

AUGUST 14, 2023

REGULAR SESSION

PULASKI COUNTY COUNCIL

The Pulaski County Council met in regular session Monday August 14, 2023 7:00pm at the Pulaski County Highway Garage training room. Councilmembers present were Kenneth Boswell, Tim Overmyer, Jeffrey Richwine, Bradley Bonnell, Sheila Hazemi Jimenez and Jerome Locke with County Auditor Laura Wheeler. Michael Tiede absent.

Also present were Nathan Origer, Rex Allman, Celinda Briney, David Olds, Gary Kruger, Isaiah Tidwell, Chrystal Kocher, Joe Moyer and Chris Schramm.

President Boswell opened the meeting with the Pledge of Allegiance.

IN RE: CDC

Ordinance 2023-05, which will establish an Economic Development Commission and Department of Economic Development, presented for review and approval and reads as follows:

**PULASKI COUNTY ORDINANCE No. 2023-05
BY THE COUNTY COUNCIL OF PULASKI COUNTY, INDIANA,
ESTABLISHING A PULASKI COUNTY ECONOMIC DEVELOPMENT COMMISSION
AND DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS INDIANA CODE (I.C.) 36-7-11.9 AND -12 ADDRESS VARIOUS MATTERS PERTAINING TO DEPARTMENTS OF ECONOMIC DEVELOPMENT AND ECONOMIC DEVELOPMENT COMMISSIONS AND THEIR ROLES, RESPONSIBILITIES, MAKEUP, AND CAPABILITIES;

WHEREAS, PURSUANT TO I.C. 36-7-12-3, THE PURPOSE OF A DEPARTMENT OF ECONOMIC DEVELOPMENT AND ITS GOVERNING COMMISSION IS TO FACILITATE “[T]HE FINANCING OF SINGLE, IDENTIFIED ECONOMIC DEVELOPMENT [...] AND THE PROVISION OF A PROGRAM TO FINANCE MULTIPLE, UNIDENTIFIED ECONOMIC DEVELOPMENT [...] FACILITIES THAT PROMOTE A SUBSTANTIAL LIKELIHOOD OF:

CREATING OR RETAINING OPPORTUNITIES FOR GAINFUL EMPLOYMENT;

CREATING BUSINESS OPPORTUNITIES; [OR BOTH ...]”;

“TO SERVE A PUBLIC PURPOSE” AND “BE OF BENEFIT TO THE HEALTH OR WELFARE OF THE UNIT” ESTABLISHING SUCH ENTITIES AND PROPOSING TO ISSUE BONDS FOR THE FINANCING OR PROGRAM OR OF THE UNIT WHERE THE FACILITIES THAT ARE TO BE FINANCED ARE LOCATED

WHEREAS, PURSUANT TO I.C. 36-7-12-4 AND -7, THE FISCAL BODIES OF CERTAIN LOCAL UNITS OF GOVERNMENT IN INDIANA ARE PERMITTED TO ESTABLISH DEPARTMENTS OF ECONOMIC DEVELOPMENT AND ECONOMIC DEVELOPMENT COMMISSIONS RESPONSIBLE FOR CONTROLLING SAID DEPARTMENTS, AND COUNTIES ARE AMONG SUCH ELIGIBLE UNITS,

WHEREAS PULASKI COUNTY (‘COUNTY’ AND ‘COUNTY’) IS A COUNTY, AND THE PULASKI COUNTY COUNCIL (THE ‘COUNCIL’) IS THE FISCAL-LEGISLATIVE BODY OF THE COUNTY;

WHEREAS IT IS IN THE INTEREST OF THE COUNTY TO CARRY OUT THE AFORESAID PURPOSE OF A DEPARTMENT OF ECONOMIC DEVELOPMENT AND ITS GOVERNING COMMISSION THROUGH THE USE OF VARIOUS MECHANISMS AFFORDED SOLELY TO SUCH DEPARTMENTS AND COMMISSIONS;

WHEREAS, PURSUANT TO I.C. 36-7-12-22, “[T]HE [COUNTY’S] ECONOMIC DEVELOPMENT COMMISSION [HAS] JURISDICTION [...] THROUGHOUT THE COUNTY”; AND

