

RE: Ethanol Plants
BZA resignation
Tom Crafton-zoning issues
Brad Lindsay-Ronnie Blue's vacated land
Robert Richardson-insurance
Financial consultant
Optional life insurance

Minutes-Vermillion County Commissioners Oct 2, 2007

The Vermillion County Commissioners met in the Commissioners Courtroom, Courthouse, Newport, Indiana.

President, Tim Wilson called the meeting to order and led in the Pledge to the Flag.

Roll call was taken: Present were President Tim Wilson, Harry Crossley and Kim Hawkins. Also present were Attorney Jon Spurr, and Auditor Sherrie Koma.

A motion to approve the minutes of the September 4, 2007 meeting was made by Crossley, seconded by Hawkins.

Renewable Ag Energy and Morning Star Energy Ethanol Plants.

Ed Cole with Economic Development said that corn prices have risen and profits from ethanol plants have decreased. He said that a lot of companies building ethanol plants have to get investors before they can start building. He also said that demand has driven up the cost of equipment used in the plants. He said that Renewable Ag Energy has had some problems getting investors but they have not said they are not coming. The rumors going around are false. Cole said that Renewable Ag Energy has had one investment deal fall through but that did not mean the deal has fallen through. He said he had confidence that they will get it done. He said they were hoping to get started in the fall but now it looks like it will begin late spring or early summer of 2008. Brian Paasch of Morning Star Energy had some questions regarding his company's plant. He said they have spoken with two different investor groups and that it looks like funding is going to go through, though he said he would stay cautious and not get too optimistic. He said that Morning Star Energy is now in the formal design phase of their project and he needed the Commissioner's opinions on a few matters. Paasch said that the company was looking at building and entrance and an exit for the construction personnel on County Road 1100 South, with two separate entrances, one for Union and one for non-union workers. Once construction was complete, one entrance would be maintained for a utility and emergency entrance to the plant. The main entrance, provided it is approved by the Indiana Department of Transportation will be directly off of State Road 63. Paasch said there were some preliminary plans for four separate septic systems within the plant and showed the

Commissioners the approximate locations of the 4 systems. The Commissioners had no objections on the construction entrance and told Paasch to speak with the Health Department in regards to the septic systems. Commissioner Wilson asked when they planned to break ground and Paasch said that the preparation would be ongoing during through the end of 2007 and hopes to start construction sometime at the beginning of 2008. Paasch added that even though the price of ethanol has gone down, the industry is still growing. He said that the U.S is still importing fuel ethanol and that the industry is producing enough to meet about half of the demand. Mike Craig discussed a new plant in Danville, IL, that plans to use the newest technology and he wondered if Morning Star would be using the same technology. Paasch said that they would not, but would be using the current, state-of-the-art, proven technology. He went on to explain that investors are somewhat leery of a plant using new, untried technology. He also said that the plant could implement the new technology at a later date if deemed necessary. Marty Shortridge asked if Economic Development would have money available to pave County Road 1100 south to the proposed entrances. Cole said he would look into it and agreed it was a good idea.

Commissioner Wilson stated that Kevin Gallagher, member of the Board of Zoning Appeals had resigned from the board. Wilson advised Koma to advertise for a new member.

Tom Crafton spoke to the Commissioners about their rescinding his zoning at the last meeting. The Commissioners had voted to change his 2 acres of property from business back to agriculture. Crafton had not met the deadlines for cleaning up the property. Crossley said he had been to Crafton's property and the required fence had been built around the 2 acres and he started making improvements but its going to take awhile, there is a lot of stuff to move. The Commissioners explained that with the zoning change rescinded, the issue was now in the hands of the Area Plan Commission, which could pursue it as a violation or vote to make the zoning changed again and allow him more time. Crafton has the option of appealing the commissioner's decision to rescind the change to Vermillion Circuit Court. Marty Shortridge told the commissioners that he did not see a problem, as the property had been like that for years and that Crafton has made progress. Hawkins explained that once the original deadline passed, Crafton was given an extension until July due to health reasons. Crafton said he was under the impression that the commissioners intended to reverse their decision to rescind the zoning change while he was in the hospital and unable to attend the meeting where the change was rescinded. Crafton's wife, Bobbie, said they were not told the matter would come up last month and were not able to be at the meeting. Crossley explained that the matter had not been on the advertised agenda, but had come up under "old business" because it had been discussed previously. Bobbie Crafton disputed that there were 71 acres of junk on the property, saying that was a false statement. Anyone going down Shepardsville road or River road, knows it's not true. She said they were doing they best they could. Zoning Administrator, Jeff Davis said the original zoning change was made in April 2006, and Crafton was given six months at a time. He was given an extension and six months turned into 18 months. Davis also said that when he was

