Landscaping along rights-of-way is not required.
  - D. A clear sight triangle shall be maintained at all intersections and ingress/egress locations.
  - E. All landscaping materials shall be installed and maintained according to accepted nursery industry procedures. The owner of the SES shall be responsible for the continued property maintenance of all landscaping materials and shall keep the SES in a proper and orderly appearance free from refuse and debris at all times. Unhealthy and dead plants shall be replaced within one (1) year of being provided written notice of the violation.
  - F. Failure to follow or maintain the approved SES landscaping plan will result in enforcement as outlined in Title 1, Section 14 of the Development Code.

### **SECTION 1 3 GENERAL REQUIREMENTS**

#### **A Height**

Large-scale SES shall not be taller than fifteen (15) feet above grade.

#### **B. Fencing**

1. For security, a Large-scale SES shall be completely enclosed by a six (6) foot high fence with a locking gate.
2. Signage will be permitted on the fencing provided it meets the signage standards of this section and all other state and local signage requirements.
3. The fence must be located between any required landscaping and the SES.

#### **C. Glare**



1. Solar energy panels, regardless of how they are mounted, shall be oriented and/or screened year-round so any glare is directed away from adjacent properties, structures and roadways.
2. The applicant has the burden of mitigating any glare produced so as not to have significant adverse impact on adjacent uses. Mitigation is accomplished by panel siting, panel orientation, landscaping and/or other means.

#### D. Lighting

A Large-scale SES shall not be artificially lit except to the extent required for safety or applicable federal, state, or local authority. Such lighting shall be shielded and downcast so as not to affect adjacent properties.

#### E. Noise and Vibrations

1. No operating Large-scale SES shall produce noise that exceeds ~~fifty (50)~~ forty (40) decibels, as measured at the property line Nith a legal dwelling or current buildina oermit for a dvve.
2. Adequate setbacks, barriers, enclosures, use of quieter equipment, or other effective means of reducing noise shall be used to comply with these limitations.
3. Participating and non-participating parcel owners may waive decibel requirements by filing written waiver with the Zoning Administrator
4. To mitigate noise during construction, hours of construction and material delivery for a Large-scale SES will be limited to between the hours of 6 am until 10 pm.
5. Any proposed SES shall not produce vibrations humanly perceptible beyond the SES property boundaries or cause vibrations that could be detected in nearby structures or damage underground wells during construction or upon operation.

#### F. Signage

1. Signs will comply with the Sign Standards provided in applicable Articles of the Zoning Ordinance. *(It would be helpful to be specific as to where this is located.)*
2. An identification sign relating to a SES may be located on each side of the fenced facility area, provided that there shall be no more than one (1) sign

located on any side of the SES fenced facility area, unless additional identification signs are required to provide reasonable notice to the general public.

3. A sign shall be securely posted on each gate entry point clearly displaying an emergency telephone number(s) and other contact information.
4. All ingress/egress roads to a SES shall have posted in a conspicuous location a 911 Address road sign indicating the assigned address for that location.
5. Warning signs shall comply with applicable laws.
6. No portion of the SES shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be allowed on any equipment of the SES provided they comply with the prevailing sign regulations.
7. All signage required or permitted by this code shall be made of materials and constructed in a manner to be durable and long lasting. The same shall be painted or made of material with a distinct, high contrast background and be weather proof paint or other weather proof material to promote safety and protect the public from hazards and potential hazards.

#### G. Materials Handling, Storage, and Disposal

1. All solid or liquid wastes, whether generated from supplies, equipment, parts, packaging, operation, maintenance, rehabilitation, decommissioning, restoration of the facility, or otherwise, including, but not limited to, old parts and equipment related to the maintenance, rehabilitation, decommissioning, or restoration of any SES shall be removed from the site promptly and disposed of or recycled in accordance with all federal, state and local regulations, laws and ordinances.
2. All hazardous materials or hazardous waste related to the construction, operation, maintenance, rehabilitation, decommissioning, or restoration of any SES or otherwise generated by the facility shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal regulations and laws.

