

Posey County

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Buzz Backstrom, an Owensboro, Kentucky, resident and vice president of marketing and business development at Boardwalk Pipelines, said the common theme he hears in his day-to-day is “growth.”

Boardwalk Pipelines is a natural gas transportation and storage company that operates pipeline in Posey County and serves CenterPoint’s A.B. Brown Power Plant.

“From our perspective, that growth is real,” Backstrom said. “Especially here in Southwest Indiana.”

Backstrom said the question isn’t whether companies are looking to invest, but where they choose to invest.

“As you continue to work on this ordinance we hope the final product shows Posey County intends to compete for those opportunities,” he said, “and welcomes responsible development through strong partnerships.”

Mount Vernon Mayor Steve Loehner said he supports new development in Posey County and believes an ordinance can maintain high standards while also welcoming “responsible” investors. As community leaders, there are times a decision must be made based on what’s best for the future of the people, and this is one of those times, he said.

“Mount Vernon and Posey County are both dying a slow death while the surrounding region is growing,” he said. “We need that shot in the arm. We need that one big investment in Posey County. We need that one big investment in us.”

Loehner pointed to potential tax dollars brought in by a new industry as the boost local schools and infrastructure needs.

“We need Posey County to be open for business,” Loehner said. “Please do the right thing and open our county for responsible business growth. Our future depends upon it.”

Union leadership sees potential for job growth

Josh Puertzer, business manger for the International Brotherhood Electrical Local 16, said he believes protections for residents can exist while also keeping Posey County open to investment.

He was joined by two representatives from the Plumbers & Steamfitters Local 136 who echoed his sentiments, including business manager John Bates.

Bates has spoken publicly in favor of data center development, including participating on a panel at an Evansville Rotary Club meeting earlier this month. He is also a member of the data center study committee in Vanderburgh County.

“I understand the concerns that come with large developments. Those concerns deserved to be addressed,” Puertzer said. “But I would encourage the board to be careful about the regulations that become overly restrictive, particularly requirements based on square footage and building height.”

Puertzer said IBEW Local 16 has about 100 members who live in Posey County, and responsible data center development could offer opportunities for them along with other skilled trades.

One of his members, Kolby Lary, gave his public comment about an hour later in the meeting. He had a different message.

Lary, a Poseyville resident, said as a member of IBEW Local 16, there are few others in the area who would benefit more from building a data center.

“It’s the type of work that I do, and it would undoubtedly give me an opportunity in the short term to make money,” he said. “But short-term profits from construction of the facility are not the end-all be-all. Months of profits will not offset decades of pollution and environmental stress.”

Lary expressed disappointment that his IBEW Local 16 leader was no longer present at the meeting when his turn to speak came up.

“He speaks about the 100 members that live in Posey County, but they do



Buzz Backstrom, vice president of marketing and business development at Boardwalk Pipelines, speaks during a Posey County Area Plan Commission public hearing on amendments to the county’s unified development ordinance Sept. 24.

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not listen to the members of the IBEW,” he said. “Tonight’s a perfect example. I’d hoped to speak to my representative but he was here just long enough to speak and not hear from the very people he represents.”

Lary said if the union leadership lived in Posey County they would have a different opinion on a data center being built in their backyard.

“This community is not numbers on a paper. It’s not profits to be had. It’s not increases in job numbers,” he said. “It’s our home. It’s where our families live. It’s where I’m raising my daughters. It’s our lives.”

Lary asked the APC not to listen to the business plans from those without personal investment in the area.

“I want to buried here one day,” Lary said. “And when I’m dead and gone, I want my daughters to look out at the rolling hills of corn and the awe-inspiring sunsets and remember that this is where mom and dad cared for them and raised them.”

CenterPoint, E-REP bring specific asks

Jenna Richardt, the director of external affairs for CenterPoint Energy, told APC members the current draft of data center regulations doesn’t work.

Also a member of the data center study committee in Vanderburgh County, Richardt previously was employed by Ports of Indiana and E-REP. She is a current member of E-REP’s board of directors. Richardt said companies are not asking whether they can build in Posey County. They are deciding if the county gives them a reason to come.

While data center ordinances setting standards aren’t new, Richardt said, the question is if Posey’s standards will keep the county competitive.

Richardt said the setbacks in the ordinance are too big.

The ordinances states setbacks will be measured from the property line to the fence line of a project area, and all data centers must be 1,000 feet from a residential dwelling on any land zoned as ag or residential. Setbacks for land zone ag or residential without a residence, commercial or industrial are 500 feet, as are public right-of-ways.

The decommissioning requirements in the ordinance are also concerning, Richardt said.

Currently, the ordinance states a developer must provide a decommissioning plan to the APC and update it every five years after initial approval. This plan will include removal and proper disposal of all physical materials pertaining to the project so that the land can be used for what it was prior to data center development.

Richardt said if a future tenant were to leave its building, it doesn’t lost its value. Instead it becomes a marketable industrial asset and part of an inventory other companies actively look at when deciding where to locate, she said.

“Most communities would ask how to reuse this asset for the next employer,” she said. “We’re asking here how

quickly can we tear them down.”

And it’s not just data center developers watching these decisions, Richardt said.

“The companies developers and site selectors evaluating this county view this ordinance as a nonstarter,” Richardt said. “If we fail to make meaningful revisions we will not lose projects because of our workforce, location or infrastructure. We’ll lose them because we chose not to compete.”