on the property in July 2007, there was no fence being built. Attorney Spurr said that now that the decision was rescinded, the matter had to go back to the Area Plan Commission and start over. Shortridge asked to see a zoning manual to determine the definition of agriculture, wondering if Crafton had to clean up the property at all. Ann Smith, who works in the zoning office, said she would send that information to Shortridge. Shortridge also said that there were farms all over the county with more junk than Crafton had on his property. Mike Craig asked if the commissioners had the authority to reverse the decision to rescind the zoning on the Crafton property. Spurr said they did, but he was not sure if the Area Plan Commission would be required to honor it. Crossley said there was no sense in reversing the decision if it would not be legal. Spurr said that before rescinding the zoning change, the commissioners took time to research the matter and said he felt it was sensible to do the same now. Craig pointed out that zoning matters do not affect any of the commissioners, who all live in incorporated towns. Davis said that if this issue had risen in one of those towns, it would be the town council addressing it. Shortridge said that if Crafton had all of the junk in question on property in downtown Clinton, that he wouldn't have a problem with it. Hawkins said he felt that rescinding the decision amounted to the commissioners saying they were wrong, and he did not believe their decision was wrong. He said, one meeting we take a stand, and the next meeting we talk about taking it back. The commissioners asked Spurr to research the legality of reversing the decision and said they would make a decision at their November meeting. They encouraged Crafton to continue doing what he could to clean up the property.

Brad Lindsay said that he opposed a decision to close an undeveloped street in the St. Bernice area, which the commissioners had vacated in August at the request of Ronnie Blue, who owned the property on both sides of the right of way. Lindsay said he did not want a road built there, but he wanted access to the platted road to have a back way on and off of his own property. The commissioners explained that before the road was vacated, the county had an easement, which would have allowed a road to be built, if the county wished to do so. However, vacating the road amounted to the county giving up that right. The commissioners informed Lindsay that they did not have any intention of building the road there and that they could not give him access to what is now private property. Lindsay was advised that if he disagreed with the decision, he could appeal it to the court.

County employee Robert Richardson expressed concern to the commissioners about his health insurance coverage. He explained that he had adopted his stepdaughter, because he was told she could not be covered as a stepchild, but later found out other employees had stepchildren covered. He said he has now been told he can not get the child covered by the vision and dental insurance for another year. Koma said Richardson was told he had to adopt the girl, but said she did not know why he was told that. The commissioners asked her to have Dierk Davis, the insurance agent for the county's coverage, at the next meeting to address the issue.

The commissioners signed a one-year contract with the financial consultant approved by the Vermillion County Council at their meeting last week.

Hawkins voted against the decision, saying he only did so because he felt the county should have gotten more price quotes before making a decision. He also clarified that no employee's jobs have been reduced or eliminated in the new budget, to confirm that no one can say they lost their job to fund this.

Insurance agent Michael Kuhn gave a short presentation on an optional life insurance plan he can offer to employees with no health coverage. He explained a little about the rates and that he can cover employees, their spouses, children, and grandchildren. The commissioners gave him permission to meet with employees and gauge interest in the plan.

Wilson made a motion to adjourn, seconded by Crossley

Adjourn

Read in full and approved by the Vermillion County Commissioners on the 5th day of November 2007.

Tim Wilson

Harry Crossley

Kim Hawkins

Attest: _____
Sherrie A. Koma, Auditor