

RUSH COUNTY
AREA PLANNING COMMISSION MEETING MINUTES

JANUARY 4TH, 2023

6:00 P.M.

President Marvin Rees called the meeting to order at 6:00 P.M.

ROLL CALL: Jeff Amos, Kenny Aulbach, Denny Corn, Kelly Land, Tom Monka, Justin Orme, Mary Richardson, Marvin Rees. Also present was Attorney, Geoff Wesling, Director, Mike Holtzback, and Linda Ashwill, Assistant.

APPROVAL OF MINUTES: For November 2nd, 2022 meeting. Denny makes the motion to approve the minutes as written. Seconded by Justin. All were in favor. Minutes approved as written.

NEW BUSINESS:

There were no new officers to be sworn in at this time.

Election of Officers for 2023:

Denny makes the motion for Marvin to remain President. This was seconded by Justin. Tom closed the voting. All were in favor of Marvin as President for the ensuing year. Kelly made the motion for Denny to be Vice President. Seconded by Kenny. All were in favor. Denny voted as Vice-President for the ensuing year. Denny make the motion for Kenny to be Secretary. Seconded by Kelly. All were in favor. Kenny to remain Secretary for the ensuing year.

APC-2023-1 Jay D. Haney request for a rezoning of property located at 11828 North 900 West Carthage from Residential to Commercial. Grant Reeves was attorney representing Mr. Haney and he requested this partition to be tabled until next month's meeting in February do to the BZA action earlier. They are hoping to work out somethings or to clarify some details. Rather than have to set through this this evening he would like to postpone until next month, if the Board is willing. This can be brought back up with the Special Exception next month.

Board Attorney, Geoff Wesling asked Mr. Johnson, the attorney for the plaintiff if he had any objection for this postponement. Mr. Johnson stated since the move of the BZA Board to postpone until next month, he had no objection. Jeff made the motion to table this until next month's meeting. This was seconded by Kenny. All were in favor.

April Issacs & Bob Lange for discussion to change the setbacks on future solar panels installed. April came to the podium and thanked the Board for allowing her to speak this evening. Her concern is the 1000+-acre solar project that Invenergy is proposing on county line road between Rush and Henry counties. Mr. Lange held up a map and April is with the Pro Ag Rush Henry Alliance that represents 30 plus homes that will be affected by this project. None of them are the land owners. What they are asking is or proposing are for the setbacks, which are right now thirty (30) feet. If you look at setback in comparison to other setbacks, Blackburn is 350 feet, Clinton is 200 feet, Dekalb is 400, Franklin is 650 feet, Pulaski is 200, Monroe is 200,

Kosciusko is 200 feet, Miami is 200 feet, Marshall is 250 feet. Shelby is 650 feet from houses, schools and churches. When we look at the setback of only being thirty feet, literary you are putting these in our back yards. They are saying to have to be at least 150 yards away to not have any noise and no noise at night. This is while we are sleeping, so we probably wouldn't hear it anyway. It's during the day that is going to be a problem when we are out playing with our children and other activities. Thirty feet is way below for not hearing the solar project. That is literately putting them in our back yards. We do know that the World Health Organization are saying there are no health issues. There is another group called European Commission Scientific is saying even the low risks electrical magnetic field can cause headaches, dizziness, nausea, childhood leukemia, etc. We want to make sure the facts are right. We are already seeing some of the after effects even thought they might not in their fliers and such. They wanted also to talk about the property values because, they did have Tucker Realty come out and talk to them about the property values. Again, the fliers the solar companies are using are stating that between two mile it doesn't decrease your property values, but these are thirty feet from our property. There is going to be a thirty percent decline in their property values. When you look at thirty properties with around values of \$300,000.00, this is over 3 million in property values that they will never be able to reclaim. Also, the hundreds of thousands the county governments have invested to tile and drain these fields. Bellflower has drainage issues. The water is going into the neighboring properties.

Their concerns are:

1. The continued loss of arable land (4-5 million bushels per solar farm over 25-year period), in a time of continued population growth (over 8 billion and counting).
2. The displacement and possible elimination of wildlife.
3. Possible health related issued caused by close proximity to a solar farm (dizziness, nausea, childhood leukemia, ground water contamination)
4. The decrease of at least 30% of property value never to be regained. The loss of aesthetic value alone is a huge detriment to country living.
5. The possibility of fire – do we have trained responders to quickly extinguish a solar farm fire?
6. Would you want a solar farm placed in your backyard? None of the land owners leasing to Invenegy actually live on the land.
7. Could these clean energy companies even exist without support from our own tax dollars in federal subsidies?

They are requesting the current Solar Energy Systems (SES) Siting Regulation for a required setback under twenty feet in height shall be placed no closer than 900 feet from any non-participating property or Right of Ways.

She stated their proposal would simply help dissuade solar companies from locating in populated areas, and locate in less densely populated areas. In effect the solar companies and Rush County would run into less resistance. She asked that the Board heartily approve their common-sense proposal.

Marvin asked if the Board had any questions. Denny stated we just got finished updating the Ordinance with the setback. The Board table this discussion for a future date.

APPROVAL of 2023 CALENDAR. The dates were given to the Board for the meetings in 2023. Marvin asked for a motion to approve the calendar. Denny made the motion for approval. Seconded by Jeff. All were in favor. Calendar for this year was approved.

OLD BUSINESS:

Nothing was given at this time.

REPORTS:

Attorney: Geoff Wesling had nothing further at this time.

Director: Mike Holtzback Mike stated the dates needed to be updated for our present meetings in the Rules and of Procedure to the first Wednesday of the month. He didn't think there was anything else that needed updated at this time. He was told just to go ahead and update the meeting date. There wasn't a motion needed.

Marvin asked if there was anything more to come before the Board. Mary spoke and stated the minutes that were put on the website are not worded the same as the minutes approved by the Board. There needs to be a disclaimer or something so people would know these were not necessarily the actual approved or signed minutes. After discussion, it was decided that the minutes would not be put on the website until they were signed. The agenda will be posted. There was discussion also on names being put in the minutes on complaints. It was decided that just the case numbers were needed to be referenced.

Marvin asked if there was anything else. Hearing none he asked for a motion to adjourn.

ADJOURNMENT: Tom made the motion to adjourn. This was seconded by Denny. All were in favor. Meeting was adjourned 6:35 P.M.


Marvin Rees

President


Kenny Aulbach

Secretary Ika