Representing E-REP, Pat Hickey, economic development director, raised issue with setbacks, height requirements, decommissioning and property value guarantees as written in the ordinance.

First, Hickey recommended the setbacks be moved down to 500 feet to better match neighboring counties. Second, Hickey noted the building height is limited to 30 feet, which is shorter than other industrial uses.

But the ordinance provides ways for a data center to build higher. It specifically states the height limit is 30 feet for a data center unless these conditions are met:

- The data center owns and operates its own firefighting equipment approved by the fire department with fire protection jurisdiction of the center to mitigate a fire incident at a height of 75 feet in a industrial-1 district or 100 feet in a industrial-2 district
- The fire department with fire protection jurisdiction of the center possesses fire equipment to mitigate fire incidents a fire incident at a height of 75 feet in a I-1 district or 100 feet in an I-2 district.

If those requirements are met, then a data center can be up to 75 feet tall in an I-1 district and up to 100 feet in an I-2 district.

The decision to set the height at 30 feet came during a previous APC meeting following conversations with fire personnel.

“Thirty feet looks to be about what they’re comfortable with as far as a building height for emergency responders,” APC president Joe Marvel said at the time. “They don’t really want it any taller than that due to our severe lack of ladder trucks.”

Marvel said other counties may be approving 75 feet, 100 feet building heights, but Posey needs to stay where local personnel can handle it.

Regarding the property value guarantee, Hickey said his advice to every county he works with is that protections for neighbors belong in a negotiated agreement, not the zoning ordinance.

“Every change I’ve recommended here comes down to one thing,” he said, “treat this like any other industrial use in Posey County.”

School setbacks addressed

Jessica Devault, a Posey County resident and elementary school teacher, said she would like to see a setback specifically for schools.

This request had been discussed among members of the Protect Posey County group via social media ahead of the Thursday meeting, and many letters were sent to the APC, as well. Marvel addressed the request prior to public comment, and said that would be addressed via the zoning of the property.

“Anything near a school would have to go through a rezone process,” he said.

If that occurs, Marvel said he expects everyone and their kids to show up and say they don’t want it.

Devault said if the argument is that everyone would protest it and it wouldn’t pass, then why not include it to start with.

“I also want to remind you of the people who have been here every time,” she said. “You can memorize their address, their faces. Then all of a sudden we’ve got a lot more company here because the money’s here.”

Devault said they could follow the money in the room: the people who are paid by their employer to attend the public hearing or asked by their employer to attend.

“I think it’s important to keep that in mind when we’re thinking of the residents of Posey County and what they want,” she said.

Deer

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When can Kentuckians feed deer?

Kentuckians can generally feed deer, and other wildlife, from Aug. 1 to Feb. 28.

What is the CWD Surveillance Zone? What special rules apply?

Deer baiting is permitted in specific Chronic Wasting Disease Surveillance Zones, though special rules apply.

CWD Surveillance Zones are designated areas established by the Kentucky Department of Fish and Wildlife Resources to monitor and manage detected cases of chronic wasting disease within the state, or detected cases within proximity to Kentucky’s borders.

CWD Surveillance zones in Kentucky include Ballard, Breckinridge, Calloway, Carlisle, Fulton, Graves, Hardin, Hickman, Marshall, Meade and McCracken counties. In these zones, contact-style feeders, such as troughs or gravity feeders without spreading mechanisms, may be restricted to reduce disease.

Residents are encouraged to check the Kentucky Department of Fish and Wildlife Resources for more information.

Reach reporter Lillian Metzmeier at lmetzmeier@usatodayco.com.

DST

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Where does Kentucky stand on permanent daylight saving time?

Kentucky is not one of 19 states that have passed laws to make daylight saving time permanent if passed at the federal level, though a group of lawmakers proposed a similar bill to the Kentucky Legislature in January.

Nearly all of Kentucky’s congressional delegation – except U.S. Rep. Morgan McGarvey, a Democrat from Louisville, and U.S. Rep. Andy Barr, a Republican representing the 6th Congressional District – voted in favor of the Sunshine Protection Act, according to previous reporting.

During a July 13 committee meeting to advance the bill, U.S. Rep. Brett Guthrie, a Republican representing Kentucky’s 2nd Congressional District, said Americans are “overwhelmingly supportive” of the bill and want to end the practice of “springing forward” and “falling back.”

Daylight savings or daylight saving?

The period between March and November when time changes in most parts of the U.S. is officially known as **daylight saving time**. According to The Oxford Dictionary of American Usage and Style, the shift to the plural form is believed to have happened over time in order to avoid general confusion.

Do farmers actually like daylight saving time?

Despite a common myth, farmers historically have been opposed to daylight saving time in the U.S.

While many believe daylight saving time was created to help the agriculture industry by providing more daylight hours for harvesting, it was actually adopted in the U.S. during World War I as a coal conservation method after the practice was implemented in several other countries. Its usage varied in the following years until it was standardized by the Uniform Time Act of 1966, though pockets of the country still do not recognize the time change.

According to a 2019 blog post from AgAmerica, farmers in the modern era are still generally opposed to daylight saving time because it disrupts several aspects of the industry, including planting seasons and harvesting times for both plants and animals.

Reporters Caroline Neal and Marina Johnson contributed. Reach Lillian Metzmeier at lmetzmeier@usatodayco.com.

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Operating hours are:

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