#### H. Drainage, Flood, and Erosion Control

1. A detailed drainage plan compliant with the requirements of the Henry County Stormwater Ordinance shall be submitted and approved by the Henry County Drainage Board prior to receiving an Improvement Location Permit.
2. In instances where the project is required to comply with IDEM erosion control regulations, proper approvals shall be submitted indicating the plans have been approved.
3. Any project within a special flood hazard area shall comply with all standards required under the Henry County Flood Damage Prevention Ordinance.
4. The area beneath the ground mounted SES is considered pervious cover. However, use of impervious construction materials within the SES could cause areas to be subject to stormwater detention requirements. Natural (pervious) ground covers are required beneath the solar arrays.
5. All damages to waterways, drainage ditches, field tiles, or any other infrastructures caused by the construction or maintenance of a Large- scale SES, must be completely repaired to the current stormwater ordinance requirements so as not to impede the natural flow of water. All repairs must be completed within a reasonable amount of time agreed upon by the Henry County Surveyor.

#### **SECTION 10.14 ROADS**

- A. A road and transportation plan must show, to the extent possible, all proposed routes that will be used for transportation of construction materials, construction of the SES, and/or maintenance of the SES. If the routes include any public roads, such route shall be approved by the Henry County Highway Department Superintendent or Engineer prior to receiving an Improvement Location Permit. To the extent possible State or Federal Highways shall be utilized for the purposes of transporting any component of a SES, substation and/or any other equipment for the construction, operation or maintenance of a SES.
- B. Prior to construction, the applicant shall conduct a pre-construction baseline survey in coordination with, and acceptable to, the Henry County Highway Department Superintendent or Engineer and such survey shall be used to determine existing road conditions for assessing current needed improvements and potential future damage. The survey shall include, but not be limited to, photographs, and/or video, or a combination thereof, and a written agreement to document the condition of the public facility as the same exists on the date of the baseline survey. This survey shall be the basis for

determining the minimum width of roads (not platted width) and when repair or replacement is required.

- C. Any road damage caused by the transport of any matter or material utilized in any way regarding the SES, in the construction of the SES, the installation of the same, and/or the removal and decommissioning of the same, shall be repaired to the satisfaction of the Henry County Highway Department Superintendent or Engineer.

**SECTION 10.15 PROPERTY VALUE GUARANTEE**

- A. Prior to receiving an Improvement Location Permit the applicant must establish a baseline appraised value for all nonparticipating adjoining properties with a legal dwelling and guarantee that baseline property value for up to five (5) years six (6) months after construction of the SES has been completed and a Certificate of Occupancy has been issued by the Henry County Building Department.
- B. In order for the baseline property value to be established the applicant shall select an appraiser licensed by the state of Indiana and the home owner shall likewise select their own appraiser licensed by the state of Indiana and the average of the two appraisals shall constitute the baseline property value. The applicant will be responsible for paying for both appraisals and shall provide written copies of both appraisals to the homeowner.
- C. If an adjoining property with a legal dwelling is unable to be sold, or is sold for less than the established baseline value anytime between the issuance of the ILP and five (5) years six (6) months after a Certificate of Occupancy has been issued, the SES owner and/or operator is responsible for paying the difference.
- D. The guarantee is not transferable to subsequent property owners.
- E. The SES owner and/or operator has the right of first refusal for any adjoining properties with a legal dwelling that are marketed for sale during this time period.
- F. The property value guarantee can be waived by the adjoining property owner.

**SECTION 10.16 OWNERSHIP AND CONTACT INFORMATION**

- A. These regulations and any requirements or conditions for approval attached to an application carry forward with any and all current and successive owners and/or operators of the SES.
- B. The names, addresses, telephone numbers and e-mail addresses of the SES owners, together with a description of the owner's business structure and

overall role in the proposed SES, and documentation of real estate ownership of any real property upon which any part of the proposed SES is to be located. The SES owner shall inform the Zoning Administrator of any change of SES ownership, in whole or in part, and shall furnish the required information regarding such owner.

