

BE IT REMEMBERED TH BOARD OF COUNTY COMMISSIONERS met in the Henry County Courthouse Circuit Courtroom, on Wednesday, June 6, 2012, at 6:00 P.M., with the following members present: Kim L. Cronk, William D. Cronk, Samuel Beckenbaugh, Patricia A. French, Auditor and Joseph A. Bergacs, County Attorney.

President, Kim L. Cronk, called the meeting to order with the Pledge to the Flag, followed with silent prayer.

Nancy Wadman, Henry Township Trustee, was present for the Poor Relief appeal hearing for Wanda Byrd. Mr. Cronk called out her name three times as well as Kenneth Marcum, who was also listed on the appeal, to see if they were present. Ms. Byrd and Mr. Marcum were not present for her appeal. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to cancel the appeal hearing. Motion carried 3-0.

Adam Hollars, Zoning Administrator, presented two ordinances for re-zoning. Case B: 2136, a request from Dubinger Farms to re-zone 38.57 acres from agriculture to light industrial. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the ordinance as presented. Motion carried 3-0. Case B: 2135, a request from the Henry County Redevelopment Commission to re-zone 26.396 acres from agriculture to light industrial. Motion made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the ordinance as presented. Motion carried 3-0.

A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the minutes from the previous meeting. Motion carried 3-0.

A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the payroll as presented. Motion carried 3-0.

A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the claims as presented. Motion carried 3-0.

A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to accept reports presented for: Certificate of Liability Insurance for Asphalt Materials Inc., Clouse Concrete Construction, Inc., Ladwalk, Inc., Building Department, Planning Commission, Indiana Criminal Justice Drug & Crime Control Grant Agreement, Indiana Criminal Justice 2012 Jag & Under Equipment Grant. Motion carried 3-0.

Ronald Hunter, representing Cedarbridge Treatment Centers, presented their proposal for the Youth Center. Mr. Hunter stated they house low-risk, non-violent children. They would employ approximately 84-86 employees and operate within a 5 year budget. Mr. Kim Cronk stated the Commissioner's would form a committee to review their proposal. Olene Veach, a volunteer teacher of youth in Henry County, voiced her concerns about the company, Cedarbridge, stating some financial problems.

Eldon Pitts presented a proclamation declaring June 23-24 as Amateur Radio Field Day. Kim L. Cronk proceeded to read the proclamation in full. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the proclamation as read. Motion carried 3-0.

Andy Wuestefeld discussed with the Commissioner's a road closure on his property. Mr. Wuestefeld stated he would like permission to close the dead end road which backs up to Interstate 70 with a gate. Bob Hammersmith, local taxpayer, questioned why the county would allow him to close the road. The Commissioner's explained he already owned the property and the road in question was not utilized anyway. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the closure of the road. Motion carried 3-0.

Mr. Kim L. Cronk, President, read a letter from the Spiceland Town-Township Public Library Board, requesting Brenda Maloyed to be appointed to a term ending December 31, 2015. Mrs. Maloyed has served on the library board since 1978, which is in excess of the four terms defined by statute. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to table any decision regarding the appointment until Mr. Bergacs, the County Attorney could research the statute. Motion carried 3-0.

Laurie Davis, Park Superintendent, presented the one bid they received from Clouse Concrete Construction, Inc. for the Overspill project. The bid was for \$49,400, which is \$3,000 under their awarded amount. Mrs. Davis wanted permission to use the \$3,000 savings to do some needed work on the Overspill that goes under State Road 3. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the bid from Clouse Concrete Construction, Inc. for \$49,400. Motion carried 3-0. The Park will need to go to the Council to get permission to use the \$3,000.

An LPA claim for the National Heritage Trail project was presented for approval. The claim was for \$33,759 for right of way acquisition. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the claim as presented. Motion carried 3-0.

A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve a claim presented by Pritchett' Backhoe Service for \$6,500 for the Ivy Tech project. Motion carried 3-0.

A Memorandum of Understanding between Ivy Tech Community College of Indiana-East Central Region and the Henry County Commissioners. The agreement states that Ivy Tech will pay for the design costs, up to \$156,844. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the memorandum and presented. Motion carried 3-0.

