

**COMMISSIONERS' MINUTES  
SPECIAL MEETING**

**AUGUST 27, 2020**

**PRESENT: ALL**

**BE IT REMEMBERED** that the White County Commissioners held a special meeting on Thursday, August 27, 2020, in the White County Building, 2<sup>nd</sup> -floor Commissioners' Conference Room beginning at 2:00 p.m.

Commissioners present were: President John C. Heimlich, Commissioner Steve Burton, and Commissioner David Diener. Also present was White County Auditor Gayle Rogers, White County Attorney George Loy, Highway Superintendent Mike Kyburz, Surveyor Brad Ward, and the Commissioners' Assistant Donya Tirpak.

Commissioner Heimlich announced that the purpose of today's meeting is to discuss and approve contracts for the Indiana Crossroads Wind Farm Project.

**CONSIDERATION OF INDIANA CROSSROADS WIND FARM CONTRACTS**

White County Attorney George Loy presented and discussed the Decommissioning Agreement, Indiana Crossroads Wind Farm Agreement for Use, Repair, and Improvement of Roads and Repair of Drainage Facilities, the Economic Development Agreement, and a resolution approving the agreements. This will be Phase VIII, Crossroads Wind Farm Project, in White County with the first phase beginning in 2009.

County Attorney Loy discussed the total sum of Economic Development payments, and the expenses to be paid by EDP to the County will be 9,060,000.

Matthew Thorton, EDP Renewables, said that this project has been in the making for the past three years. They will construct approximately 72 wind turbines, which will have a rated capacity of about 302.4 megawatts, which will be the largest single-phase in EDP's history.

AJ Alletto, 5699 US 24, said that he is going to list his home to sell within the next two weeks, and he is concerned with the construction of a wind turbine and the access road that they are going to put in across the street from his home. He feels that the construction will discourage buyers from looking at his property. He requested that they put the access road 1500' to the east.

Matthew Thorton said that the wind turbine and access road in front of Mr. Alletto's house wouldn't be constructed until 2021.

No further comments or questions from the public.

Commissioner Heimlich said that he will abstain from the motion. He does not have a turbine on his property, but he does have acreage and he does live within the project territory.

- Commissioner Diener made a motion to approve Resolution No. 2020-08-27-01, approving agreements with Indiana Crossroads Wind Farm LLC and certain other matters in connection therewith, seconded by Commissioner Burton. **Vote: 2 Yes, 0 No, 1 Abstain Commissioner Heimlich**

**WHITE COUNTY COMMISSIONERS' RESOLUTION NO. 2020-08-27-01**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS AND DRAINAGE  
BOARD OF WHITE COUNTY, INDIANA, APPROVING AGREEMENTS WITH  
INDIANA CROSSROADS WIND FARM LLC AND CERTAIN  
OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the Board of Commissioners of the White County, Indiana (the "Board") desires to benefit the health and general welfare of the citizens of White County, Indiana (the "County") and create opportunities for gainful employment and business opportunities within the County; and

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**WHEREAS**, Indiana Crossroads Wind Farm LLC (the "Company") is contemplating the development and construction of an additional phase of a wind-powered electric generating facility in the County, which will have a rated capacity of approximately 302.4 megawatts (the "Project"); and

**WHEREAS**, the Company has requested assistance with the completion of certain road improvements, assistance with zoning variances and other permits, the approval of tax abatement, and other assistance from the County with respect to the project; and

**WHEREAS**, to induce the Company to complete the project, the Board desires to approve the execution of an Economic Development Agreement, between the County and the Company, a form of which has been presented to the Board on the date hereof (the "Economic Development Agreement"), pursuant to which certain incentives will be provided to Company in exchange for its commitment to complete the project, to make certain economic development payments, and to take certain other actions with respect to the project; and

**WHEREAS**, the Board, and in its capacity as the White County Drainage Board, desires to approve the execution of an Agreement for Use, Repair and Improvement of Roads, and Repair of Drainage Facilities, between the County and the Company, a form of which was has been presented to the Board on the date hereof (the "Road Use Agreement"), pursuant to which the County agrees to provide the use of certain roads to the Company and the Company agrees to repair and improve such roads and certain drainage improvements in the County; and

**WHEREAS**, the Board desires to approve the execution of a Decommissioning Agreement, between the County and the Company, a form of which was has been presented to the Board on the date hereof (the "Decommissioning Agreement"), pursuant to which the Company agrees to decommission the project under certain conditions.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of White County, Indiana, that:

The Board hereby finds that the execution and delivery of the Economic Development Agreement are in the best interests of the County and its citizens. The Board are authorized and directed to execute the Economic Development Agreement, in the name and on behalf of the County, and the Auditor of the County is hereby authorized and directed to attest the execution of such agreement, with such changes and modifications as such persons deem necessary or appropriate to effectuate this Resolution, said persons' execution thereof to be conclusive evidence of the approval of such changes.

The Board, also in its capacity as the White County Drainage Board, hereby finds that the execution and delivery of the Road Use Agreement are in the best interests of the County and its citizens. The Board is authorized and directed to execute the Road Use Agreement, in the name and on behalf of the County, and the Auditor of the County is hereby authorized and directed to attest the execution of such agreement, with such changes and modifications as such persons deem necessary or appropriate to effectuate this Resolution, said persons' execution thereof to be conclusive evidence of the approval of such changes.

The Board hereby finds that the execution and delivery of the Decommissioning Agreement are in the best interests of the County and its citizens. The Board is authorized and directed to execute the Decommissioning Agreement, in the name and on behalf of the County, and the Auditor of the County is hereby authorized and directed to attest the execution of such agreement, with such changes and modifications as such persons deem necessary or appropriate to effectuate this Resolution, said persons' execution thereof to be conclusive evidence of the approval of such changes.

The members of the County Council, the Board, the Auditor of the County, the legal counsel of the County, and other appropriate officers of the County are hereby authorized to take all such actions and execute all such instruments as are necessary or desirable to effectuate this Resolution.

This resolution shall be in full force and effect from and after its adoption.

**BARNES & THORNBURG & BAKER TILLY WIND FARM SERVICES AGREEMENTS**

White County Attorney George Loy submitted engagement letter agreements related to services for the all the wind farm projects.

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- Commissioner Burton made a motion to approve the engagement letters with Barnes & Thornburg and Baker Tilly to assist the county with all wind farm advisory services, seconded by Commissioner Diener. Vote: Unanimous

**APPOINTMENT – TOURISM BOARD**

Commissioner Heimlich said that Robert Birk has submitted a letter resigning from the Tourism Board effective immediately.

- Commissioner Diener made a motion to accept Robert Birk's resignation on the Tourism Board effective immediately, seconded by Commissioner Burton. **Vote: Unanimous**

Keli Jennett, owner of Dock Side Lake Resort, has agreed to fill the unexpired term of Robert Birk on the Tourism Board.

- Commissioner Diener made a motion to appoint Keli Jennett to the Tourism Board with a term expiring December 31, 2021, seconded by Commissioner Burton. **Vote: Unanimous**

There being no further business to come before the board, their meeting adjourned.

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John C. Heimlich, President

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Steve Burton, Vice President

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David Diener, Member

ATTEST: \_\_\_\_\_  
Gayle Rogers, Auditor