

FEBRUARY 13, 2023

REGULAR SESSION

PULASKI COUNTY COUNCIL

The Pulaski County Council met in regular session Monday February 13, 2023 7:30pm (due to length of joint session) at Pulaski County Highway Department training room. Councilmembers present were Kenneth Boswell, Adam Loehmer, Mike Tiede, Tim Overmyer, Jerry Locke, Bradley Bonnell and Jeffrey Richwine with County Auditor Laura Wheeler.

Also present were Judge Mary Welker, Jeff Phillips, Connie Ehrlich, Gail Lambert, Jennifer Knebel, Kevin Wyatt, Dave Olds, Ronald Fox, Jason Stavedahl, Gary Kruger, Bo Disinger, Travis Wolford, Joe Hintz, Josh Kopka, Tim Shively, Rebecca Johnson, Jerry Johnson, Mike Spiegla, Lynn Spiegla, Matt Muller, Jasko Sabatini, Marie Roth, Laura Scott, Matthew Scott, Aaron Zimmerman, Cody Foust, Barney Rausch, Joshua Stamper, Greg Malott, Kelly Gaumer, Karla Redweik, Nathan Origer (by phone), Nathan Bakker

Regular session was recessed for Public Hearing on Vander Haag's tax-abatement.

IN RE: VANDER HAAG'S TAX ABATEMENT

Vander Haag's plan to build a 100'X 200' building to be used for dismantling trucks with an expected increase of 20 jobs and an approximate total cost \$1,600,000.00. There was no public comment. The Resolution reads as follows:

PULASKI COUNTY RESOLUTION NO. 2023-02
BY
THE COUNTY COUNCIL OF PULASKI COUNTY, INDIANA
A CONFIRMATORY RESOLUTION FOR THE ESTABLISHMENT OF AN ECONOMIC REVITALIZATION AREA
AND THE GRANTING OF ASSESSED-VALUE DEDUCTION FOR THE
VANDER HAAG'S, INC., 2023 EXPANSION PROJECT

WHEREAS *INDIANA CODE (I.C.)* 6-1.1-12.1 EMPOWERS THE COUNTY COUNCIL OF PULASKI COUNTY, INDIANA (THE 'COUNCIL'), TO DESIGNATE ECONOMIC REVITALIZATION AREAS (E.R.A.) BY FOLLOWING A PROCEDURE INVOLVING THE ADOPTION OF A PRELIMINARY RESOLUTION, PROVISION FOR PUBLIC NOTICE, CONDUCTING A PUBLIC HEARING, AND ADOPTION OF A FINAL RESOLUTION CONFIRMING THE PRELIMINARY RESOLUTION OR A MODIFIED VERSION THEREOF;

WHEREAS VANDER HAAG'S, INC., IN CONJUNCTION WITH DES MOINES TPE, LLC, OWNER OF THE PARCEL DESCRIBED HEREIN:
66-07-24-300-031.000-010,

COMMONLY KNOWN AS VANDER HAAG'S, 495 EAST 150 SOUTH, WINAMAC (SOUTH PARCEL), COMPRISING APPROXIMATELY 73.456 ACRES, AND SHOWN ON THE MAP DISPLAYED IN EXHIBIT A, WHICH IS ATTACHED TO AND MADE A PART OF THIS RESOLUTION,

HAS REQUESTED THAT SAID PROPERTY BE DESIGNATED AS AN ECONOMIC REVITALIZATION AREA FOR THE PURPOSE OF ACHIEVING ASSESSED-VALUED DEDUCTION (A.K.A. AS "TAX ABATEMENT") IN CONNECTION WITH REDEVELOPMENT ACTIVITY OCCURRING ON THE AFFECTED PROPERTY;

WHEREAS THE COUNCIL, HAVING RECEIVED EVIDENCE REGARDING WHETHER THE AREA SHOULD BE DESIGNATED AS AN ECONOMIC REVITALIZATION AREA, DID, ON MONDAY, 9 JANUARY 2023, ADOPT PULASKI COUNTY RESOLUTION #2023-01, PRELIMINARILY DECLARING AFORESAID PARCEL AS AN E.R.A.;

WHEREAS, IN COMPLIANCE WITH *I.C.* 6-1.1-12.1-2.5, THE COUNCIL PUBLISHED NOTICE DESCRIBING THE ADOPTION AND SUBSTANCE OF THE PRELIMINARY RESOLUTION AND STATING THAT, ON THE DATE HEREOF, THE COUNCIL WOULD HOLD A PUBLIC HEARING AT WHICH IT WILL RECEIVE AND HEAR ALL REMONSTRANCES AND OBJECTIONS FROM INTERESTED PERSONS, WITH RESPECT TO THE PRELIMINARY RESOLUTION;

