

OCTOBER 9, 2023

REGULAR SESSION

PULASKI COUNTY COUNCIL

The Pulaski County Council met in regular session Monday October 9th 2023 7:25PM (due to length of Joint Session) at the Pulaski County Highway Garage training room. Councilmembers present were Kenneth Boswell, Bradley Bonnell, Jerry Locke, Jeffrey Richwine, and Sheila Hazemi-Jimenez with County Auditor Laura Wheeler. Councilmembers Mike Tiede and Tim Overmyer were absent.

Also present were Nathan Origer, Marcie Perry, Richel Fox, Kelly Gaumer, Samantha Williams, Bill Champion, Crystal Kocher, Rex Allman, Celinda Briney, Edwina Guffey, and Chris Schramm.

IN RE: CDC

Resolution 2023-16, a preliminary Economic Revitalization Area (ERA) on FRATCO's production facility presented for review and approval. The public hearing for resolution and tax abatement approval is set for Council's November meeting. This parcel was declared an ERA in 2011 but for only 10 years so a new designation is required. Rather than setting an expiration date the designation is for as long as the property is used for industrial purposes. A separate resolution granting a waiver of non-compliance since FRATCO is requesting the incentive after installation will be presented at the November meeting as well. Jeffrey Richwine made a motion to approve Resolution 2023-16 as presented, Jerry Locke seconded and motion carried unanimously. The resolution reads as follows:

**PULASKI COUNTY RESOLUTION NO. 2023-16
BY THE COUNCIL OF PULASKI COUNTY, INDIANA:
A PRELIMINARY RESOLUTION
FOR THE ESTABLISHMENT OF AN ECONOMIC REVITALIZATION AREA
AND THE GRANTING OF ASSESSED-VALUE DEDUCTION FOR
FRATCO, INC.**

WHEREAS INDIANA CODE (I.C.) 6-1-12.1 EMPOWERS THE COUNTY COUNCIL (THE 'COUNCIL') OF PULASKI COUNTY, INDIANA (THE 'COUNTY'), TO DESIGNATE ECONOMIC REVITALIZATION AREAS 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 THE PROPERTY OWNER OF 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 —

HAS REQUESTED THAT SAID PROPERTY BE DESIGNATED AS AN ECONOMIC REVITALIZATION AREA FOR THE PURPOSE OF ACHIEVING ASSESSED-VALUE DEDUCTION IN CONNECTION WITH REDEVELOPMENT ACTIVITY OCCURRING ON THE AFFECTED PROPERTY; AND

WHEREAS THE COUNCIL RECEIVED EVIDENCE WHETHER THE AREA SHOULD BE DESIGNATED AS AN ECONOMIC REVITALIZATION AREA, AND SUBSTANTIAL EVIDENCE WAS PROVIDED WHICH ESTABLISHED THAT THE PROJECT SATISFIED THE STANDARDS SET FOR BY THE STATUTE,

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

1. THE COUNCIL NOW ADOPTS AND APPROVES THIS PRELIMINARY 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. A COPY OF THIS RESOLUTION SHALL BE FILED WITH THE COUNTY ASSESSOR.

4. A COPY OF THIS RESOLUTION AND A DESCRIPTION OF THE DEDUCTION TO ASSESSED VALUATION TO BE REQUESTED BY THE PETITIONER SHALL BE PROVIDED TO EACH AFFECTED TAXING UNIT.

4. THE COUNCIL HEREBY FIXES 7:00 P.M. ON MONDAY, 13 NOVEMBER 2023, IN THE MEETING ROOM OF THE PULASKI COUNTY HIGHWAY GARAGE, 1131 NORTH U.S. 35, WINAMAC, INDIANA, AS THE TIME, DATE, AND LOCATION FOR A PUBLIC HEARING FOR RECEIVING OF REMONSTRANCES AND OBJECTIONS FROM INTERESTED PERSONS PRIOR TO CONSIDERING A FINAL RESOLUTION DESIGNATING THE AFFECTED AREA AS AN ECONOMIC REVITALIZATION AREA.

Resolution 2023-15, Lease with the Pulaski County Courthouse Building Corporation, presented for review and approval and reads as follows:

**PULASKI COUNTY RESOLUTION NO. 2023-15
BY THE COUNCIL OF PULASKI COUNTY, INDIANA
FINDING THE NECESSITY OF CERTAIN STRUCTURES AND OF A LEASE WITH
THE PULASKI COUNTY COURTHOUSE BUILDING CORPORATION
APPROVING MATTERS RELATED THERETO**

WHEREAS *Indiana Code (I.C.) 36-1-10-7* provides that the Board of County Commissioners of Pulaski County, Indiana (the "Board") may not lease a structure unless the County Council of Pulaski County, Indiana (the "Council") determines, after investigation, that the structure is needed;

