

The Shelby County Commissioners met on Monday March 20, 2023, at 8:00 a.m., present were Commissioners Nigh, Parker, Abel, County Attorney and County Auditor.

MINUTES:

Motion to approve March 13, 2023, minutes was made by Abel, seconded by Nigh, approved 3-0.

PLAN COMMISSION/IDEM MS4 WAIVER:

Desiree presented the Commissioners with the Contract for IDEM MS4 General Permit Waiver Review with Christopher B. Burke Engineering to submit to INDOT. Motion to approve was made by Nigh, seconded by Abel, approved 3-0.

PLAN COMMISSION / REZONES:**APPLE:**

Steve Apple is requesting to rezone .34 acres from R1 to M1 and .12 acres from R1 to C2 located at 15 Hale Rd, 17 Hale Rd and 1016 W Hendricks St., Shelbyville. This was heard and voted 8-0 in favor. Motion to approve Ordinance 2023-08 was made by Nigh, seconded by Abel, approved 3-0.

F & A MARTIN HOLDINGS, LLC:

F & A Martin Holdings, LLC. is requesting to rezone .16 acres from C1 to C2 located at 506 W. Carey Street, Fairland. This was heard at the February 28, 2023 meeting and voted 9-0 in favor. Motion to approve Ordinance 2023-9 was made by Nigh, seconded by Abel, approved 3-0.

HERITAGE AGGREGATES:

Heritage Aggregates is request to rezone 243.04 acres from A1 & R1 to HI located at County Road 1200 S south of Old State Road 252, east of 100 W and West of State Road 9, Flat Rock. This was voted on at the February 28, 2023, meeting and voted on in favor. Tom Bedsole, attorney for Heritage Aggregates spoke, explaining to the Commissioners the changes they would like to be made to the stipulations set by the Plan Commission. Heritage Aggregates is asking for the setbacks to be changed from 300' set back in the front to 150.5' and from 150' on the side to 100'. Mr. Bedsole had a presentation showing berms at the 150' and how they are maintained how they feel these will work, Bedsole advised the company will lose close to \$2 million dollars if the setbacks are left at what the County has set them. Sam Deiwert 11573 S 25 W, Flat Rock spoke against this rezone. These berms will be both on the Northside and Eastside of his property. Deiwert advised there are plenty of residence around, this area isn't just farm land. Mr. Deiwert spoke about the Comprehensive Plan, who is going to make sure when they are done the land is put back to the way it was, meaning the dirt is to the top of the hole and plenty put in for settling. Please postpone any action and relook at this. The question was asked if the land can only be used for a quarry or can they start using the land for something else, like a landfill. Desiree advised the land can only be used as a quarry nothing else without coming back to the Plan Commission. The rezone does stay with the land, but only for a quarry. Mary Smiley- Flat Rock, spoke and asked the Commissioners to really look at this and think it through. Commissioner Parker asked Heritage Aggregates how many acres per year they mine. Chad Roots with Heritage Aggregates advised it is usually about 5 acres a year. At some discussion a motion to send this back to the Plan Commission to review the setbacks was made by Nigh, seconded by Parker, approved 2-1 (Abel).

BARNES & THORNBURG/ RESOLUTION APPROVING AMENDMENTS TO THE NORTHWEST SHELBY COUNTY ECONOMIC DEVELOPMENT AREA:

Adam Steuerwald with Barnes & Thornburg presented the Commissioners with Resolution 2023-4 approving amendments to the Northwest Shelby County Economic Development Area. This would split the TIF area into 2 TIF areas. Motion to approve was made by Nigh, seconded by Abel, approved 3-0.

SHERIFF:

Major Holder presented the Commissioners with the 2023 mowing contract for the range. The contract is with Pat Kuhn in the amount of \$115.00 per mowing. Motion to approve was made by Nigh, seconded by Abel, approved 3-0.

HIGHWAY:

N/A

CLAIMS:

N/A

TRANSFER / ADDITIONALS:

N/A

MISCELLANEOUS:

ROAD CUTS:

Kuhn's Farm is requesting to do 2 road cuts:

1. On 750 S east of 300 E – motion to approve was made by Nigh, seconded by Parker, approved 3-0.
2. On 300 E south of 750S – motion to approve was made by Nigh, seconded by Abel, approved 3-0.

COUNTY AUDITOR/ CHANGE ORDER ANNEX II:

The County Auditor presented the Commissioners with amended Change Order 15. The Original Change Order 15 was in the amount of \$38,736.00 which had the contractor putting a new window in for the Health Department. We removed this project and just had the contractor put the vinyl on the steps going up to the 2nd floor. The new change order amount is \$6,875.00. This will take care of all things that needed to be fixed at the Annex II building. Motion to approve amended Change Order #15 was made by Nigh, seconded by Abel, approved 3-0

There being no further business to come before the board. A motion to adjourn was made by Nigh, seconded by Abel, approved 3-0.

AYE:

NAYE:

ATTEST:

AMY L. GLACKMAN

SHELBY COUNTY AUDITOR