Brian Hollars, from S3 Architects, updated the Commissioner's concerning the progress with Ivy Tech, stating they planned to open for classes January 2013.

Dave Barker, Commissioner's Project Manager, updated the Commissioner's regarding the roofing project for the Courthouse. Mr. Barker and Kevin Livingston stated the project would begin on June 11, 2012 and continue for approximately 3-4 weeks. EcoStar roofing product was chosen as the slate replacement for the installation. The product would carry a 50 year warranty. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to accept the report. Motion carried 3-0.

Resolution #2012-6-6-02 was presented for approval. The Resolution establishes policy prohibiting nepotism. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the resolution as presented. Motion carried 3-0.

**RESOLUTION NUMBER 2012-06-06-02**

**RESOLUTION ESTABLISHING POLICY PROHIBITING NEPOTISM**

WHEREAS, the Board of County Commissioners of Henry County, Indiana has determined that there is a need to establish a policy that prohibits nepotism among its workforce.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HENRY COUNTY, INDIANA THAT:

**Section 1. Definitions**

The following definitions shall apply in the interpretation and the enforcement of this Resolution:

A. "Employed" means an individual who is employed by the County on a full time, part time, temporary, intermittent or hourly basis. The term does not include an individual who holds only an elected office. The term includes an individual who is a party to an employment contract with the County. The performance of the duties of a precinct election officer (as defined in IC 3-5-2-40.1) that are imposed by IC 3 is not considered employment by the County.

B. "Direct line of supervision" means an elected officer or employee who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement or performance evaluation. The term does not include the responsibilities of the County Council or Board of County Commissioners to make decisions regarding salary ordinances, budgets or personnel policies of the County.

C. "Relative" means any of the following:

1. Spouse;
2. Parent or step parent;
3. A child or step child;
4. Brother, sister, step brother or step sister;
5. A niece or nephew;
6. An aunt or uncle; or
7. A daughter-in-law or son-in-law.

An adopted child of an individual is treated as a natural child of the individual. The terms "brother" and "sister" shall include a brother or sister by half-blood (a common parent).

**Section 2. Nepotism Prohibited**

Individuals who are relatives shall not be employed by the County in a position that results in one relative being in the direct line of supervision of the other relative.

An individual shall not be promoted to a position if the new position would cause their relative to be in the direct line of supervision of that individual.

**Section 3. Exceptions to Prohibition Against Nepotism**

This Resolution does not abrogate or affect an employment contract with the County that an individual is a party to and is in effect on the date the individual's relative begins service a term of an elected office of the County.

This Resolution does not apply to individuals who are employed by the County on the date the individual's relative begins serving a term of an elected office in the County and the individual is in the direct line of supervision of the newly elected official.

**Section 4. Impact of Resolution of Those Individuals Employed by County On July 1, 2012**

An individual who is employed by the County on July 1, 2012, is not subject to this Resolution unless the individual has a break in employment with the County. The following are not considered a break in employment with the County:

1. The individual is absent from the workplace while on paid or unpaid leave, including vacation, sick, or family medical leave, or worker's compensation.
2. The individual's employment with the unit is terminated following by immediate reemployment by the unit, without loss of payroll time.

**Section 5. Certification by Elected Officers of the County**

Each elected officer of the County shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this Resolution. An elected officer shall submit the certification to the Board of County Commissioners not later than December 31 of each year.

**Section 6. Effective Date of Resolution**

This Resolution shall be effective upon passage.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF HENRY COUNTY, INDIANA this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Resolution 2012-6-6-03, establishing policy requiring disclosure of contracts with relatives, was presented for approval. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the resolution as presented. Motion carried 3-0.

**RESOLUTION NUMBER 2012-06-06-03**

**RESOLUTION ESTABLISHING POLICY REQUIRING DISCLOSURE OF CONTRACTS WITH RELATIVES**

WHEREAS, the Board of County Commissioners of Henry County, Indiana has determined that there is a need to establish a policy requiring disclosure of contracts with the county and relatives of certain county officials.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HENRY COUNTY, INDIANA THAT:

**Section 1. Definitions**

The following definitions shall apply in the interpretation and the enforcement of this Resolution:

- A. "Elected official" means a County Commissioner or County Council member.
- B. "Relative" means any of the following:
  1. Spouse;
  2. Parent or step parent;
  3. A child or step child;
  4. Brother, sister, step brother or step sister;

5. A niece or nephew;
6. An aunt or uncle; or
7. A daughter-in-law or son-in-law.

An adopted child of an individual is treated as a natural child of the individual. The terms "brother" and "sister" shall include a brother or sister by half-blood (a common parent).

