

REGULAR SESSION

NOVEMBER 13, 2023

PULASKI COUNTY COUNCIL

The Pulaski County Council met in regular session Monday November 13, 2023 7:00PM at the Pulaski County Highway Department training room. Council members present were Kenneth Boswell, Michael Tiede, Sheila Hazemi-Jimenez, Jerome Locke, Jeffery Richwine, and Tim Overmyer with 1st Deputy Auditor Mary Mays. Councilman Bradley Bonnell absent.

Also present were Bill Champion, Nathan Origer, Mark Doud, Dave Olds, Leeann Wright, Connie Ehrlich, Gary Kruger, Judge Crystal Kocher, Joe Moyer, and JoLynn Behny.

President Ken Boswell opened the meeting with the Pledge of Allegiance.

Regular session meeting was recessed and Public Hearing on Fratco ERA Designation opened.

IN RE: PUBLIC HEARING

FRATCO COO Bill Champion present to speak on the ERA project. This is a \$2,000,000.00 project adding a new line which will create jobs for 6 additional employees. This is a high-speed line and only the 2nd in the world.

The following statement read aloud:

Notice is hereby given that the Pulaski County Council on 9 October 2023 adopted a Preliminary Resolution 2023-16, designating as an Economic Recovery Area (ERA), for a period lasting as long as industrial uses occur on the parcel, an area of land in White Post Civil Township commonly described as Parcel 66-05-33-300-013.000-018, comprising five acres, more or less, subject to all roadways, and known as the production facility of Fratco, Inc. Aforesaid ERA has been established for the purpose of achieving assessed-value deduction (property-tax abatement) in connection with the redevelopment or rehabilitation activities and the installation of new manufacturing equipment on the property. Additionally, Fratco is applying for a Waiver of Non-Compliance to include previously acquired equipment in the abatement request, pursuant to *Indiana Code 6-1.1-12.1-11.3* Following the hearing, the County Council may take final action regarding the findings of the Preliminary Resolution and the Waiver of Non-Compliance Resolution and either award or deny property-tax abatement as requested by Fratco, Inc., and described in a Statement of Benefits.

The hearing was then opened to public comment. The only comment was a request to explain the length of the ERA, which is unspecified (a period lasting as long as industrial uses occur on the parcel).

Public Hearing was then adjourned and regular session reconvened.

IN RE: CDC

Resolution 2023-19 (Waiver on Non-Compliance) which would grant Fratco a waiver of compliance for requesting the abatement after deductions presented for review and approval. Bill Champion took responsibility for the application not being filed timely. Resolution 2023-20 also presented, which would reestablish the parcel as an ERA for as long as the property remains in use for industrial purposes and will grant a nine-year tax abatement, beginning in year two of the 10 year cycle with a 90% starting abatement and a typical phase-in schedule.

Pulaski County Resolution No. 2023-19
by the Council of Pulaski County, Indiana
A Resolution Granting A Waiver of Non-Compliance Pertaining to
The Establishment of an Economic Revitalization Area and the Granting
Of Assessed-Value Deduction for FRATCO, Inc.
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WHEREAS, PURSUANT TO INDIANA CODE (I.C.) 6-1-12.1, THE COUNTY COUNCIL (THE 'COUNCIL') OF PULASKI COUNTY, INDIANA (THE 'COUNTY'), PRELIMINARILY DESIGNATED AS AN ECONOMIC REVITALIZATION THE HEREIN DESCRIBED PROPERTY, COMMONLY DESCRIBED AS PARCEL 66-05-33-300-013.000-018 —

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 30 NORTH, RANGE 4 WEST, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION WHICH POINT IS 58 FEET NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE WESTERLY PARALLEL WITH THE SOUTH LINE OF SAID QUARTER QUARTER SECTION 250 TO THE EAST LINE OF THE RIGHT OF WAY OF THE CSX RAILROAD (FORMERLY LOUISVILLE AND NASHVILLE RAILROAD AND FORMERLY MONON RAILROAD); THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE 872 FEET; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF SAID QUARTER QUARTER SECTION 250 FEET TO THE EAST LINE THEREOF; THENCE SOUTH ALONG SAID EAST LINE 872 FEET TO THE POINT OF BEGINNING; CONTAINING 5 ACRES, MORE OR LESS; SUBJECT TO ALL ROADWAYS —

FOR AS LONG AS THE AFFECTED AREA BE USED FOR INDUSTRIAL PURPOSES;

WHEREAS FRATCO, INC., SEEKS A PERSONAL-PROPERTY-TAX ABATEMENT (ASSESSED-VALUE DEDUCTION) FROM THE COUNTY COUNCIL ON EQUIPMENT ACQUIRED AS PART OF THE 2023 CORRUGATOR AND EXTRUDER PROJECT;

WHEREAS THE EQUIPMENT FOR WHICH THE TAX ABATEMENT IS SOUGHT WAS PURCHASED PRIOR TO THIS REQUEST FOR DESIGNATION AND DEDUCTION, AND, THUS IS NOT AUTOMATICALLY ELIGIBLE FOR INCLUSION IN THE ABATEMENT, AND NOT AT ALL ELIGIBLE FOR A FULL ABATEMENT; AND