- C. The SES owner and/or operator shall maintain a phone number and identify a person responsible for the public to contact with inquiries and complaints throughout the life of the project and provide this number and name to the Zoning Administrator. The SES owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints.

#### **SECTION 10.17 RIGHT TO ENTRY**

- A. The Zoning Administrator, Building Inspector or anyone designated by the Planning Commission or County Commissioners has the right to enter any part or portion of the SES upon twenty-four **(24)** hours' notice to the SES owner and/or operator to inspect for compliance with the Henry County Code. It is the responsibility of the owner and/or operator to facilitate said entry within twenty-four (24) hours and to ensure the SES is safe for entry.
- B. Emergency response personnel have the right to enter the SES at any time in case of a public emergency.

#### **SECTION 10.18 ABANDONMENT AND REMOVAL**

- A. A Large-scale SES which has reached the end of its useful life or has been abandoned shall be removed by the owner or operator. The owner or operator shall physically remove the installation no more than 120 days after the date of discontinued operations, or by a timeframe determined by the Zoning Administrator for extenuating circumstances. For large-scale SES, decommissioning shall consist of:
  - 1. Physical removal of all SES, structures, transmission lines, and equipment above and below ground from the site;
  - 2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations; and
  - 3. The owner shall restore the site to its condition prior to location of the SES (excluding replanting of original vegetation and trees), and shall stabilize soils through use of ground cover. All concrete, asphalt, gravel and rebar must be removed from the soil.

B. A Large scale SES shall be declared abandoned by the County when it fails to operate for more than six (6) months without written consent from the County.

Rewrite: A. The County shall consider a Large-scale SES abandoned when it fails to operate for more than six (6) months without written notice to the County Ordinance Administrator.

C. If the owner or operator of the Large-scale SES fails to remove the installation in accordance with the requirements of this section within 90 days of abandonment or the proposed date of decommissioning, the County retains the right, after the receipt of an appropriate court order, to enter and remove an abandoned, hazardous, or decommissioned Ground-mounted SES. As a condition of issuance of an Improvement Location Permit, the applicant and landowner shall agree to allow entry to remove an abandoned, hazardous, or decommissioned installation.

#### **SECTION 10.19 DECOMMISSIONING FUND**

A. Prior to receiving an Improvement Location Permit, any owner of a Large-scale SES shall establish a cash security fund, bond, irrevocable letter of credit or other means as determined by the Henry County Board of Commissioners.

B. This fund is meant to secure the payment of removing any abandoned SES. The removal shall include the solar panels and associated equipment and buildings that have been determined to be abandoned, or found to be in non-compliance with this chapter.

C. The fund shall contain and be maintained at the amount of 125% of the cost of demolition and removal of the SES, based upon a licensed engineer's estimate of the cost of demolition and removal. Said estimate will be reviewed by a licensed engineer every five (5) years to ensure the established fund is sufficient for demolition and removal of the SES. The Applicant/Owner/ Operator shall submit proof yearly on the anniversary date of the approval of the Improvement Location Permit that the fund continues to be fully funded.

1. The established fund will be used by Henry County to deduct fines and penalties for non-compliance with this code or other applicable laws. Any reduction in the security fund provided, because of deductions of fines, penalties, or removal costs, shall be replenished by the owner and/or operator the total of the required amount within 30 days after notice from Henry County of the amount deducted and the deficiency created hereby.

