

PULASKI COUNTY COUNCIL

The Pulaski County Council met in regular session Monday December 13, 2021 8:20PM (due to lengthy Joint Session) at the Pulaski County Highway Department training room. Councilmembers present were Ken Boswell, Adam Loehmer, Ron DeSabatine, Kathi Thompson, Brian Young, Mike Tiede, Tim Overmyer with County Auditor Laura Wheeler and County Attorney Kevin Tankersley.

Also present were Nathan Origer, Gary Kruger, Jeff Richwine, Mark Kolish, Aly Sexton, Jennifer Knebel, Dan Knebel, Diane Cervenka, Cherie Young, Gail Lambert, Larry Lambert, Robert Barger, John Simmermaker, Terry Young, Tim Wuetrich, Sally Wuetrich, Scott Fritz, Connie Ehrlich, Don Housinger, Chris Brucker, PJ Brucker, Shelby Lopez, Deb Rogers, Brian Wolf, Scott Leman, Richard Knebel, Cheryl Podell, Doug Podell, Jolie Simmermaker, Mary Stukofski, John Stukofski, Tom ?, Joy Cosgray, Steve Cosgray, Teresa Bryant, Randy Davis, Martin Heihauser, Pamela Rausch, Norm Welker, Ken Becker, Chris ?, Nick Cohen, Dale Chu, Megan Galbreath, Suzanne Morrow, Bruce McDonald, Walter Bogat, Antonia Bogat, Carola Forsythe, Steve Eberly, Dennis Collins, Edgardo Baptista, Anita Goodan, Josh Stamper, Jason Kuchmay, Edward Cotner, Candace Meyer, Ronald Ehrlich, Mark Cervenka, Diane Cervenka, Randy Davis, Chris Shulman, and Jeff Richwine.

IN RE: CDC

President Boswell recessed the regular session and opened the public hearing on Mammoth Solar Abatement Resolution and Economic Development Agreement. The following set procedures presented for approval by Council.

PULASKI COUNTY COUNCIL
Public Hearing Participation Rules and Procedures

The Pulaski County Council has set forth their procedure rules for participation at a public hearing as follows:

1. If you wish to speak at the public hearing, you must sign in on a "Council Public Hearing Request to Speak Form". You will be required to give your full name, address, phone number, email address and designate whether you are a Pulaski County resident or not.
2. Each person that signs up to speak at the public hearing, we will be required to speak into a designated microphone and state your name and all comments in a manner that can be heard by the Board.
3. Each person will be called up in the order in which you signed in.
4. Each person that signs up to speak will be given 3 minutes to convey their thoughts.
5. You may not assign or designate your 3 minutes to another person to speak on your behalf; it will be your opportunity alone to speak.

The time designated during the public hearing for public comment is only a time for citizens of the County to share their views. It is NOT a time for discussion or an exchange between the public and the members of the Pulaski County Council. The members of the Pulaski County Council will not be responding to questions or debating the issues with the citizens of Pulaski County. The members of the Pulaski County Council will not be engaging in conversations with those addressing the Council. The public comment portion of the public hearing is just for the public to voice their opinions. You will not be allowed to disrupt the business of this governing board or this County.

If you fail to follow the rules set forth above, you will be asked to leave the public hearing.

Ken added that the opposing attorney would have 10 minutes to represent his clients. Kathleen Thompson motioned to adopt the Public Hearing Participation Rules and Procedures, Adam Loehmer seconded and motion carried with Brian Young opposed.

Jason Kuchmay, council for the opposition spoke first. An outline on ERA designation provided. Farm ground does not meet the definition. The economic study not presented to Council or the public, with only a summarize version at the Joint Session. Kuchmay states that Nathan Origer has a conflict of interest as his parents and other family members have ground under contract for this project and believes a tax abatement request is not supported and, therefore, should be denied. Indiana statute makes several references to abatements for the **property owner**, which is not Mammoth. He asked that Council read his written objections and deny the tax abatement.

Connie Ehrlich questioned if they are going to give an ERA designation and tax abatement to other farmers just because they diversify with different crops.

Edward Cotner is totally against solar and anyone who is for it.

Candace Meyer is against solar and any abatements to a solar company. Concerned that in five years solar may be gone and fields left with abandoned panels. Northern Indiana is not the right place for solar.

Mark Cervenka is against tax abatements.

Jennifer Knebel read from 11/9/21 USA Today where Nick Cohen of Mammoth Solar was quoted saying "The funding for this project is coming from private investment and the company itself without the help of subsidies or tax credit". They are getting 25% federal tax credit, talking to Governor Holcomb about economic development incentives, possibly up to 90% as Kentucky is offering that. No one mentioned the 400+ homes that will lose valuation.

