

PIKE COUNTY BOARD OF COMMISSIONERS  
MINUTES REGULAR MEETING  
August 16 2021 @ 8:30 AM

Mark Flint  
Jeff Nelson  
Ryan Coleman

**REGARDING CALL MEETING TO ORDER**

President Flint called the meeting to order. All commissioners were present. Also, in attendance, were County Attorney Val Fleig, County Auditor Judy Gumbel, and Commissioners Assistant Kristi Dischinger. Others present included Pike County EMS Director Chris Young, Pike County Highway Superintendent Josh Byrd, Dylan Fisher, Pike County EMA/911 Director Ryan Benner, Pike County Sheriff Kent Johnson, Pike County Chief Deputy Dallas Killian, Pike County Bio Terrorism Coordinator Pam Cosby, Mark McGecre (sp) , Nikki Jeffers, Project Manager of the RATTs 1 Solar Project, and Press Dispatch Editor Andy Heuring.

**REGARDING APPROVAL OF MINUTES FOR August 2, 2021**

President Flint requested a motion to approve the minutes if there were no questions or concerns. Commissioner Coleman seconded by Commissioner Nelson motioned to approve the August 2, 2021 Meeting Minutes. Motion passed 3 – 0.

**REGARDING APPROVAL OF CLAIMS FOR AUGUST 2, 2021**

President Flint asked if there were any questions regarding the claims. Hearing none, he called for a motion to approve. Commissioner Nelson seconded by Commissioner Coleman moved to approve the claims. Motion passed 3 – 0.

**REGARDING OLD BUSINESS – RATTs 1 ROAD USE AGREEMENT**

This is a continuation of the August 2<sup>nd</sup> meeting. The Road Use Agreement states that the company desires to utilize existing Pike County Roads in Jefferson and Washington Townships for a length of approximately 6.48 miles to haul “Heavy Equipment” and acknowledges that Roads may be impacted by this, and that the impaction of the roads is including, but not limited to the surface, base, ditches, berm, bridges, culverts, driveways, and other improvements.

The agreement was modified in Item 2 (a) to add that “open trench” across roads and the trench back filled and compacted would be in six (6) inch lifts and that the top layer of asphalt on the roads will be applied at a thickness of two (2) inches at the base and two (2) inches on the surface of the asphalt.

In Item 5 Ms. Jeffers stated that at this time she didn’t have a final bond and escrow amount because the bridge analysis is not yet complete. The Bridge estimate is still needed. American Engineering Transportation should be complete with the video by the 1<sup>st</sup> week in September. But the fact that there would be an escrow payment was added back into the agreement.

Item 7 of the agreement stated that the Commissioners will provide five (5) days advance notice to the Company for any road closures or restrictions that would adversely impact the authorized used of the Road Use Agreement.

In Item 8 a penalty of \$1,000.00 per occurrence will be imposed upon anyone using a non-designated route, and that Ratts I Solar LLC is in the end responsible for payment of the penalty and for the repair of

the roads (as defined) if there is damage.

County Road Superintendent Josh Byrd stated that he is in agreement with what Ms. Jeffers had stated and that the bridge estimate amount would hopefully be determined that afternoon.

Commissioner Flint stated that he really likes Item 8. Commissioner Nelson stated that he thought that language should be a model for future road use agreements.

Mr. Byrd stated that the bridge signage stating the penalties would be addressed once the project kicks off.

Commissioner Flint called for a motion to approve the Road Use Agreement knowing that an amendment would be forth coming with the amounts of the Bond, the Escrow payment, and the bridge estimate.

Commissioner Coleman made the motion seconded by Commissioner Nelson as stated above. The motion passed 3 – 0.

## **REGARDING NEW BUSINESS**

### **Ratts 1 EDA-Proposed Amendment**

Ms. Jeffers presented an amendment to the Ratts 1 EDA requesting consideration to refine the Definition of Project improvements.

The second sentence of Section 26 of the Agreement is hereby amended to read as follows:

Upon development, construction, and equipping of the Project, the final Project improvements (including solar modules, tracking systems, and inverters) installed on the Real Estate shall be located no less than two hundred (200) feet from the leading edge of the foundation of a Non-participating Residence (as defined below) on all sides that face toward the Project; provided, however, such buffer shall not be required for fencing, access roads, underground collection lines and drainage systems.

Ms. Jeffers asked that the Commissioners agree to the stated clearing up of the definition.

Attorney Val Fleig asked if there existing side agreements that would have to be changed. Commissioner Flint asked if there were side agreements that were more than 200 feet. Ms. Jeffers answered that there were none to her knowledge. She stated that they did have lease agreements that stated a minimum acreage.

Commissioner Nelson seconded by Commissioner Coleman motioned to approve the First Amendment to the Ratts 1 EDA. Motion passed 3 – 0.

Ms. Jeffers stated that the Commissioners were addressing this somewhat out of turn and that the agreement would also have to go before the County Council.

