

BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS met in the Henry County Sheriff's Office Conference room on Wednesday, January 28, 2026 at 6:00 p.m. with the following members present: Steve Dellinger, Joe Wiley, Susan Huhn, Debbie Walker, Henry County Auditor, and Joel Harvey, Henry County Attorney.

The meeting was opened with the Pledge and a Prayer led by Steve Dellinger.

A motion was made by Susan Huhn, seconded by Joe Wiley, to approve the minutes of the January 14, 2026, meeting. Motion carried 3/0.

A motion was made by Joe Wiley, seconded by Susan Huhn to approve claims as presented. Motion carried 3/0.

A motion was made by Susan Huhn, seconded by Joe Wiley to approve payroll as presented. Motion carried 3/0.

Cambria, Veteran's Service Office, gave an update.

A motion was made by Joe Wiley, seconded by Susan Huhn to accept the Weights & Measures monthly report for December 16, 2025-January 15, 2026, Motion carried 3/0.

A motion was made by Susan Huhn, seconded by Joe Wiley to accept the Innovative Technical Solutions monthly report for December 2025. Motion carried 3/0.

Braden Shore, Highway Department, requested approval to accept the following bids:

- **Items 1–4:** Accept bids from **Falmouth Farm Supply**.
- **Item 5 (Materials):** Accept all bids submitted and use the low bid based on product-specific need, availability, and proximity to the project from **Milestone, E&B Paving, R-Mix, Hei-Way (delivered product), and IMI**.
- **Item 5 (Furnished, Delivered, and Placed):** Accept bids from **Milestone and E&B Paving** and use the contractor closest to the project site.
- **Item 5 (Patch Mix):** Accept bid from **Hei-Way**.
- **Item 6:** Accept bids from **IMI and US Aggregates**.
- **Item 7:** Accept bid from **IMI**.
- **Item 8:** Accept all bids and use products that meet specific needs and availability from **E3 Bridge, Civilcon, and Metal Culverts, Inc.**
- **Item 9:** Accept bid from **Great Lakes Chloride**.
- **Item 10:** Accept bid from **Hoosier Pride**.

Bids to carry over through 2026 include **Asphalt Materials, East Central Contractors, LLC, and E&H Bridge and Grating**.

A motion was made by Joe Wiley and seconded by Susan Huhn to accept the bids as presented. Motion carried 3–0.

Steve Rust, Henry County Surveyor, presented the Commissioners with an USI Section Corner Agreement. A motion was made by Susan Huhn and seconded by Joe Wiley to accept the agreement pending on Joel Harvey's approval. Motion carried 3/0.

A motion was made by Joe Wiley and seconded by Susan Huhn to approve the bonds for Edward Manning and Jody French. Motion carried 3/0.

Susan Huhn expressed her concern about the PUD that was being presented and why she felt the Commissioners should not vote for it.

A motion was made by Susan Huhn to reject the PUD. Motion dies for a lack of second. A motion was made by Joe Wiley and seconded by Steve Dellinger to approve the PUD Ordinance 2026-01-28 (001). Motion carried 2/1, Susan Huhn voting no.

AN ORDINANCE FOR HENRY COUNTY, INDIANA CONCERNING AMENDMENT
TO THE HENRY COUNTY DEVELOPMENT CODE ADOPTED UNDER ORDINANCE # 2004-1-1-28 AND
EFFECTIVE MARCH 5, 2004

ORDINANCE No. 2026-01- 28 (001)

AN ORDINANCE FOR HENRY COUNTY, INDIANA CONCERNING AMENDMENT
TO THE HENRY COUNTY DEVELOPMENT CODE ADOPTED UNDER ORDINANCE # 2004-1-1-28 AND
EFFECTIVE MARCH 5, 2004

This is a Planned Unit Development District Ordinance, to develop a Planned Unit Development to be known as the Henry County Technology Park Planned Unit Development.