Gail Lambert says County has made poor decisions in the past, such as freezing the tax levy which was just rectified recently. Re-doing the fee schedule for solar by eliminating the "per megawatt" charge and going to a flat fee so Pulaski County only collected \$15,000.00, while Starke County received \$30,000.00. If the county stayed with the "per megawatt" charge, we would have received \$875,000.00.

Larry Lambert reiterated his Wife's comments and pointed out that Mike Tiede has a conflict of interest as well, and has commented multiple times on Facebook on being in favor of solar.

Mammoth Solar Abatement Resolution and Economic Development Agreement Public Hearing (continued)

Robert Berger does not understand why we want to give a multimillion dollar company tax breaks when his taxes went up \$600.00 last year. They can get federal grants but he can't.

Terry Young said solar is not farm but an industry. Does not meet the definition of ERA.

Chris Brucker said the unknown is scary and the county needs to slow down. Approximately 57 people could lose their agricultural jobs.

Tim Wuetrich wants the vote postponed to give everyone more time to review the impact study. This should not be a vote for or against solar but should be a vote in favor of best interest of the County.

James Jordan said County should be getting a larger percentage of Mammoth's income.

Randy Davis is angry that this issue has caused a division in neighbors and friends.

Chris Shulman, Attorney working with Nathan and Mammoth Solar on the agreements, wanted to address some misconceptions. Everyday across Indiana farm ground is designated ERA. Mammoth owns the utility upon which the tax abatement is being sought. This will not reduce the payments to be made but is a structuring between County and Solar.

Nick Cohen from Mammoth Solar excited about partnering with Pulaski County.

Dale Chu had gotten information from USDA on prime farm ground in Pulaski County and overlaid with Mammoth project shows only 5% as prime farm ground. Her taxes went up too, but one way to prevent this in the future is to get investments in Pulaski County.

Deb Rogers believes her house will decrease in value and the economic impact study does not include the impact to schools nor local business like John Deere and grain elevators. Council does not have permission to ignore laws on behalf of the people they represent.

Suzanne Munroe asked why County is being asked to share the risk. Solar has been a failure in Germany due to unpredictable weather. There are companies in Indiana that make solar panels and should be used rather than China.

Bruce McDonald asked why Pulaski County is getting into the commodity business and taking risks? What not take straight numbers every year that people can understand? What are Townships getting out of this? He lives in Rich Grove Township and would like to see the gravel roads paved. Vote no and let Mammoth take the risk.

Steve Eberly of Lake Village is member of Hoosiers for Renewables. He provided print outs of Pulaski County's Net Assessed Valuations from 2017-2022. Pretty much a flat line, resulting in \$75,000,000.00 less than what is should be due to inflation. Standard for most rural counties.

The solar steering committee recommended going forward.

With no other speakers, the public hearing closed and the regular session reconvened.

Brian Young motioned to table this decision until the next joint session, which will be February 14, 2022 to allow for further review, Tim Overmyer seconded. After Council reflection, Brian Young amended his motion to the next Council meeting on January 10, 2021. Motion carried with Michael T. Tiede and Kathleen Thompson opposed. The economic impact study will be posted on the County's website at pulaskionline.org.

Resolution 2021-16 presented for approval and reads as follows:

PULASKI COUNTY RESOLUTION NO. 2021-16
BY
THE COUNTY COUNCIL OF PULASKI COUNTY, INDIANA
AMENDING RESOLUTIUN NO. 2021-11
(A PRELIMINARY RESOLUTION FOR THE ESTABLISHMENT OF AN
ECONOMIC REVITALIZATION AREA FOR THE MOSS CREEK SOLAR PROJECT)

WHEREAS the County Council of Pulaski County, Indiana ('Council'), did, on the eleventh day of October 2021, adopt Resolution 2021-11, a preliminary resolution establishing certain parcels in Pulaski County as an Economic Revitalization Area (ERA) for the purposes allowing the consideration of deductions to assessed valuation (tax abatements) to be requested by Moss Creek Solar, LLC, for the Moss Creek Solar project.

WHEREAS aforesaid resolution did establish 7:00 PM E.T. on Monday, 13 December 2021, in the meeting room of the Pulaski County Highway garage, 1131 North U. S. 35, Winamac, IN, as the time, date, and location for a public hearing for receiving of remonstrance and objections from interested persons prior to adopting a final resolution designating the affected parcels as an Economic Revitalization Area and considering any deduction to assessed valuation requested by the petitioner; and

WHEREAS it has been determined that the Council requires additional time to consider the evidence relevant to the aforesaid request by Moss Creek Solar, LLC, before conducting a public hearing and making a final determination regarding the ERA designation and any requests for tax abatement by Moss Creek Solar, LLC, for the Moss Creek Solar project,

NOW THEREFORE BE IT RESOLVED THAT the Council hereby fixes 7:00 P.M. E.T. or shortly thereafter, on Monday, 10 January 2022, in the meeting room of the Pulaski County Highway Department garage, 1131 North U. S. 35, Winamac, Indiana, as the time, date, and location for a public hearing for receiving of remonstrance and objections from interested persons prior to adopting a final deduction to assessed valuation requested by the petitioner.