WHEREAS IT IS IN THE INTEREST OF PULASKI COUNTY TO RETAIN AND TO INCREASE LOCAL MANUFACTURING CAPABILITIES, AND THE CONTINUED GROWTH OF FRATCO'S OPERATIONS HAVE CREATED NEW INCENTIVE FOR THE COUNTY COUNCIL TO ALLOW PREVIOUSLY ACQUIRED EQUIPMENT TO BE CONSIDERED FOR TAX ABATEMENT,

NOW, THEREFORE, BE THE FOLLOWING RESOLVED:

1. THE COUNCIL FINDS THAT THE TOTALITY OF THE BENEFITS DESCRIBED FOR THE PROJECT ARE SUFFICIENT TO JUSTIFY INCLUSION OF THE PREVIOUSLY ACQUIRED EQUIPMENT IN THE REQUESTED TAX ABATEMENT, IF IT BE APPROVED, FOR A PERIOD OF NINE YEARS, FOLLOWING A SCHEDULE BEGINNING WITH THE YEAR-TWO TRUE-TAX VALUE.

2. A COPY OF THIS RESOLUTION SHALL BE FILED WITH THE COUNTY ASSESSOR.

Pulaski County Resolution No. 2023-20
by the Council of Pulaski County, Indiana
A Confirmatory Resolution for the Establishment of an Economic Revitalization Area
For Fratco, Inc.

WHEREAS, PURSUANT TO INDIANA CODE (I.C.) 6-1-12.1, THE COUNTY COUNCIL (THE "COUNCIL") OF PULASKI COUNTY, INDIANA (THE "COUNTY"), PRELIMINARILY DESIGNATED AS AN ECONOMIC REVITALIZATION THE HEREIN DESCRIBED PROPERTY, COMMONLY DESCRIBED AS PARCEL 66-05-33-300-013.000-018 —

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 30 NORTH, RANGE 4 WEST, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION WHICH POINT IS 58 FEET NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE WESTERLY PARALLEL WITH THE SOUTH LINE OF SAID QUARTER QUARTER SECTION 250 TO THE EAST LINE OF THE RIGHT OF WAY OF THE CSX RAILROAD (FORMERLY LOUISVILLE AND NASHVILLE RAILROAD AND FORMERLY MONON RAILROAD); THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE 872 FEET; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF SAID QUARTER QUARTER SECTION 250 FEET TO THE EAST LINE THEREOF; THENCE SOUTH ALONG SAID EAST LINE 872 FEET TO THE POINT OF BEGINNING; CONTAINING 5 ACRES, MORE OR LESS; SUBJECT TO ALL ROADWAYS —

FOR AS LONG AS THE AFFECTED AREA BE USED FOR INDUSTRIAL PURPOSES;

WHEREAS THIS ECONOMIC REVITALIZATION AREA ALLOWS FOR A DEDUCTION OF ASSESSED VALUE ATTRIBUTABLE TO REDEVELOPMENT OR REHABILITATION ACTIVITIES AND THE INSTALLATION OF NEW EQUIPMENT, ALL AS DEFINED AND PERMITTED BY I.C. 6-1.1-12.1-1 ET SEQ.;

WHEREAS THE PROPERTY OWNER HAS REQUESTED PROPERTY-TAX ABATEMENT (ASSESSED-VALUE DEDUCTION) FOR NEW EQUIPMENT AS EVIDENCED BY EXHIBIT 'A', FORM SB-1/PP, WHICH IS ATTACHED HERETO AND MADE A PART HEREOF THIS RESOLUTION; AND

WHEREAS THE COUNCIL RECEIVED EVIDENCE WHETHER THE AREA SHOULD BE DESIGNATED AS AN ECONOMIC REVITALIZATION AREA, AND THE REQUESTED PROPERTY-TAX ABATEMENT SHOULD BE GRANTED, AND SUBSTANTIAL EVIDENCE WAS PROVIDED WHICH ESTABLISHED THAT THE PROJECT SATISFIES THE STANDARDS SET FOR BY THE STATUE,

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

1. THE COUNCIL NOW ADOPTS AND APPROVES THIS CONFIRMATORY RESOLUTION AND HEREBY DESIGNATES, FINDS, AND ESTABLISHES THE AFFECTED AREA AS AN ECONOMIC REVITALIZATION AREA FOR AS LONG AS THE AFFECTED AREA BE USED FOR INDUSTRIAL PURPOSES.
2. THIS ECONOMIC REVITALIZATION AREA ALLOWS FOR A DEDUCTION OF ASSESSED VALUE ATTRIBUTABLE TO REDEVELOPMENT OR REHABILITATION ACTIVITIES AND THE INSTALLATION OF NEW EQUIPMENT, ALL AS DEFINED AND PERMITTED BY I.C. 6-1.1-12.1-1 ET SEQ.
3. THE TOTALITY OF THE BENEFITS DESCRIBED FOR THE PROJECT IS SUFFICIENT TO JUSTIFY TAX ABATEMENT IN THE DESIGNATED AREA FOR A PERIOD OF NINE YEARS PURSUANT TO PULASKI COUNTY RESOLUTION 2023-19, WHICH GRANTS A WAIVER OF NON-COMPLIANCE.
4. THE COUNCIL, HAVING MADE ITS FINDINGS IN THE AFFIRMATIVE, HEREBY APPROVES THE AFORESAID TAX ABATEMENT.
5. A COPY OF THIS RESOLUTION SHALL BE FILED WITH THE COUNTY ASSESSOR.