WHEREAS, IN COMPLIANCE WITH *I.C.* 6-1.1-12.1-2.5, THE COUNCIL FILED, WITH EACH TAXING UNIT THAT HAS AUTHORITY TO LEVY PROPERTY TAXES IN THE ERA, A COPY OF THE NOTICE AND A DESCRIPTION OF THE PROJECT;

WHEREAS, ON MONDAY, 13 FEBRUARY 2023, THE COUNCIL CONDUCTED A PUBLIC HEARING ON THE AFORESAID MATTER AT WHICH IT RECEIVED, HEARD, AND CONSIDERED EVIDENCE CONCERNING THE PRELIMINARY RESOLUTION AND ANY REMONSTRANCES OR OBJECTIONS THERETO;

WHEREAS THE COUNCIL, UPON CONSIDERATION OF THE EVIDENCE CONCERNING THE REQUEST BY AFORESAID APPLICANTS FOR E.R.A. DESIGNATION AND A TAX ABATEMENT, HAS CONCLUDED THAT THE PROJECT AS DESCRIBED IN THE STATEMENT OF BENEFITS (FORM SB-1/REAL PROPERTY ATTACHED HERETO AS EXHIBIT B AND MADE A PART OF THIS RESOLUTION) WILL BE TO THE BENEFIT AND WELFARE TO THE CITIZENS AND TAXPAYERS OF PULASKI COUNTY; AND

WHEREAS, PURSUANT TO *I.C.* 6-1.1-12.1-2.5, THE COUNCIL DESIRES TO TAKE FINAL ACTION CONFIRMING THE PRELIMINARY RESOLUTION,

NOW, THEREFORE, SO BE THE FOLLOWING RESOLVED BY THE COUNCIL:

1. THE AFFECTED PARCEL IS PRELIMINARILY DESIGNATED AS AN ECONOMIC REVITALIZATION AREA FOR A PERIOD OF 20 YEARS COMMENCING ON THIS DATE OF ADOPTION OF THIS CONFIRMATORY RESOLUTION REGARDING THIS MATTER.
2. THIS ECONOMIC REVITALIZATION AREA ALLOWS ABATEMENT OF PROPERTY TAXES ATTRIBUTABLE TO REDEVELOPMENT OR REHABILITATION ACTIVITIES, AND THE INSTALLATION OF NEW MANUFACTURING, RESEARCH AND DEVELOPMENT, LOGISTICAL DISTRIBUTION, AND INFORMATION TECHNOLOGY EQUIPMENT, ALL AS DEFINED IN *I.C.* 6-1.1-12.1-1 AND PERMITTED UNDER *I.C.* 6-1.1-12.1-3 AND *I.C.* 6-1.1-12-4.5.
3. THE TOTALITY OF THE BENEFITS DESCRIBED FOR THE PROJECT ARE SUFFICIENT TO JUSTIFY TAX ABATEMENT IN THE DESIGNATED AREA FOR A TEN-YEAR PERIOD, AS OUTLINED IN EXHIBIT C, WHICH IS ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION, FOR NEW REAL-PROPERTY CONSTRUCTION AS EVIDENCED BY EXHIBIT B, FORM SB-1/REAL PROPERTY.
4. THE COUNCIL, HAVING MADE ITS FINDINGS IN THE AFFIRMATIVE, HEREBY APPROVES THE AFORESAID E.R.A. DESIGNATION AND TAX ABATEMENT.
5. A COPY OF THIS RESOLUTION SHALL BE FILED WITH THE COUNTY ASSESSOR.

PASSED AND ADOPTED BY THE COUNCIL ON THIS THIRTEENTH OF FEBRUARY 2023 BY A VOTE OF 6 YEAS AND 0 NAYS.

Michael T. Tiede made a motion to approve the tax abatement and Resolution 2023-02, Adam Loehmer seconded and motion carried unanimously.

Regular session was reconvened.

IN RE: BUILDING INSPECTOR

Building Inspector fees explained. Mammoth Solar has been issued a building permit as of November 3, 2022 and three other companies have ground under contract but no permits will be issued any time soon.

IN RE: CIRCUIT COURT

Family Treatment Court Grant, CASA grants, and Public Defender reimbursement programs discussed. The County was reimbursed \$4,407.86 last year by FFSA which needs to be appropriated before spending.