WHEREAS, the Henry County Advisory Plan Commission and Henry County Indiana (the "County") both of Henry County, Indiana are subject to its previously adopted Development Code and Zoning Ordinances; and

WHEREAS, on October 16, 2025, and November 20, 2025, the Henry County Advisory Plan Commission (the "Commission") considered a petition (Case # 2285) requesting an amendment to the Development Code and the Zoning Map to establish a Planned Unit Development on the real estate more particularly described in Exhibit A attached hereto (the "Real Estate") ; and

WHEREAS, the Plan Commission forwarded Case 2285 to the Henry County Board of Commissioners (the "Commissioners") with a 7-1 favorable recommendation in accordance with Indiana Codes 36-7-4-608, as required by Indiana Codes 36-7-4-1505;

WHEREAS, the President of the Commission certified the action of the Commission to the Commissioners on November 20, 2025;

WHEREAS, the Board of Commissioners is subject to the provisions of the Indiana Code 536- 7-4-1507 and Indiana Codes 36-7-4-1512 concerning any action on this request; and

Now, THEREFORE, BE IT ORDAINED by the Henry County Board of Commissioners, Henry County, Indiana, meeting in regular session, that the Henry County Development Code and Zoning Map are hereby amended as follows:

Section 1. Introductory Provisions for Henry County Technology Park Planned Unit Development District.

1.1 PUD Purpose. The purpose of the Henry County Technology Park Planned Unit Development is to allow for the development of a large industrial campus with a variety of uses with flexibility to grow as the market may dictate, and for those purposes set forth in the Outline Plan.

1.2 PUD Intent. The intent of the Henry County Technology Park Planned Unit Development is to allow greater flexibility than otherwise provided in the Henry County Zoning Ordinance to promote the growth of a significant industrial project in Henry County.

1.3 PUD Jurisdiction. The Henry County Technology Park Planned Unit Development will be governed by this Ordinance, any later approved Development Plan, and supplemented by Henry County Zoning Ordinance and Development Code.

1.4 PUD Administration. The development of the Henry County Technology Park Planned Unit Development will be administered by the Administrator, as defined by the Henry County Development Code.

Section 2. Applicability of Ordinance.

2.1 The Zoning Map is hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "Henry County Technology Park Planned Unit Development District" (also sometimes referred to herein as the "District").

2.2 Development of the Real Estate shall be governed by and limited to: (i) the provisions of this Ordinance, including its incorporated exhibits, and (ii) the provisions of the Development Code, as amended and applicable to the Underlying Zoning District or the District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.

2.3 Chapter ("Chapter") and Article ("Article") cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Henry County Development Code.

2.4 All provisions of the Henry County Development Code that directly conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 3. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Henry County Development Code.

"Outline Plan" refers to the Outline Plan submitted by GM Development

Companies LLC and Surge Development LLC

Section 4. Concept Plan. The Outline Plan, attached hereto as Exhibit B. is hereby incorporated into this Ordinance. The Real Estate is currently planned to be developed in substantial compliance with the Outline Plan and the Concept Plan that is incorporated into the Outline Plan, however, changes in the number of buildings, general shapes/configurations of buildings and other structures, and their respective placement on the Real Estate may be changed, so long as the uses and development standards set forth herein are met. The Development Plan, or Plans, as later approved in accordance with the Henry County Development Code and other applicable law, shall set forth more specific development standards

Section 5. Underlying Zoning District(s). The Underlying Zoning District shall be the 1-2 Heavy Industrial zoning district.

Section 6. Permitted Uses / Development Standards

- 6.1 Permitted uses in the Planned Unit Development are those described in the Outline Plan. Allowed uses include Agricultural Use, on undeveloped portions, until development is complete. Light and Heavy Industry, Laboratory, Testing and/or Research (excluding the raising of animals for research and the excluding the testing of fissionable materials). Police or Fire Station, (specific and emphasis in this PUD) industrial and advanced manufacturing for goods such as electronics and machinery and components related to production, defense, agriculture, technology and energy sectors. Data center uses including warehousing for data center accessory equipment.
- 6.2 Parking lots, warehousing or storage facility and material storage are permitted as an accessory to industrial and advanced manufacturing uses.
- 6.3 Electrical power infrastructure, including but not limited to generation, distribution and storage.
- 6.4 Any other development permitted under the I2 development code shall require Commission approval at submittal of the Development Plan(s).