**Section 2. Application to Certain Contracts**

The County may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with and individual who is a relative of an elected official or a business entity that is wholly or partially owned by a relative of an elected official only if disclosure requirements under this Resolution are satisfied.

Contracts in existence at the time the term of office of the elected official begins are not affected until those contracts are renewed.

**Section 3. Disclosure of Contracts with Relatives**

An elected official whose relative enters into a contract with the County shall file a full disclosure of that contract.

Disclosure statement must be in writing, describe the contract or purchase to be made by the county, describe the relationship that the elected official has to the individual or business entity that contracts or purchases, and be affirmed under penalty of perjury.

Disclosure statement must be submitted to the Board of County Commissioners and be accepted by the Board in a public meeting prior to final action on the contract on or purchase.

Disclosure statement must be filed not later than fifteen (15) days after final action on the contract or purchase with the State Board of Accounts, and the Henry County Clerk of the Circuit Court.

**Section 4. Actions By Board of Commissioners or Appropriate Agency**

The Board of County Commissioners or an appropriate agency of the county designated by the Board of County Commissioners shall make a certified statement that the contract amount or purchase price was the lowest amount or price bid or offered or make a certified statement of the reasons why the vendor or contractor was selected.

**Section 5. Certification by Elected Officers of the County**

Each elected officer of the County shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this Resolution. An elected officer shall submit the certification to the Board of County Commissioners not later than December 31 of each year.

**Section 6. Effective Date of Resolution**

This Resolution shall be effective upon passage.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF \_\_\_\_\_ COUNTY, INDIANA  
this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Resolution 2012-6-6-04, was presented for approval. The resolution would approve amending declaratory resolutions and economic development plans of the commission. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the resolution as presented. Motion carried 3-0.

**RESOLUTION 2012-6-6-04**  
RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS  
APPROVING AMENDING DECLARATORY RESOLUTIONS  
AND ECONOMIC DEVELOPMENT PLANS OF THE  
HENRY COUNTY REDEVELOPMENT COMMISSION AND  
APPROVING AN ORDER OF THE HENRY COUNTY PLAN COMMISSION

WHEREAS, the Henry County ("County") Redevelopment Commission ("Commission") did on January 31, 1984, adopt a declaratory resolution declaring an area formerly known as "Industrial Acres" as a blighted area and allocation area, and amended and expanded the redevelopment area and allocation area on September 2, 1997, April 19, 2004, August 1, 2006, April 12, 2007, May 15, 2007, April 25, 2008, February 22, 2012 and March 22, 2012 (collectively, as amended, "Redevelopment Declaratory Resolution") establishing the Consolidated Redevelopment Area ("Redevelopment Area") and allocation area ("Redevelopment Allocation Area") and approving the redevelopment plan, as amended ("Redevelopment Plan") for the Redevelopment Area which Redevelopment Plan contained specific recommendations for redevelopment in the Redevelopment Area;

WHEREAS, the Commission adopted a declaratory resolution on May 25, 1999, as amended on January 25, 2011 (collectively, "Spiceland Declaratory Resolution"), establishing the Spiceland Economic Development Area ("Spiceland Area") and allocation area ("Spiceland Allocation Area") and approving the economic development plan for the Spiceland Area, as amended ("Spiceland Plan"), which Spiceland Plan contained specific recommendations for economic development in the Spiceland Area;

WHEREAS, the Commission adopted a declaratory resolution on February 20, 2001, as amended on January 25, 2011 (collectively, as amended, "I70/S.R.3 Declaratory Resolution"), establishing the I70/S.R.3 Economic Development Area ("I70/S.R.3 Area") and the allocation area ("I70/S.R.3 Allocation Area") and approving the economic development plan for the I70/S.R.3 Area, as amended ("I70/S.R.3 Plan"), which I70/S.R.3 Plan contained specific recommendations for economic development in the I70/S.R.3 Area;