Kathleen Thompson made a motion to approve and sign Resolution 2021-16 as presented, which delays the Moss Creek solar public hearing until January 10, 2022, Adam Loehmer seconded and motion carried unanimously.

IN RE: HIGHWAY

The County Highway Garage is short two employees and will possibly lose more. Information on pay for surrounding counties presented for review and a proposal to Council giving all Pulaski County Highway employees \$1.00 per hour raise. The Matrix, as a whole, is expected to be addressed in 2022.

IN RE: MATRIX

Adam Loehmer made a motion to approve the 2022 MATRIX as presented, which gives most employees a 3% raise on wages. Ronald DeSabatine seconded. Discussion followed with a suggested 2% raise. The motion was then revised to exclude employees who received wage revisions during 2021 and only those employees that raises were included in their 2022 budget. Motion carried unanimously. The 2022 wages and ordinance are as follows:

IN RE: TRANSFERS

Michael T. Tiede motioned to approve the following transfers as presented, Kathleen Thompson seconded and motion carried unanimously.

TRANSFERS			
1000-0002 County General/Auditor			
From: 34800 Miscellaneous Servs & Charges	\$300.00		
To: 17000 Overtime		300.00	
1000-0068 County General/Commissioners			
From: 12300 Group Insurance	56,100.00		
To: 32300 Telephone		6,200.00	
To: 35100 Electric, Water, & Gas		15,000.00	
To: 37900 Examination of Records		33,200.00	
To: 38201 Soldier Burial		200.00	
To: 39100 Dues & Subscriptions		1,500.00	
1000-0161 County General/Maintenance			
From: 36300 Service & Maintenance WTH	2,600.00		
To: 45201 Mowers		2,600.00	
From: 11500 Part-time Help	5,000.00		
To: 21100 Office Supplies		5,000.00	
1138-0069 Cum Cap Development/IT			
From: 44600 Computer Systems	20,000.00		
To: 36700 Computer /Server/Network Main.		20,000.00	
1170-0301 LIT Public Safety/EMS			
From: 20700 EMS Training Materials	3,000.00		
To: 22100 Oil and Fuel		3,000.00	
1000-0006 County General/Surveyor			
From: 32100 Postage	350.00		
To: 22200 Tires & Tubes		350.00	
From: 22100 Gas, Oil, Etc.	350.00		
To: 24400 Field Supplies		350.00	
1000-0011 County General/Extension			
From: 20600 Computer Supplies	200.00		
From: 32100 Postage	198.12		
To: 24500 Teaching Supplies		398.12	
From: 32200 Travel	407.16		
To: 37300 Rents and leases		407.16	
8912-0610 CARES Local Health/Health			
From: 34800 Miscellaneous Svs & Chgs	4,568.86		
To: 40460 Computer Hardware & Software		4,568.86	
2501-0009 Pre-Trial Diversion/Prosecutor			
From: 31100 Training	590.00		
To: 13100 Witness Fees		550.00	
To: 31801 Professional Services		40.00	
1107-0305 Aviation/Airport			
From: 22000 Bulk Fuel for Resale	718.00		
To: 10603 Board Members		571.00	
To: 10112 Airport Manager		147.00	
1000-0007 County General/Coroner			
From: 10403 Alternate Deputies	565.00		
To: 36100 Equipment Repair		565.00	
From: 24100 Uniforms	500.00		
To: 22200 Tires & Tubes		500.00	
From: 10403 Alternate Deputies	500.00		
To: 44301 Equipment		500.00	
From: 31600 Medical/Dental	100.00		
From: 21100 Office Supplies	100.00		
From: 24900 Lab Supplies	100.00		
To: 23000 Body Bags		300.00	
1176-0530 Motor Vehicle Highway/Administration			
From: 31801 Professional Services	6,999.32		
To: 36400 Building and Structure Repair		6,999.32	
1176-0531 Motor Vehicle Highway/Maintenance & Repair			
From: 11500 Part-time Help	1,000.00		
To: 36300 Service & Maintenance		1,000.00	
1176-0533 Motor Vehicle Highway/General & Undistributed Exp			
From: 44200 Motor Vehicles	10,000.00		
To: 44301 Equipment		10,000.00	
From: 36104 Truck/Tractor Repair	15,000.00		
To: 22100 Gas, Oil, Etc.		15,000.00	
From: 36103 Road Equipment Repair	500.00		
To: 32500 Schools, Seminars, and Meetings		500.00	
1000-0068 County General/Commissioners			
From: 12300 Group Insurance	1301.00		
To: 38201 Soldier Burial		130.00	
1000-0009 County General/Prosecutor			
From: 22300 Other Garage Supplies	264.24		
To: 21100 Office Supplies		264.24	
From: 16400 Transcripts & Depositions	800.00		
To: 45100 Law Books		800.00	
From: 39300 Acquisition of Evidence	75.00		
To: 39100 Dues & Subscriptions		75.00	
1000-0005 County General/Sheriff			
From: 36400 Building Structure Maintenance	3,300.00		
To: 44301 Equipment		3,300.00	
1235-0005 LIT PSAP/Sheriff			
From: 11504 Part-time	10,000.00		
From: 17008 Overtime	8,500.00		
From: 10902 Dispatchers	3,000.00		
To: 12300 Group Insurance		21,500.00	

