

JOINT RESOLUTION No. 2021-0222

**A RESOLUTION OF THE WARREN COUNTY COMMISSIONERS AND COUNCIL
IN OPPOSITION TO HOUSE BILL 1381**

WHEREAS, the Indiana General Assembly granted to local units of government “home rule” powers, found at I.C. §§ 36-1-3-1 to -9 (1980), mandating that “[a]ny doubt as to the existence of a power of a unit shall be resolved in favor of its existence,” *Id.* § 3(b), and “demonstrat[ing] a legislative intent to provide counties, municipalities, and townships with expansive and broad-ranging authority to conduct their affairs.” *City of N. Vernon v. Jennings Nw Reg'l Utils.*, 829 N.E.2d, 1, 5 (Ind.2005);

WHEREAS, the Indiana General Assembly has determined that the local legislative body having jurisdiction over the geographic area described in the zoning ordinance has exclusive authority to adopt a zoning ordinance, and that legislative body shall act for the purpose of, among other things, “promoting the public health, safety, comfort, morals, convenience, and general welfare.” I.C. § 36-7-4-601(c)(3);

WHEREAS, the Board of Commissioners of Warren County and the Warren County Council believe that decisions regarding wind and solar development are best made by the citizens living in the community, rather than by the wind and solar industry or State officials who live outside the community, and in fact, have adopted zoning ordinances relating to both wind and solar development;

WHEREAS, House Bill 1381 is currently pending in the Indiana General Assembly, and if enacted, such legislation would disenfranchise the citizens of the ability to determine the conditions under which wind energy and solar energy projects would be allowed in their County, would interfere with the local development and land use decisions, and would subject the County’s Comprehensive Plan to amendment by others living outside the community; and

WHEREAS, the Board of Commissioners and County Council desire to express their opposition to House Bill 1381 and express their support for the rights of individuals and families living in a community to direct their own future through land use decisions.

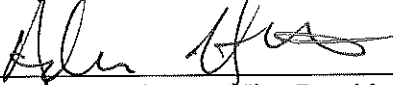
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WARREN COUNTY, INDIANA AND THE WARREN COUNTY COUNCIL, that they express their opposition to House Bill 1381 and any other legislation that restricts the County’s authority to conduct its affairs, disenfranchises local citizens of the right to make local planning decisions and direct the future of their own communities, interferes with local development and land use decisions, and subjects the County’s Comprehensive Plan to amendment by others living outside the community.

SO RESOLVED this 22nd day of February, 2021.


WARREN COUNTY COMMISSIONERS



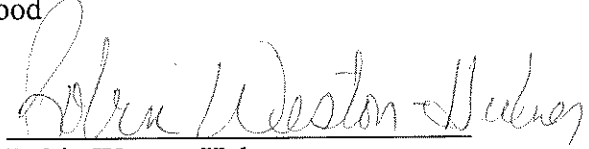
Clay Andrews, President



Adam Hanthorne, Vice President

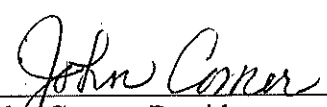


Craig Greenwood


ATTEST: 

Robin Weston-Hubner
Warren County Auditor

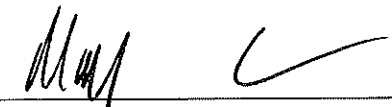
COUNTY COUNCIL OF
WARREN COUNTY, INDIANA



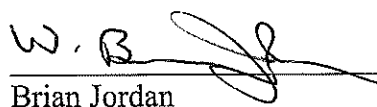
John Comer, President



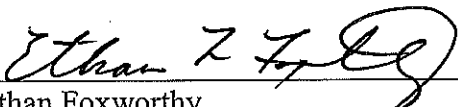
Neil Ellis



Matthew Commons



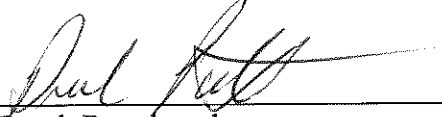
Brian Jordan




Ethan Foxworthy



Sharon Hutchison




Derek Puterbaugh

ATTEST: 

Robin Weston-Hubner
Warren County Auditor


WARREN COUNTY COMMISSIONERS




Clay Andrews, President



Adam Hanthorne, Vice President



Craig Greenwood

ATTEST: 

Robin Weston-Hubner
Warren County Auditor


COUNTY COUNCIL OF
WARREN COUNTY, INDIANA



John Comer, President



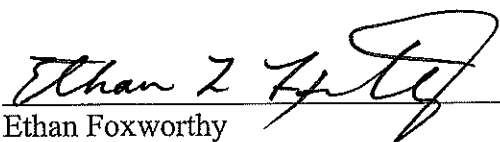
Neil Ellis



Matthew Commons




Brian Jordan



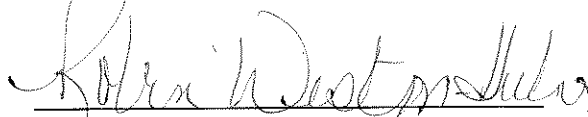
Ethan Foxworthy



Sharon Hutchison



Derek Puterbaugh

ATTEST: 

Robin Weston-Hubner
Warren County Auditor