WHEREAS, the Redevelopment Declaratory Resolution, the Spiceland Declaratory Resolution and the I70/S.R.3 Declaratory Resolution are hereinafter collectively referred to as the "Original Area Resolutions";

WHEREAS, the Redevelopment Plan, the Spiceland Plan and the I70/S.R.3 Plan are hereinafter collectively referred to as the "Original Plans";

WHEREAS, on February 22, 2012 and March 22, 2012, the Commission adopted resolutions amending the Original Declaratory Resolutions and Original Plans to: (i) consolidate the Redevelopment Area, the Spiceland Area and the I70/S.R.3 Area into one economic development area to be known as the 2012 Consolidated Economic Development Area ("2012 Consolidated Area"); (ii) expand the 2012 Consolidated Area by adding approximately 5.795 new acres to the 2012 Consolidated Area in order to create the NW I-70 Quadrant Allocation Area; (iii) to add the construction/development of a spec building; and (iv) to designate Couch Properties, LLC and Wall Source, LLC as designated taxpayers for purposes of capturing increases in depreciable personal property assessed value (collectively, "Amending Declaratory Resolutions");

WHEREAS, the Henry County Plan Commission approved the Amending Declaratory Resolutions and the Original Plans, as amended, on May 24, 2012; and

WHEREAS, the Act requires approval of the Amending Declaratory Resolutions, the Original Plans, as amended, and the action of the Plan Commission by the Board of Commissioners of the County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF HENRY COUNTY, INDIANA, THAT: The Amending Declaratory Resolutions and Original Plans, as amended, are in all respects approved, ratified and confirmed by the Board of Commissioners.

The action of the Plan Commission on May 24, 2012 is in all respects approved, ratified and confirmed by the Board of Commissioners.

This resolution shall be effective from and after its passage.

PASSED AND ADOPTED by the Board of Commissioners of Henry County, Indiana, this 6th day of June, 2012, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

#### BOARD OF COMMISSIONERS OF HENRY COUNTY, INDIANA

A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve a request from Norfolk Southern Railway Company to abandon a segment of railway between 0.12 miles between Milepost R 0.00 & Milepost R 0.1205 in New Castle and .076 miles between Milepost 1.1629 & R 1.92 in new Castle. Motion carried 3-0.

Mr. Kim Cronk read a letter from Tower Ventures, providing information regarding the county tower currently being leased. Tower Ventures would provide a quick analysis and a cash offer for the remaining terms associated with the county cell tower lease. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to table any decision regarding the offer until they can research the information. Motion carried 3-0.

A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve a consulting contract between Henry County and Butler, Fairman & Seufert regarding Bridge #31, located on County Rd 850 W over Deer Creek. The replacement contract changed the amount of consultant payment from \$208,400 to \$76,125. Motion carried 3-0.

Bob Grewe, EDC Director, presented the Agreement for Cooperation in Economic Development Efforts for approval. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the four year agreement as presented. Motion carried 3-0.

#### **AGREEMENT FOR COOPERATION IN**

#### **ECONOMIC DEVELOPMENT EFFORTS**

This is an agreement between the City of New Castle, Indiana (hereinafter "City"), the County of Henry (hereinafter "County"), and the New Castle-Henry County Economic Development Corporation (hereinafter "EDC"). The effective date of which is the \_\_\_ day of \_\_\_\_\_, 2012. The City and the County are statutory subdivisions of the State of Indiana. The EDC is an Indiana not-for-profit corporation primarily funded by the City and the County and whose principal office is located at 100 South Main Street, New Castle, Indiana. The purpose of this agreement is to establish a framework for cooperation between the City, the County and the EDC in a joint and cooperative effort to foster economic growth, industrial recruitment and job creation in the City of New Castle and the County of Henry.

#### I. The City and County.

A. The City and the County, at their discretion, and with the approval of the EDC, may provide staffing to the EDC that will primarily perform economic development duties for their respective governments and assist the EDC's Lead Economic Development Officer (LEDO) as appropriate.

B. Recognition of the EDC. As part of this Alliance Agreement, the City and County shall recognize the LEDO employed pursuant to Section I(D) below as the Lead Economic Development Officer for the City and the County. Both City and County agree to send appropriate representatives to meetings called by the LEDO for the purposes of economic development.