WHEREAS, to provide for all or any portion of the financing of the renovation and equipping of the existing courthouse located at 112 East Main Street, Winamac, Indiana, and upon completion is anticipated to include, but not be limited to:

(a) Improvements and additions to the courthouse site including but not limited to: (i) expanded public gathering space with new retaining walls; (ii) plaza pavers, landscaping and two covered canopy structures; (iii) north stairs to be rebuilt with new planters and bench; (iv) historic retaining wall surrounding site to be removed, salvaged, repaired, cleaned and reconstructed; (v) sidewalks surrounding site to be removed and rebuilt; and (vi) utility enclosure added at southwest corner of site enclosing generator and chiller;

(b) renovations, improvements and upgrades to the three story, approximately 23,100 square feet of the existing courthouse interior including: (i) new mechanical, electrical, plumbing and telecommunications systems throughout the facility; (ii) new flooring, updated paint and refinished woodwork along with new ADA compliant restrooms; and (iii) new furnishings and refinished existing furniture;

- (c) improvements to the lower level, including but not limited to: (i) the existing concrete slab to be removed and re-poured; (ii) all existing walls to be removed back to masonry and furred out with new wall board; and (iii) new restroom facilities and break room provided along with Clerk Department, Security, Veteran’s Services, Maintenance and Storage to be located in the lower level;
- (d) the first floor will contain Recorder, Assessor, Treasurer, and Auditor departments along with vault and storage for each;
- (e) updates to the second floor, including but not limited to: (i) repurposing of existing courtroom as a council meeting room and (ii) Surveyor, Building, Planning and Zoning, Economic Development and future IT Departments relocation;
- (f) restoration, replacement, or repair of bell tower and clock equipment;
- (g) scanning and digitization of County records; and
- (h) miscellaneous capital improvement, renovation and/or equipping projects at one or more facilities operated or to be operated by the County, furniture and equipment, IT infrastructure costs, professions moving costs, and all projects related to any of the foregoing,

all of which will be operated by the County, the Board has approved a resolution approving the terms and conditions of a Lease between the Pulaski County Courthouse Building Corporation (the “Building Corporation”), as lessor, and Pulaski County, Indiana (the “County”), as lessee (the “Lease”), for all or a portion of the Project, including the site and appurtenances thereto pending the approval of the Council of such Lease;

WHEREAS the Building Corporation was incorporated to assist the County in financing, from time to time, the construction and renovation of County facilities to be operated by the County, including the Project;

WHEREAS such Lease has been presented to the Council;

WHEREAS there have been prepared drawings, plans, specifications, and estimates for the cost of such Project which have been reviewed by the Council;

WHEREAS, lease rentals under the Lease shall be payable solely from the revenues of an *ad valorem* tax levied by the County on all taxable property in the County pursuant to *I.C.* 36-1-10-17 (the “Property Tax Revenues”); and WHEREAS the Council desires to approve the Lease pursuant to the terms of this Resolution, NOW, THEREFORE, the Council resolves the following:

- Section 1. Findings; Approval of Lease. After investigation, the Council hereby finds and determines that a need exists for the Project and that the Project to be financed through the Lease will be of public utility and benefit to the County. The Council further determines that the Project cannot be acquired, constructed, renovated, improved, and equipped from any funds available to the County. The Council hereby approves the Lease in substantially the form presented on the date hereof, and the County shall proceed to take such steps as may be necessary to secure the acquisition, construction, equipping, and leasing of the Project as provided by *I.C.* 36-1-10.
- Section 2. General. Any member of the Board or the Council, the Auditor of the County, and the County Attorney are hereby authorized, empowered, and directed, on behalf of the County to take any other action as such individual deems necessary or desirable to effectuate the foregoing resolutions, and any actions heretofore made or taken be, and hereby are, ratified and approved.
- Section 3. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Council.

Jeffrey Richwine made a motion to approve Resolution 2023-15 as presented, Jerry Locke seconded and motion carried unanimously.

The following transfers presented for review and approval.