WHEREAS IT IS IN THE INTEREST OF THE COUNTY TO CARRY OUT THE AFORESAID PURPOSE IN AN EFFICIENT AND STREAMLINED MANNER THAT AVOIDS DUPLICATION OF SERVICES AND REDUNDANT STAFFING,

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

PURSUANT AND SUBJECT TO ALL OF THE PROVISIONS OF I.C. 36-7-11.9 AND -12 AS AMENDED FROM TIME TO TIME, A PULASKI COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT (‘DEPARTMENT’) AND A PULASKI COUNTY ECONOMIC DEVELOPMENT COMMISSION (‘COMMISSION’) ARE ESTABLISHED FOR THE AFORESAID PURPOSES.

PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF I.C. 36-7-12-7 AS AMENDED FROM TIME TO TIME, THE COMMISSION SHALL HAVE THREE VOTING MEMBERS APPOINTED BY THE PULASKI COUNTY BOARD OF COMMISSIONERS (‘BOARD’), WITH

THE BOARD SELECTING ONE MEMBER TO SERVE A TERM TERMINATING ON 31 JANUARY 2027,

THE COUNCIL NOMINATING ONE MEMBER FOR A TERM TERMINATING ON 31 JANUARY 2026,

THE WINAMAC TOWN COUNCIL NOMINATING ONE MEMBER FOR A TERM TERMINATING ON 31 JANUARY 2025,

ALL FUTURE MEMBERS BEING NOMINATED BY THE SAME BODIES AS SET FORTH SUPRA FOR FOUR-YEAR TERMS, WITH ALL SUCH TERMS BEGINNING ON 1 FEBRUARY OF THE APPROPRIATE YEAR; AND

THE MEMBERS OF THE COMMISSION BEING ELIGIBLE FOR REAPPOINTMENT.

THE DEPARTMENT AND COMMISSION SHALL SERVE THE ENTIRETY OF PULASKI COUNTY.

THE DEPARTMENT SHALL HAVE NO PAID EXECUTIVE DIRECTOR OF ITS OWN UNTIL SUCH TIME AS AMENDING THIS ORDINANCE TO ALLOW SUCH A POSITION MAY BE JUSTIFIED.

UNTIL SUCH TIME AS SUCH AN AMENDMENT TO THIS ORDINANCE MAY BE MADE, THE COMMISSION SHALL BE SERVED BY THE EXECUTIVE DIRECTOR (‘DIRECTOR’) OF THE PULASKI COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT (‘D.C.D.’), UNDER THE SUPERVISION OF THE PULASKI COUNTY COMMUNITY DEVELOPMENT COMMISSION (‘C.D.C.’), AND ANY OTHER EMPLOYEES THEREOF.

UNTIL SUCH TIME AS SUCH AN AMENDMENT TO THIS ORDINANCE MAY BE MADE, THE PRESIDENT OF THE COMMISSION SHALL SERVE A TERM ON THE C.D.C. CONCURRENT WITH THEIR PRESIDENCY.

THIS SECTION SHALL NOT BE CONSTRUED AS PROHIBITING THE DIRECTOR FROM HIRING ON-PAYROLL OR CONTRACTED EMPLOYEES EXCLUSIVELY FOR THE PURPOSE OF CARRYING OUT THE MISSION OF THE DEPARTMENT AND THE COMMISSION AS APPROVED BY THE C.D.C., THE COMMISSION, AND THE COUNCIL.

THE C.D.C.’S BUDGET SHALL INCLUDE FUNDS NECESSARY FOR PAYROLL EXPENSES AND OTHER COSTS ASSOCIATED WITH THE GENERAL OPERATIONS OF THE D.C.D., BUT THE COMMISSION SHALL HAVE ITS OWN BUDGET, AS APPROPRIATED BY THE COUNCIL, FOR THE PURPOSE OF FUNDING ANY NECESSARY PROGRAMS OR PROJECTS, AND OTHERWISE FULFILLING INCURRED FINANCIALS OBLIGATIONS, STATUTORILY ESTABLISHED AS BEING WITHIN THE COMMISSION’S JURISDICTION, INCLUDING PAYROLL OR CONTRACTUAL EXPENSES OF ANY EMPLOYEE HIRED EXCLUSIVELY FOR THE PURPOSE OF CARRYING OUT SAID PROGRAMS AND PROJECTS.