Development Standards. The following development standards shall apply to the Henry County Data Center Project I

Zoning Standard	1-2	Henry County Technology Park PUD
Approximate Acreage	N.A.	580
Maximum Number of Units	N.A.	N.A.
Maximum Height (Primary Building)	75	75
Maximum Height (Accessory Structure)	25 ft.	75
Minimum Ground Floor Area (2 story)	N.A.	N.A.
Minimum Lot Size	.2 acres	N.A.
Minimum Lot Width (at setback line)	100	
Front Setback (along public ROW)	50-90 ft	300
Front Setback (no frontage on public ROW)	50 ft.	300
Side Setback (min. each side)	20 ft.	300
Rear Setback	50	300
Maximum Lot Coverage (All Impervious)	N.A.	75%

Section 1: Site Development Standards. The District's Site Development Standards shall comply with the Site Development Standards set forth in the Henry County Development Code.

- 7.1 The driveway and access management standards set forth in the Henry County Development Code as set forth on plans submitted to and approved by INDOT, Henry County Highway Department and the Administrator.
- 7.2 Water for usage in the PUD area will come from off-site utilities. Any well discovered during the development of the site will be documented and the Zoning Administrator will be advised of its discovery.
- 7.3 Open loop cooling systems for cooling is prohibited in data center operations.
- 7.4 Electrical infrastructure will be internal to the site.

Section 8. Site Operational Standard- Noise

Noise emitted by any operation in the PUD shall comply the Industrial Noise Limits in the Henry County Development Code. The operator of any development shall commission a noise study within thirty (30) days after each building becomes fully operational (as determined by the operator), and upon completion, shall submit the noise study to the Administrator. If sound levels exceed any Limit set by the County Development Code at any property line as a direct result of any operation, then the operator of said operation shall coordinate and implement a noise mitigation plan with the Administrator which results in the reduction of noise to the maximum allowed by the County Development Code.

Section 9. Administration. The Henry County Technology Planned Unit Development District and this Ordinance shall be administered by the Zoning Administrator. Any change to permitted uses or the standards matrix shall require a formal amendment of this Ordinance.

[Signature page follows]


EFFECTIVE DATE: This Ordinance shall be effective upon passage.

SEVERABILITY: Any provision contained in this ordinance, which is found by a court of competent jurisdiction to be unlawful, or by operation of law, including subsequent legislative enactment, is rendered inapplicable, shall be omitted and the rest and remainder of this ordinance shall remain in full force and effect.

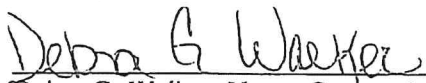
ADOPTED by the Board of Commissioners of Henry County, Indiana this 28th day of January, 2026, by a 2 of to 1_____ .

BOARD OF COMMISSIONERS OF HENRY COUNTY, INDIANA





ATTEST:

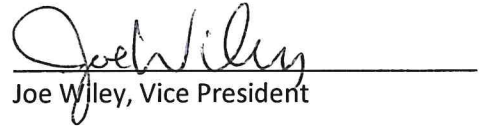


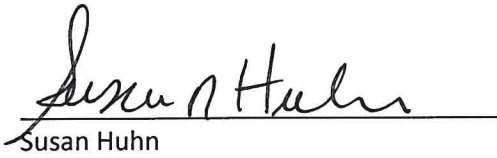
Debra G. Walker, Henry County Auditor

Susan Huhn expressed her disappointment in the approval of the PUD.

A motion was made adjourn.


Steve Dellinger, President


Joe Wiley, Vice President


Susan Huhn

Attest:


Debra G. Walker, Auditor