THIS SECTION IS MOVED TO SECTION 10.19 D ESCROW ACCOUNT ON PAGE 6

- D. Within three months after the SES is removed, any remaining funds on deposit with Henry County pursuant to this Section, after application and above all expenses provided for herein, shall be refunded to the appropriate SES owner who created the security fund. The requirement for a security fund shall not apply to a municipal corporation or a school corporation, as defined in IC 36-1-2-10 and 17 respectively.**

#### **SECTION 10.20 MUNICIPAL UTILITY SOLAR ENERGY SYSTEMS**

- A. Any Municipal Electric Utility is exempt from the regulation in this Section if:**
- 1. The SES is to be located entirely within the municipal corporate limits,**
  - 2. The municipal governing body provides a signed resolution to the Planning Commission approving the construction of a SES within their corporate limits, and**
  - 3. The municipal governing body provides a signed resolution to the Henry County Board of Commissioners holding the County harmless for any issues or financial responsibilities that may occur from the Municipal Utility SES.**
- B. Municipal Utility SES are not exempt from obtaining, and paying fees for Building and Improvement Location Permits.**
- C. Municipal residents are still subject to all the requirements of this Section related to Small-scale Solar Energy Systems.**

#### **SECTION 11 LIABILITY INSURANCE**

The Applicant/Owner/Operator of any SES shall at all times following the issuance of an Improvement Location Permit, maintain a general liability insurance policy covering bodily injury and property damage with limits of at least two million dollars (\$2,000,000) per person, five million dollars (\$5,000,000) per occurrence, and a deductible of no more than five thousand dollars (\$5,000) per claim. Henry County shall be named as an additional insured on all policies maintained pursuant to this paragraph. Certificates evidencing coverage, which shall at a minimum contain the name and address of the insurer, the limits of liability and the expiration date of the policy shall be provided to the Henry County Zoning Administrator. All policies shall contain a provision that any additional insured shall receive no less than thirty (30) days prior written notice before the policy is cancelled.

### SECTION 10.22 COMPLAINTS

The SES Owner/Operator shall establish and maintain a 24-hour telephone number to manage incoming emergency complaints, a monitored email address for the submission of non-emergency complaints, and a physical address for the submission of written complaints. The SES Owner/Operator shall respond to the complainant within two (2) business days after receiving a complaint, with a copy thereof to the Henry County Zoning Administrator. The SES Owner/Operator shall propose a response or course of action to the complainant within five (5) business days, with copy thereof to the Henry County Zoning Administrator, unless the Zoning Administrator reasonably determines that an immediate danger to public health or safety exists as a result of a violation of a provision of this Code. If the Zoning Administrator determines that an immediate danger to public health or safety exists as a result of a violation of this Code, he or she may issue a Cease-and-Desist order to the SES Owner/Operator. The Cease-and-Desist order shall prohibit the operation of a SES that fails to comply with the provisions of this Code until the conditions causing danger are remedied and the SES complies with all provisions of this Code.

### SECTION 10.23 PENALTIES

After the issuance of an Improvement Location Permit, any or Operator that fails to comply with any provision of this Code shall be fined in an amount \$2,500.00 the first violation of this Code and an amount \$ 7,500.00 for each subsequent violation of this Code. Each a violation occurs shall deemed a subsequent offense. The Owner and Operator of a SES, if different entities, shall be jointly and severally liable for all fines assessed pursuant to this Code. All remedies of County provided by this Code, by any agreement entered into with any Applicant/Owner/Operator, at law or in equity, shall be cumulative.

### SECTION 10.24 INDEMNIFICATION

The application for a SES Commission Approved Use/Improvement Location Permit shall contain an indemnification agreement. The agreement shall require the Applicant and its successors assigns, to at all times defend, indemnify, protect, save, hold harmless, and exempt the County, and its officers, councils, employees, committee members, attorneys, agents, and consultants from any and all penalties, damages, costs, liabilities or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or expenses arising therefrom, either at law or in equity, which arise out of, or are caused by, the placement, construction, erection, modification, location, equipment's performance, use, operation, maintenance, repair, installation, replacement, removal, or restoration of the WECS, excepting, however, any portion of such claims, suits, demands, causes of action or award of



damages as may be attributable to the sole negligence or intentional misconduct of the County or its employees. With respect to the penalties, damages, or charges referenced herein, reasonable attorneys' fees, consultants' fees, and expert witness fees are included in those costs that are recoverable by the County.