THIS SECTION SHALL NOT BE CONSTRUED AS GRANTING THE C.D.C. THE AUTHORITY TO MAKE DECISIONS REGARDING, OR TO UNDERTAKE, PROJECTS AND PROGRAMS STATUTORILY ESTABLISHED AS BEING WITHIN THE COMMISSION’S JURISDICTION.

IN ADDITION TO THE STATUTORY RESPONSIBILITIES OF THE COMMISSION SET FORTH IN I.C. 36-7-12, THE COMMISSION SHALL SERVE AS A REVIEW BODY FOR APPLICATIONS FOR ASSESSED-VALUE DEDUCTIONS (TAX ABATEMENTS), SCORING ALL SUCH APPLICATIONS AGAINST A LIST OF CRITERIA ADOPTED BY THE COUNCIL AND MAKING RECOMMENDATIONS BASED THEREUPON. AT THE DISCRETION OF SUCH FISCAL BODIES, THE COMMISSION MAY ALSO SERVE IN THIS CAPACITY FOR ANY TOWN COUNCIL IN PULASKI COUNTY.

AT THE DISCRETION OF THE BOARD, THE COMMISSION MAY SIMILARLY SERVE AS A PRELIMINARY REVIEW COMMITTEE FOR THE PULASKI COUNTY REVOLVING LOAN FUND AND, AT THE FUTURE DISCRETION OF THE COUNCIL OR THE BOARD, MAY DO SO FOR OTHER SUCH ECONOMIC-DEVELOPMENT FINANCIAL-ASSISTANCE AND INCENTIVE PROGRAMS AS APPROPRIATE.

PURSUANT TO I.C. 36-7-12-20(A), ALL TAX REVENUES COMING INTO POSSESSION OF THE ECONOMIC DEVELOPMENT COMMISSION SHALL BE DEPOSITED, HELD, AND SECURED IN ACCORDANCE WITH THE STATUTES RELATING TO THE HANDLING AND INVESTING OF PUBLIC FUNDS.

THIS ORDINANCE SHALL BE IN EFFECT AND BINDING COMMENCING ON 1 OCTOBER 2023, EXCEPT THAT SUBSECTION 4.B SHALL NOT BE IN EFFECT AND BINDING UNTIL 1 JANUARY 2024.

An OCRA grant suggested with a match for a strategic plan and a comprehensive plan. After some discussion and a recommendation for a grant to cover a comprehensive plan, Sheila Hazemi-Jimenez motioned to adopt ordinance 2023-05 as presented. Jeff Richwine seconded. The vote was 4-2 in favor, with Tim Overmyer and Brad Bonnell opposing.

AUGUST 14, 2023 PULASKI COUNTY COUNCIL REGULAR SESSION (continued)

IN RE: OTHER BUSINESS

The following transfers were presented for review and approval:

8912-0610 CARES LHD/HEALTH DEPT		
From:	38010 Contracted Services	\$9,800.00
	40460 Computer Software & Hardware	320.00
To:	44700 Patient Care Services	10,120.00

The following additional was presented for review and approval to advertise:

1112-31801	Professional Services	\$200,000.00
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Jerry Locke made a motion to approve transfers and advertisement of additional as presented, Jeffrey Richwine seconded and motion carried unanimously.

Jeff Richwine made a motion to approve and sign the July 10, 2023 and June 12, 2023 regular meeting minutes as presented, Jerry Locke seconded and motion carried unanimously.

Pay raise and cost of living for the 2024 budget discussed. A wage adjustment for the county highway and the sheriff's department presented for review and approval. Jerry Locke motioned to approve the 2024 wage adjustment and Jeff Richwine seconded. Motion carried unanimously.

With no other business to discuss, meeting was adjourned at 7:35pm.

Approved and signed this 11th day of September 2023 by the **Pulaski County Council**.

PULASKI COUNTY COUNCIL

KENNETH BOSWELL

MICHAEL TIEDE

JEFFREY RICHWINE

TIN OVERMYER

BRADLEY BONNELL

JERRY LOCKE

SHEILA HAZEMI-JIMENEZ

ATTEST: _____
LAURA WHEELER, AUDITOR, PULASKI COUNTY, IN