C. Financial Support of EDC. As consideration for this agreement, the City and County, in addition to providing staffing assistance, each agree to pay equal amounts annually to the EDC for the EDC's operation. For 2012 and 2013, that sum shall be not less than \$75,000 cash and shall be paid by each in two (2) payments, which said payments shall be made on the first day of March and the first day of September each year. In subsequent years, the City and County will pay that amount unless both branches of the government of either party concur that a lesser amount should be paid to the EDC because of financial impracticability. Said amount shall be determined by the executive and legislative bodies of the City or the County at such time as the budget for such City or County is approved.

D. LEDO Selection. The search committee for the EDC shall be charged with the responsibility of searching for, interviewing and hiring a qualified economic development director who will act as the LEDO for the City and the County. Said search committee shall have at least one representative of City government and one representative of County government on said committee.

E. Lease Agreement. In addition, as part of this Alliance Agreement, the City agrees to provide the current office spaces occupied by the EDC to the EDC at the rate of \$300 per month. (The normal rent charge to the EDC for those spaces in the past was \$600 per month, or \$7,200 annually.) Other City benefits in kind shall include the City paying for building maintenance and all utilities except telephone.

II. New Castle-Henry County Economic Development Corporation ("EDC").

A. The EDC shall employ a professional industrial recruiter who shall be the Lead Economic Development Officer (LEDO) as set forth in Item I(D) above. The LEDO shall have demonstrated experience and success in economic development and business attraction and will locate his/her residence in Henry County, Indiana. The EDC and the respective governmental parties shall assist each other to assure that a cooperative effort toward economic development for the entire County and City is maintained.

B. Finances.

1. The City and County shall agree to appropriate funds in the amount agreed upon in paragraph I(D) during the respective budget processes. These funds are to be paid in cash in two (2) installments each year. Said payments shall not take credit for any in-kind services provided by the City or the County or any rent assistance provided by the City or any other aid or assistance provided by the City or the County.

2. The EDC will pay all annual membership fees associated with its economic development initiatives, including meeting and travel expenses. The EDC shall maintain a membership in the EIDD, Energize-ECI, and SBDC to the extent provided for in the City, County and EDC's budgeting process. Similar memberships or similar economic development expenditures may be initiated by the City or the County and be paid by the party initiating said expenses.

C. Website. The City, County and EDC agree to provide prominent links on their respective websites to each other's websites.

D. Resources. The parties to this agreement agree to share with each other those resources for economic development that are inherent in their activities.

III. Composition of the Board of Directors.

The Board of Directors of the EDC shall be composed of 27 voting members appointed by the City, the County and elected by members of the EDC, in addition to which there shall be board members who serve by virtue of their position within designated organizations with such organizations providing board members as follows:

A. City. The Mayor, a staff member appointed by the Mayor, a member of the City Council, and one private citizen appointed by the Mayor and one private citizen appointed by the City Council shall be members of the Board of Directors.

B. County. The President of the County Commissioners, the President of the County Council, and three (3) private citizens who reside in Henry County appointed by the Commissioners with the consent of the County Council shall serve on the Board of Directors.

C. EDC. Ten (10) members of the EDC who maintain paid memberships for themselves or for their employers shall be elected to the Board from the membership.

D. Other. Seven (7) additional persons shall serve as directors as follows:

i. A representative of the New Castle Community School Corporation;

ii. A representative of the Spiceland Town Council;

iii. A representative of the Knightstown Town Council or Chamber of Commerce;

iv. A representative of the Middletown Town Council or Chamber of Commerce;

v. A representative of the Henry County Community Foundation;

vi. A representative of the New Castle/Henry County Chamber of Commerce;

vii. A representative of the Henry County Convention and Visitor's Bureau.

E. The executive committee of the EDC shall continue to consist of nine (9) members.

F. All board members must maintain regular attendance at board meetings. Said regular attendance shall consist of not less than 75% of the regular and special meetings of the board. Additionally, if a board member misses two (2) consecutive meetings without having said absences approved in advance, he/she shall be subject to expulsion from the Board by a majority vote of the remaining board members.