#### **SECTION 0.25 SEVERABILITY**

If any provision of this Code is determined by a court of competent jurisdiction to be invalid or is rendered invalid by subsequent legislative enactment, such provision shall be severed and the rest and remainder of this Code shall, to the fullest extent permitted by law, remain in effect.

From: Cameron Turner (cjtturner1212@gmail.com) Subject: Support solar in Henry County

Date: Mar 9, 2021 at 6:41:54 AM

To: Bobbi Plummer (bpiurner@henrycounty.in.gov)

Cameron Turner

226 Academy Avenue

Spiceland, IN 47385

March 9, 2021

Dear Bobbi Plummer,

I'm disappointed to hear you rejected a solar ordinance. Major new economic development projects don't often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects.

I'm writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers and Henry County. One that encourages these revenue boosting projects to come to our community!

Please support solar and open the door for more economic opportunities in Henry County.

Sincerely, Cameron Turner

From: Constituent Messages [1messages@constituentmessagedelivery.net](mailto:1messages@constituentmessagedelivery.net) | support  
Subject: solar for Henry County  
Date: Mar 9, 2021 at 11:39:08 AM  
To: Bobbi Plummer [bplummer@henrycounty.in.gov](mailto:bplummer@henrycounty.in.gov)

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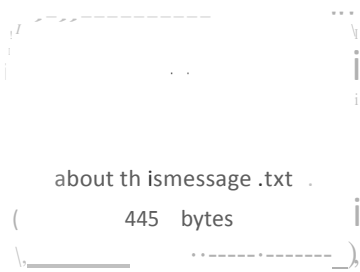
Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and *do* everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent AARON CARTER

[1921aaroncarter@gmail.com](mailto:1921aaroncarter@gmail.com) 8280 No.co.rd175e SPRINOPORT



From: Rayann Knepley rayannf@gmail.com Subject: Support solar in Henry County

Date: Mar 9, 2021 at 11:12:16 AM

To: Bobbi Plummer bplummer@henrycount y.in .gov

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Rayann Knepley

125 S Mill Street, PO Box 11 Greensboro, IN 47344

March 9, 2021

Dear Bobbi Plummer,

I urge you to support solar in Henry County. I am disappointed to hear you rejected the solar ordinance that was a good fit for our community.

These solar projects are excellent opportunities for Henry County. They will provide millions in new revenue that will better our community, creating a brighter future for all of us. Each project will bring in millions of new tax revenue that we can use to provide broadband, better our schools, improve our roads, and much more.

Please, I encourage you to work with our APC to craft an ordinance that allows these projects to move forward.

Sincerely, Rayann Knepley

From: Constituent Messages <sup>1</sup> messages@constituentmessaging.net | support  
Subject: solar for Henry County  
Date: Mar 9, 2021 at 11:39:09 AM  
To: Bobbi Plummer bplummer@henrycounty.in.gov

Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue-boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent Jessica Griffin

[jmgriffi10@gmail.com](mailto:jmgriffi10@gmail.com)

2609 S. 9th St NEW CASTLE

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From: Kayanna Turner pagekaturner@gmail.com Support  
Subject: solar in Henry County  
Date: Mar 9, 2021 at 10:03:20 AM  
To: Bobbi Plummer bplummer@henrycounty.in.gov

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Kayanna Turner 226 Academy Ave  
Spiceland, IN 47385

March 9, 2021

Dear Bobbi Plummer,

I'm disappointed to hear you rejected a solar ordinance. Major new economic development projects don't often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects.

I'm writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers and Henry County. One that encourages these revenue boosting projects to come to our community!

Please support solar and open the door for more economic opportunities in Henry County.