TRANSFER OF APPROPRIATIONS

1000-0361 County General/EMA			
From:	17000 Overtime	493.87	
	32500 Schools, Meetings and Seminars	81.41	
	36100 Service and Maintenance WTH	119.01	
	36300 Dues & Subscriptions	50.00	
To:	22100 Gas, Oil, Etc.		1,244.29
1000-0011 County General/Extension			
From:	11800 Office Administrator	757.23	
To:	37300 Rents & Leases		561.12
	39100 Dues & Subscriptions		196.00
1000-0003 County General/Treasurer			
From:	32200 Travel	66.00	
To:	32100 Postage		66.00
1000-0201 County General/Superior Court			
From:	14000 Public Defender	3,064.00	
To:	13600 Pauper Counsel		3,064.00
From:	33700 Guardian Ad Litem	1,000.00	
	44100 Office Equipment	1,600.00	
To:	32100 Postage		2,600.00
1000-0068 County General/Commissioner			
From:	31801 Professional Services	4,500.00	
	34300 Unemployment Compensation	4,500.00	
	35100 Electric, Water Gas	4,500.00	
To:	38201 Inmates in Institutions		13,500.00
1170-0302 Public Safety/EMS			
From:	11500 Part-time Help	20,000.00	
To:	10204 EMS Staff		10,000.00
	1700 Overtime		10,000.00
From:	20700 EMS Training Materials	2,000.00	
	31801 Professional Services	5,000.00	
	44500 Radios	3,000.00	
To:	24100 Uniforms		1,000.00
	31400 Pest Control		60.00
	36100 Equipment Repair		8,940.00
1176-0533 Motor Vehicle Hwy/Gen & Undistrib Exp			
From:	22100 Gas, Oil, Etc.	27,000.00	
To:	17016 Mechanic OT		2,000.00
	22200 Tires & Tube		5,000.00
	36104 Truck & Tractor Repair		20,000.00
8910-0068 USDA Grant/Commissioner			
From:	44201 Ambulance	25,265.80	
To:	49900 Miscellaneous Equip		23,164.80
	3100 Administration		2,100.00
1000-0068 County General/Commissioners			
From:	32200 Professional Services	5,000.00	
To:	32100 Postage		5,000.00

Jeffrey Richwine made a motion to approve all transfer requests as presented, Bradley Bonnell seconded and motion carried unanimously.

The following additional presented for review and approval.

ADDITIONALS TO BE ADVERTISED	
1175-0005 Misdemeanant (Building Repairs)	10,750.00
1193-0005 Sheriff Pension Trust/Sheriff	7,550.00
8912-0610 Cares LHD (contracted services)	10,000.00
ADVERTISED ADDITIONAL	
4801 Courthouse Bonds Proceeds	12,750,000.00

The bond proceeds appropriation is permission to spend the bond money on courthouse renovation.

Jerry Locke made a motion to approve all Additional as presented, Bradley Bonnell seconded and motion carried unanimously.

Bradley Bonnell made a motion to approve and sign the August 7, 2023, August 28, 2023, September 11, 2023 and September 25, 2023 budget and regular session minutes, Jerry Locke seconded and motion carried unanimously.

Discussion ensued on new vehicles for Surveyor, Building Inspector and Coroner. Surveyor and Building Inspector both have vehicles in their budgets while Coroner did not. It was agreed to leave in Surveyor and Building Inspector’s budget while Coroner would have to come before Council for an additional.

Superior Court recording equipment discussed and everyone agreed to leave it in the budget.

2024 Budget	
0005 Casino/riverboat	\$100,000
0101 General	\$9,238,666
0124-2015 Reassessment	\$135,250
0580 Court House Lease Rental	\$557,982
0703 Highway Special	\$2,045,560
0706 Local Road & Street	\$240,000
0708 Motor Vehicle Highway	\$2,505,073
0790 Cumulative Bridge	\$780,000
0801 Health	\$147,550
1092 Cumulative Building	\$45,300
1151 Continuing Education	\$2,500
1185 Jail Lease Rental	\$336,119
2102 Aviation/Airport	\$250,510
2391 Cumulative Capital Development	\$311,300
2411 Economic Dev Income Tax Credit	\$1,807,920
Non reviewed funds	6,719,841
TOTAL BUDGET	25,223,571

Jeffrey Richwine made a motion to approve the 2024 Budget as presented, Jerry Locke seconded and motion carried unanimously.

Van Buren Township’s 2024 Budget presented for approval. This is necessary due to Trustee having a relative and Volunteer Fireman on the township board. After very little discussion because everything seemed to be in order, Jeffrey Richwine made a motion to approve Van Buren Township’s 2024 budget as presented, Bradley Bonnell seconded and motion carried unanimously. The Van Buren Township 2024 Budget is as follows:

0061 Rainy Day	9,000
0101 General	59,100
0840 Township Assistance	3,600
1111 Township Fire and EMS	85,700
1190 Cumulative Fire (Township)	60,000
9500 Donations and Rent	11,000
VAN BUREN TOWNSHIP TOTAL 2024 BUDGET	228,400

Health Department requested new positions: Environmentalist/Emergency Preparedness plus a school liaison.

2024 Cost of Living wage adjustment questioned. Council has made no decision but commented that 3-5% is possible and the money is in the budget.

With no other business to discuss, meeting was adjourned at 8:02PM.

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

KENNETH BOSWELL

BRADLEY BONNELL

JEFFREY RICHWINE

JERRY LOCKE

SHEILA HAZEMI-JIMENEZ

MIKE TIEDE

ABSENT

ABSENT
TIM OVERMYER

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