### **Business Grants Approval - EDC**

Dylan Fisher with Region 15 on behalf of Ashley Willis reported on the Small Business Owners who had applied for a portion of the Pike County OCRA 3 \$250,000 grant: Anthony's Pest Control, owner Rick Mathias; Bathbombs Petersburg, owner Carol Franklin; Big Dipper, owner



John Voyles; Bloomin' Circus, owner Jill Hyneman; CaddyShack, owner Tara Mullis; Claridge Auction Service, owner Kaleb Claridge; Cradle & Crayons Child Care & Preschool, owner Charlotte Maria Manges/Lisa Freudenberg; Errin Weisman LLC, owner Errin Weisman; Fish Hut, owner Braden Henson; Hayes Body Shop, owner Dennis Hayes; Hetman Design LLC, owner Mick Hetman; JA Primitives, owner Jane Shelton; K & J Insurance LLC, owner Kyler Henry & John Voyles; Kuttin' Loose, owner Gary & Rebecca Sullivan; Marge's Hallmark, owner Marge and Gary Leavitt; MCF House Movers, LLC, owner Mike Deffendoll; Mi Patio, owner Bonifacio Ca'Zasres & Family; Mikels Graphics, owner Courtney Mikels; Prides Creek Golf Course, owner Mike Voyles; Schell Auto & Towing LLC, owner Brandon Schell; Subway, owner John Voyles; Warner Real Estate, owner Patti Warner; and Wright's Village Inn, owner Betty Wright. The grants totaled \$177,000, and there will be a second round of funding.

Commissioner Flint who served on the scoring committee stated that scoring depended on number of employees, gross receipts from January through May of 2021, years and hours of operation, economic contribution to the county as a whole, and economic hardship resulting from COVID 19. Commissioner Flint then asked if there were any questions. Hearing none he asked for a motion to approve.

Commissioner Coleman seconded by Commissioner Nelson motioned to approve the grants. Motion passed 3 – 0.

#### **READI App Resolution for Pike Co**

Mr. Fisher also presented the READI App Resolution 2021-23 asking Pike County to declare Primary Status for the State's READI program which is a \$500,000,000 program that the State of Indiana has made available to regional local and county organizations that would have an interest in preparing a regional recovery plan for the COVID Response identifying projects and regional interests. SWIDC is actually made up of eleven counties in southwest Indiana and includes Crawford, Daviess, Dubois, Harrison, Knox, Martin, Orange, Perry, Pike, Posey and Spencer counties and further more five counties, Pike, Harrison, Knox, Perry, and Spencer in this agreement state a desire to partner with SWIDC and declare primary county status in the creation of a READI Regional Plan, known as the Indiana First Region. The application is due September 30<sup>th</sup> and states that Pike has a desire to utilize the SWIDC to enter a READI Application along with the other four counties.

Commissioner Flint asked if there were any questions.

Commissioner Coleman seconded by Commissioner Nelson motioned to approve the READI app Resolution 2021-23. Motion passed 3 – 0.

#### **Highway Transfer – Fund 1169- Road and Street**

Request was made to transfer \$25,000.00 from 1169-000-02-2050, Rock to 1169-000-02-2051 Bituminous. Transfer is needed for paving materials for Illinois Street.

Commissioner Nelson seconded by Commissioner Coleman motioned to approve the transfer. Motion passed 3 -0.

#### **Highway Additional – Fund 1135, CUM Bridge**

The Highway requested permission for an additional appropriation to be approved in the amount of \$50,000 for Fund 1135 Cum Bridge into the following account: 1135-000-03-3050

Material. The request is to have the money to purchase culverts in 2021 to be used in 2022 due to the announced increase in price to become effective January 1, 2022.

Commissioner Coleman seconded by Commissioner Nelson motioned to approve the request. Motion passed 3 – 0.

**CR 350 N Project**

Superintendent Byrd stated that he did not know the facts concerning this item on the agenda. Office Manager Melanie Britton was not present. It was mutually agreed to table this item.

**REGARDING BUSINESS BY COMMISSIONERS**

**Petersburg City Planning Commission Appointment**

Commissioner Nelson seconded by Commissioner Coleman moved to appoint Jodie Elkins to the Petersburg City Planning Commission. Motion passed 3 – 0.

**Courthouse Status-COVID**

County Bio-Terrorism Coordinator Pamela Cosby shared that the County is still experiencing an increase in cases with 42 active cases. This makes the total number of diagnosed COVID cases for the County close to 1500. The current positivity rate is 8.4%. During the past two weeks a total of 136 individuals have been tested at the Pike County Testing Site. The number of vaccines being administered has also increased.

**EMS Director Chris Young**

Director Young shared that the new ambulance will hopefully be in Pike County by the end of the week. He also said that a second ambulance that was recently wrecked will be able to be repaired.

**EMA/Dispatch Director Ryan Benner**

Director Benner shared that the Dispatch unit is now fully staffed.

**REGARDING BUSINESS BY PUBLIC - None**

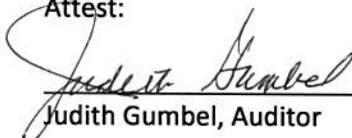
**REGARDING ADJOURNMENT**

Commissioner Coleman seconded by Commissioner Nelson motioned to adjourn. Motion passed 3 – 0.

Pike County Board of Commissioners:



Attest:

  
Judith Gumbel, Auditor

Sept 7, 2021  
Date