Sincerely, Kayanna Turner

From: Constituent Messages [messages@constituentmessage-delivery.net]  
Subject: Support for Solar in Henry County  
Date: Mar 8, 2021 at 6:05:23 PM  
To: Bobbi Plummer [bpplummer@henrycounty.in.gov]

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Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue-boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent Billy Pearce

[cleveland44107@gmail.com](mailto:cleveland44107@gmail.com)

1520 s 20th street NEW CASTLE

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From: Constituent Messages 'messages@constituentmessagedelivery.net Subject:  
Support for Solar in Henry County

Date: Mar 8, 2021 at 6:05:21PM

To: Bobbi Plummer bplummer@henrycounty.in.gov Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue-boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent Billy Cash

[bilgt68@gmail.com](mailto:bilgt68@gmail.com)

1634 Grnd Ave NEW CASTLE



From: Constituent Messages 'messages@constituentmessagedeliver.y.net Subject: Support for Solar in Henry County

Date: Mar 7, 2021 at 10:51:12 AM

To: Bobbi Plummer bplummer@henrycount y.in.gov

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Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue-boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent Dorothy Groce

[dorothy.groce44@gmail.com](mailto:dorothy.groce44@gmail.com)

2307 S 14th St NEW CASTLE

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From: Constituent Messages 'messages@constituentmessagesagedeliver.y.net Subject: Support for Solar in Henry County

Date: Mar 7, 2021 at 10:51:12 AM

To: Bobbi Plummer bplummer@henrycounty.in.gov

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Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue-boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent Member Murphy

loumurf-31@ib@gmail.com 2806 CAve. NEW CASILE

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From: Constituent Messages 'messages@constituentmessagedeliver.y.net Subject: Support for Solar in Henry County

Date: Mar 7, 2021 at 10:51:11 AM

To: Bobbi Plummer [bplummer@henrycounty.in.gov](mailto:bplummer@henrycounty.in.gov)

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Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue-boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent Shirley Conley

[shirley.conley.49@gmail.com](mailto:shirley.conley.49@gmail.com) 305 Fosters Way NEW CASTLE

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From: Constituent Messages 'messages@constituentmessagedel  
County

ivery.net Subject: I support solar for Henry

Date: Mar 7, 2021 at 10:51:11AM

To: Bobbi Plummer bp!umrner@henrycountv.in.gov

Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue-boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County, Thank you,

Your constituent Dustin Perdue

~~dustin.perdue84@gmail.com~~

1019 S 17th Street NEW CASTLE

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From: Constituent Messages 'messages@constituentmessagingdelivery.net'  
Subject: Support for Solar in Henry County Date: Mar 7, 2021 at 10:51:11 AM  
To: Bobbi Plummer bplummer@henrycounty.in.gov

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Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue-boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent Leslie Gambrell

[leslie.gambrell12020@gmail.com](mailto:leslie.gambrell12020@gmail.com)

480 High Street MIDDLETOWN

From: Constituent Messages 'messages@constituentmessagingdelivery.net'

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From: Consti tuent Messages 'messages@constit uentrnessagedeliver y.net

Subject: I support solar for Henry County

Date: Mar 7, 2021 at 10:51:11AM

To: Bobbi Plum mer bplummer@hanrycounty.in.gov

Dear Commissioner Plummer,

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Thank you,

Your constituent Brian Mcgaughey

[bmcgaughey15@gmail.com](mailto:bmcgaughey15@gmail.com)

935 Jameson Court NEW CASTLE

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From: Constituent Messages [1messages@constituentmessagedelivery.net](mailto:1messages@constituentmessagedelivery.net)

Subject: I support solar for Henry County Date: Mar 7, 2021 at 10:51:11 AM

To: Bobbi Plummer [bplumrner@henrycounty.in.gov](mailto:bplumrner@henrycounty.in.gov)

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Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue-boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent Brian Mcgaughey