1114-0005 LIT Special Purpose/Sheriff		
From: 22300 Other Garage Supplies	2,435.00	
From: 22400 Janitor Supplies	9,546.00	
From: 22500 Household Supplies	1,407.00	
From: 22600 Inmate Meals	12,810.00	
From: 23100 Ammo	213.96	
From: 24100 Uniforms	1,300.00	
From: 31600 Medical	3,200.00	
From: 32100 Postage	770.00	
From: 33400 Public Relations	1,246.00	
From: 34800 Miscellaneous	500.00	
From: 34900 Computer	16,950.00	
From: 36100 Equipment Repair	9,575.00	
From: 36300 Service Contracts	13,074.00	
To: 30800 Medical		73,026.96
9109-0235 Pre Trial Service Program Grant		
From: 12300 Group Insurance	200.00	
To: 12200 Perf		200.00

IN RE: ADVERTISED ADDITIONAL APPROPRIATION

Kathleen Thompson made a motion to approve the additional appropriations as advertised, Adam Loehmer seconded and motion carried unanimously.

ADDITIONAL APPROPRIATION ORDINANCE

9112-0201 Court Interpreter Grant/Superior Court		
1800 Interpreters	\$480.44	
1175-0005 Misdemeanant/Sheriff		
36100 Equipment Repairs	26,752.00	
1193-0005 Sheriff Pension Trust		
12400 Police Pension	(15,000.00)	
1000-0009 County General/Prosecutor		
13100 Witness Fees	500.00	
32200 Travel	2,000.00	
TOTAL OF COUNTY ADDITIONAL APPROPRIATIONS		14,732.44

IN RE: OTHER BUSINESS

Amendment #10 to Personnel Policies Handbook giving part-time employees 1½ times base hourly rate if they work holiday presented for approval and reads as follows:

**AMENDMENT #10 TO PULASKI COUNTY PERSONNEL POLICIES HANDBOOK
DATED SEPTEMBER 11, 2017**

WHEREAS, the Board of Commissioners and County Council desire to make an amendment to the Pulaski County Personnel Policies Handbook, and;

WHEREAS, under Section 4, Holidays, a new paragraph shall be added after the scheduled holiday table with the following language:

SCHEDULES	HOLIDAY HOURS
35 Hour Schedule	7 Hours
40 Hour Schedule	8 Hours
24 Hours on 48 hours Off Schedule	12 Hours
Sheriff (86 Hours/14 day period)	12 Hours

Part-time employees and temporary employees shall not receive compensation for holidays so designated. All holiday hours must be submitted timely on the current payroll schedule.

If a part time employee is scheduled to work a recognized holiday, he/she will receive wages at one and one-half (1 ½) times the base hourly rate for the actual hours worked.

NOW, THEREFORE, BE IT AMENDED by the Board of Pulaski County Commissioners and the Pulaski County Council that the above language shall be included and made a part of the Pulaski County Personnel Policy Handbook. This amendment shall be posted for at least ninety days throughout the offices of the County.

Kathleen Thompson made a motion to approve Amendment #10 as presented, Ronald DeSabatine seconded and motion carried unanimously. The Amendment will be presented to the Commissioners for their approval at their next meeting.

Kathleen Thompson made a motion to approve and sign the November 08, 2021 regular meeting minutes, Brian Young seconded and motion carried unanimously.

Kenneth Boswell presented the board with a list of the topics that were suggested for the "Challenge to Solve" discussion and asked them to number the topics in order of importance.

Pulaski County departments discussed briefly.
With no other business to discuss, meeting adjourned at 10:10pm.

Approved and signed this 10th day of January 2022 by the **Pulaski County Council**.

KEN BOSWELL

ADAM LOEHMER

RON DESABATINE

MIKE TIEDE

KATHI THOMPSON

BRIAN YOUNG

TIM OVERMYER

ATTESTED BY: _____
LAURA WHEELER, AUDITOR, PULASKI COUNTY, IN