Michael Tiede made a motion to approve and sign Resolution 2023-19 and 2023-20 as presented, Jerome Locke seconded and motion carried unanimously.

IN RE: OTHER BUSINESS

The following transfers presented for review and approval:

1148-0068 Drug Free Community/Commissioners			
From:	31801 Professional Services	3,000.00	
	34800 Miscellaneous Servs/Chgs	6,000.00	
	35400 After Prom EPES/WC	1,500.00	
	36900 Drug Free Act	500.00	
	39101 Fair Board	750.00	
	39600 4C Health	2,250.00	
To:	31000 Administration		2,000.00
	38110 Prevention/Education		4,000.00
	38120 Treatment/Intervention		4,000.00
	38130 Criminal Justice		4,000.00
1222-0005 Statewide 9-1-1/Sheriff			
From:	32500 Schools & Meetings	1,306.20	
	36100 Equipment Repair	1,476.30	
To:	44601 Communication Equipment		2,782.50
1000-0007 County General/Coroner			
From:	22220 Tires & Tubes	400.00	
To:	23000 Body Bags & PPE, Gloves		400.00
1000-0079 County General/Surveyor			
From:	32100 Postage	197.01	
To:	10603		197.01
1000-0011 County General/Extension			
From:	11800 Office Administrator	1,273.04	
To:	32200 Travel		1,100.00
	37300 Rents & Leases		173.04
1000-0361 County General/EMA			
From:	24101 Disaster Preparedness Supplies	55.00	
	32500 Schools, Meetings, Seminars	20.00	
	31100 Training	350.00	
To:	22100 Gas, Oil, Etc		425.00
1176-0533 Motor Vehicle Highway/General & Undist Exp			
From:	22100 Gas, Oil, Etc	1,000.0	
To:	32500 Schools, Meetings, Seminars		1,000.00
1173-0531 MVH Restricted/Maintenance & Repair			
From:	23300 Bituminous	20,000.00	
To:	23101 Stone & Gravel		20,000.00
1112-0700 LIT-Economic Development/CDC			
From:	33601 Economic Development	12,500.00	
	32500 Schools, Meetings, Seminars	1,000.00	
To:	33200 Advertising		700.00
	33500 Marketing		300.00
	31801 Profession Services		12,500.00

Jeffrey Richwine made a motion to approve all transfer requests, Jerry Locke seconded and motion carried unanimously.

The following additional presented for review and approval:

1175-0005 Misdemeanant (Building Repairs)	10,750.00
1193-0005 Sheriff Pension Trust/Sheriff/2400	7,550.00
8912-0610 Cares LHD (Contracted Services)	10,000.00
TO BE ADVERTISED:	
CDC Professional Services	75,000.00
Prosecutor Pre-trial Diversion (Equipment)	5,000.00

Michael Tiede made a motion to approve all Additional (advertised and to be advertised), Sheila Hazemi-Jimenez seconded and motion carried unanimously.

Discussion on board pay but no decisions made.

Wage adjustment discussed next. Jeffrey Richwine made a motion to ~~give a 3% wage adjustment across the board as of~~ **approve the wages as determined through the wage study effective** January 1, 2024, Jerome Locke seconded and after discussion, motion passed unanimously.

Commented [LW1]: Amended per the December 11, 2023 meeting

Cost of Living Adjustment (COLA) discussed. Tim Overmyer made a motion to give 3%, Michael Tiede seconded and motion carried unanimously.

Funds in Surveyor, Coroner and Building’s budget to purchases new vehicles discussed.

Transfers questioned as some appeared to be missed

1000-0201 County General/Superior Court			
From:	20100 Reporter’s Supplies	250.00	
To:	1700 Overtime		250.00
From:	13100 Witness Fees	1,500.00	
To:	16400 Transcripts & Depositions		1,200.00
To:	18000 Interpreter		300.00
1222-0005 Statewide 911/Sheriff			
From:	32400 Schools & Meetings	1,306.20	
	36100 Equipment Repair	1,476.30	
To:	44601 Communication Equipment		2,782.50

. Kenneth Boswell motioned to amend Transfers to include Superior Court and Sheriff transfers, Jeffrey Richwine seconded and motion carried unanimously.

With no other business to discuss, meeting was adjourned at 7:52PM by the Pulaski County Council.

Approved and signed this 11th day of December 2023 by the **PULASKI COUNTY COUNCIL**.

KENNETH BOSWELL

Absent

BRADLEY BONNELL

JEFFREY RICHWINE

JERRY LOCKE

SHEILA HAZEMI-JIMENEZ

MIKE TIEDE

TIM OVERMYER

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