[bmcgaughey15@gmail.com](mailto:bmcgaughey15@gmail.com)

935 Jameson Court NEW CASTLE



From: Constituent Messages <messages@constituentmessagedelivery.net>  
Subject: I support solar for Henry County  
Date: Mar 7, 2021 at 10:51:10 AM  
To: Bobbi Plummer <bpiummer@henrycounty.in.gov>

*Dear Commissioner Plummer,*

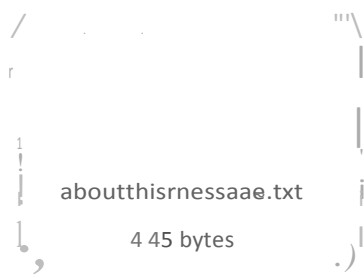
I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue-boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent Steve Murphy

stevemurphy828@gmail.com

912Junction Dr NEW CASTLE





From: Constituent Messages 'messages@constituentmessagedelivery.net'  
Subject: support solar for Henry County  
Date: Mar 7, 2021 at 10:51:10 AM  
To: Bobbi Plummer bplummer@henrycountyny.in.gov

Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major new economic development projects do not often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects. I am writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers, and Henry County. One that encourages these revenue-boosting projects to come to our community! Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent Teresa Bowers

[bowersteresa65@gmail.com](mailto:bowersteresa65@gmail.com)

1603 Estes St. 188 NEW CASTLE



From: Constituent Messages'messages@constituentmessagedeiiivery.net I  
Subject: support solar for Henry County  
Date: Mar 7, 2021 at 10:51:10 AM  
To: Bobbi Plummer bpiummer@henrycounty.in.gov

Dear Commissioner Plummer,

I am disappointed to hear you rejected a solar ordinance. Major n w economic development projects do not often  
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developers, and Henry County. One that encourages these revenue-boosting projects to come to our community!  
Please support solar and open the door for more economic opportunities in Henry County.

Thank you,

Your constituent boots ford

[bootsford2727@gmail.com](mailto:bootsford2727@gmail.com)

10.2.S2 4th.s.t NEW CASTLE



From: Bayley Tinkle  
Constituent Messages' messages@constituentmessagedeivery.net I  
Subject: support solar for Henry County  
123 W Morgan St Apt 17  
Date: Mar 7, 2021 at 10:51:10 AM  
Knightstown, IN 46148  
To: Bobbi Plummer bplummer@henrycounty.in.gov

March 6, 2021

Dear Bobbi Plummer,

I'm disappointed to hear you rejected a solar ordinance. Major new economic development projects don't often come to our small rural county, but when they do, we need to grab these opportunities and do everything we can to support such projects.

I'm writing today to urge you to work with the APC to pass a solar ordinance. We need an ordinance that is friendly for landowners, developers and Henry County. One that encourages these revenue boosting projects to come to our community! You are allowing uneducated ignorant people cloud ur judgement this will bring money and help grown the community not to mention the very well paying jobs to people that have to do maintenance on the windmills just because Sally from down the road is a uneducated person on the solar farms don't allow them to push their ideals if you want to stay in office get it done now or the younger generations will get it done next election by getting you out of office.

Please support solar and open the door for more economic opportunities in Henry County.

Sincerely, Bayley Tinkle

Mike Broyles, Patty Broyles, Kenon Gray Connie Netinnger expressed their concerns about the proposed Solar Ordinance.

DJ Southerland expressed his concern about who made the applications for the Park Board Public. He has filed a complaint with the City Police Department, Indiana State Police and the Attorney General.

Kristopher Bilbrey expressed his concerns about the wording on the Itinerary.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to adjourn. Motion carried unanimously.

\_\_\_\_\_  
Ed Tarantino, President

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Bobbi Plummer, Vice President

\_\_\_\_\_  
Steve Dellinger, Member

\_\_\_\_\_  
Attested by: Debra G. Walker, Auditor