IV. Term. The term of this agreement shall be for four (4) years from its effective date. This agreement shall automatically extend for one additional year on the anniversary date of this agreement and shall continue to automatically renew for additional one year terms on such anniversary date unless and until any party gives notice to the other two (2) parties that said agreement should be terminated at the end of its current term. Said notice shall be given in writing at least twelve (12) months in advance of the expiration of the current term. No such notice can be given during the first two (2) years of the agreement.

The persons signing this Agreement on behalf of City government, County government and the EDC have been duly authorized to execute this Agreement by their respective entities.

Mr. Kim Cronk opened the meeting for discussion regarding the permit from 4-D Livestock LLC to locate a CAFO in the Spiceland area.

Sally Wilson, resident of Spiceland read a letter from Amy Miller opposing the CAFO and also pleaded with the Commissioner's for help and protection. Other local residents speaking against the CAFO were Bob Hammersmith, stating he thought the issue should be a legal issue and the history of the Planning Commission needed to be examined. Tom Saunders, State Representative, stated he thought it was a disgrace not to let the citizens have a voice in the decision. Gus Mondrush presented a 2006 medical publication from North Carolina showing medical problems for adolescents located near CAFO's in that area. Mark Cronk also felt the public should have more input and needed protection. Bill Vaughn stated "if you don't make a nice place to live there will be no business". Pam Stigall felt the CAFO would not be good for their community and would affect any new business at Highway 3 & Interstate 70. Richard Bouslog, Councilman, also read an article from South Carolina, stating health issues in regards to CAFO's. He felt the location was too close and that surrounding neighbors should have some voice in what happens in their community. John Montgomery, owner of Montgomery Steak House, was very concerned since he was in the process of purchasing 90 more acres and was "amazed" he had nothing to say about it. Mark Wilson, Steve Peckinpaugh and Larry Beaver also voiced their concerns. Mr. Kim Cronk, Commissioner, informed the public that the Commissioner's would do what they could and he continued to read Resolution #2012-6-6-05, placing a moratorium on building permits for CAFO's. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the resolution as presented. Motion carried 3-0. Mr. Kim Cronk stated their resolution would be forwarded to IDEM at their public information session to be held June 12, 2012 from 5:00 P.M. to 7:00 P.M. at Hoover Hall. He also stressed anyone wanting to be heard should attend the session and voice their concerns.

**RESOLUTION NO: 2012-6-6-05**

Board of Commissioners of Henry County, Indiana

WHEREAS, it has come to the attention of the Board of Commissioners of Henry County that there are concerns of the citizens of Henry County and the Commissioners as is relates to Confined Feeding Operations and/or Concentrated Animal Feeding Operations, which may be permitted without any input from citizens of Henry County and/or local officials; and

WHEREAS, the Board of Commissioners of Henry County, in order to protect the general welfare and safety of the citizens of Henry County, believe that a moratorium on the issuance of building permits for Confined Feeding Operations and/or Concentrated Animal Feeding Operations should be put in place and that the Henry County Planning Commission should be instructed to investigate the issue of Confined Feeding Operations and/or Concentrated Animal Feeding Operations and report back to the Board of Commissioners of Henry County any proposed changes to the Board of Commissioners of Henry County including without limiting changes to the definition of Confinement Feeding Farm and that allow for more local input from citizens of Henry County and local officials.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County that there shall be a moratorium on the issuance of building permits for Confined Feeding Operations and/or Concentrated Animal Feeding Operations in Henry County and that the Henry County Planning Commission is directed to investigate the issue of Confined Feeding Operations and/or Concentrated Animal Feeding Operations and report back to the Board of Commissioners of Henry County any proposed changes to the Board of Commissioners of Henry County including without limiting changes to the definition of Confinement Feeding Farm and that allow for more local input from citizens of Henry County and local officials. This moratorium shall not affect any current applications.

Passed this \_\_\_\_ day of June, 2012 by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed. This resolution shall be effective upon passage.

A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to adjourn the meeting. Motion carried 3-0.

\_\_\_\_\_  
Kim L. Cronk, President

\_\_\_\_\_  
William D. Cronk, Vice President

\_\_\_\_\_  
Samuel Beckenbaugh

ATTESTED BY: \_\_\_\_\_  
Patricia A. French, Henry County Auditor