IN RE: PROSECUTOR

Consent of the County Council form presented for review and approval. This permits the prosecutor to have full-time status and reads as follows:

CONSENT OF THE COUNTY COUNCIL

WHEREAS, THE PROSECUTING ATTORNEY OF THE 59TH JUDICIAL CIRCUIT, WHICH INCLUDES PULASKI COUNTY, DESIRES TO ELECT TO DEVOTE THE PROSECUTING ATTORNEY'S FULL PROFESSIONAL TIME TO THE DUTIES OF THE OFFICE OF THE PROSECUTING ATTORNEY; AND
WHEREAS, THE 59TH JUDICIAL CIRCUIT IS A JUDICIAL CIRCUIT OF THE SIXTH THROUGH THE NINTH CLASS; AND
WHEREAS, THE MAJORITY OF THE COUNTY COUNCIL CONSENTS TO THE ELECTION OF THE PROSECUTING ATTORNEY TO BECOME A FULL TIME PROSECUTING ATTORNEY.
NOW, THEREFORE, BE IT RESOLVED:
THAT A MAJORITY OF THE COUNTY COUNCIL CONSENTS THE ELECTION OF THE PROSECUTING ATTORNEY FOR THE 59TH JUDICIAL CIRCUIT TO BECOME A FULL-TIME PROSECUTING ATTORNEY.
THAT A COPY OF THEI SONSENT BE FILED WITH THE NOTICE OF ELECTION TO FULL-TIME STATUS WITH THE CIRCUIT COURT OF THE 59TH JUDICIAL CIRCUIT AND WITH THE AUDITOR OF THE STATE, PURSUANT TO INDIANA CODE 33-39-6-6.

Michael T. Tiede motioned to approve the consent form as presented, Jerry Locke seconded and motion carried unanimously.

IN RE: OTHER BUSINESS

A \$1,100.00 transfer requested for the CDC office to be reconnected to a standalone, hardwired fiber-broadband connection from LightStream. DeGroot Technology was not able to improve the existing point-to-point service.

Mike Tiede made a motion to approve transfer, Adam Loehmer seconded and motion carried with Brad Bonnell opposed.

1112-0700 LIT Economic Dev/CDC		
From:	31801 Professional Services	\$1,100.00
To:	32400 Internet Services	\$1,100.00

The following additional requested from Sheriff, Highway and Circuit Court.

1175-0005 Misdemeanant/Sheriff (Repairs & Maintenance)	\$6,625.00
1176-0530 Motor Vehicle Highway (Roof)	\$235,000.00
1173-0531 Motor Vehicle Highway Restricted (Hot Mix)	\$325,000.00
8138-0232 PD Reimbursement Grant/Circuit Court:	\$4,407.86

The Misdemeanant Fund monies will be used to cover the cost of replacing over 25 windows which are cracked or broken. Mike Tiede made a motion to advertise the requested additional as presented, Jeffrey Richwine seconded and motion carried unanimously.

The following advertised additional discussed further.

8912-0610 Cares LHC/Health (Misc Serv & Chgs)	25,000.00
1112-0700 LIT – Economic Development (professional services)	350,000.00

Although the CDC’s 2023 budget included \$150,000.00, another \$350,000.00 was requested because the timing of the bond issuance is unknown and the pre-bond charges need to be covered, Barnes & Thornburg legal services relating to solar and changes to the UDO continue, and a broadband consultant is needed.

Brad Bonnell made a motion to approve the Health Department’s additional request, Mike Tiede seconded and motion carried unanimously. Jeffrey Richwine made a motion to approve CDC’s additional, Adam Loehmer seconded and motion carried with Brad Bonnell and Tim Overmyer opposed.

Adam Loehmer made a motion to approve and sign the January 9, 2023 regular meeting minutes, Jeffrey Richwine seconded and motion carried unanimously.

Updating the County’s fiscal plan to help through the bond process, determine pay increases, and funding options for work release project discussed. The cost is not to exceed \$30,000.00 and can be paid through CDC’s professional services fund. Pay increases and additional staffing issues discussed further. Mike Tiede made a motion to approve the Fiscal Plan Update, Adam Loehmer seconded and motion carried unanimously.

Hoosier Homes, a program for first time homeowners making less than \$85,000.00 and no cost to County discussed and asked to be on next month’s agenda.

IN RE: PUBLIC COMMENT

Gail Lambert talked about “irresponsible solar”. Other Counties are capping acreage while Pulaski County has over 22,000 acres are under contract.

Jennifer Knebel questioned permit charges. White County charges \$1750.00 per milliwatt while Pulaski County charged only \$600.00 and the APC lowered the fee from \$1,250 per milliwatt to a \$15,000.00 Flat fee.

Laura Scott, whose husband works for the Pulaski County Sheriff, told Council that they were given information several months ago showing where raises for the Sheriff’s Department can come from.

Travis Woolford from Highway spoke of his frustration with Council continually tabling pay raises.

Connie Ehrlich asked that time be given to decisions made regarding solar.

With no other business to discuss, meeting was adjourned at 8:58pm

Approved and signed this 13th day of March 2023 by the **PULASKI COUNTY COUNCIL**.

PULASKI COUNTY COUNCIL

KENNETH BOSWELL

ADAM LOEHMER

MIKE TIEDE

JERRY LOCKE

BRADLEY BONNELL

TIM OVERMYER

JEFFREY RICHWINE

Attest: _____
Laura Wheeler, Pulaski County Auditor