Tipton County Board of Commissioners and County Council Meeting

and Redevelopment Commission

5-14 & 15-2018

May 14, 2018 9is Board of Commissioners

Present: James N. Mullins, PhD., Mark Manier Absent: Gerald Shuck

Others Present: James Leffler, Brent Snow, Lou Ann Millett, Steve Brown, Dennis Goth, Vicky Boyd, Rev. Dennis Goth

President Mullins opened the meeting with prayer by Reverend Dennis Goth of St. John the Baptist Catholic Church and the Pledge of Allegiance.

Payroll- Crystal Worthy

Motion by Commissioner Manier to approve payroll, check date May 18, 2018, in the amount of \$149,316.04. Second by Commissioner Mullins. Motion carries.

Claims - Katy Kramer

Motion by Commissioner Manier to approve the transfer of \$10,473.00 from Juvenile/Adult Care and Housing (1000.37700.000.0068) to Exam of Records (1000.3840.000.0068) for the State Board of Accounts field exams for years 2015, 2016, and 2017. Second by Commissioner Mullins. Motion carries.

Motion by Commissioner Manier to approve Miscellaneous Claims, for docket date May 14, 2018, in the amount of \$220,946.57. for docket date May 31, 2016. Second by Commissioner Mullins. Motion carries.

President Mullins announced that the Board of Commissioners would stand in recess until 6pm On May 15, 2018, in the first floor meeting room.

May 15, 2018 6pm Joint meeting of the Board of Commissioners, County Council, and Redevelopment Commission

The meeting was opened with prayer by Reverend Steve Brown of the Normanda Christian Church and the Pledge of Allegiance.

Board of Commissioners present: James N. Mullins, PhD., Gerald Shuck, Mark Manier County Council present: Beth Roach, Helen Tragesser, Dennis Henderson, James Ashley, Jeff Hoover, James Leffler, Emily Wilson

Redevelopment Commission present: Jeff Hoover, Beth Roach, Denny Henderson Gerald Shuck, Jane Harper, Jim Mullins, Mark Manier. Absent Jim Ankrum

Also Present: Mike Cline, Nancy Cline, Betsy Townsend, Kirk Retherford, April Retherford, Shannon Cassons, Dick Klein, Lou Ann Millett, Vicky Boyd, Emily Williams (IMPA), Greg Budd (IMPA), Brenda Ahlers, Brent Snow, Tom McKinney, Steve Brown (Normanda Christian Church), Phyllis Phifer, Mark Baird, Jeremy Morrisett, Mike Terry, Cody Neuenschwander, Steve Niblick, Rex Boyer, Katy Kramer, Jane Harper, Debbie Tragesser, Melissa Pickering, Steve Shamo (Micro Vote), Kara Kellerman (Encore), Linda Johnson (Area V), Ken Ehmans, Brittany Day, Amanda Mendenhall (Boys and Girls Club), Bill Shepler (PMSI), Craig Uitts, Katherine Uitts, Bret Morris, Lynnette Morris, Phil Beer, Debbie Beer, Mark Regnier, Matthew Barnes (State House Chaplain)

Litigation – Jim Leffler lawsuit

Board of Commissioners

Motion by Commissioner Shuck to approve the settlement with Jim Leffler. Second by Commissioner Mullins. Motion carries with affirmative votes by Commissioners Mullins and Shuck; with Commissioner Manier opposed.

County Council

Motion by Councilwoman Tragesser to approve the settlement with Jim Leffler. Second by Councilman Hoover. Votes: Jim Ashley, No; Denny Henderson, No; Emily Wilson, Yes; Helen Tragesser, Yes; Jeff Hoover, Yes; Jim Leffler abstained. Motion carries.

Redevelopment Commission

Motion by James Mullins to accept the settlement to Jim Leffler, as presented. Second by Beth Roach. Votes: Jim Mullins, Yes; Jane Harper, Yes; Beth Roach, Yes; Gerald Shuck, Yes; Dennis Henderson, No; Mark Manier, No. Motion carries.

Motion by Gerald Shuck to file for extension on behalf of the Redevelopment Commission in the Jansen lawsuit. Second by Beth Roach. Motion carries.

RDC Motion by Commissioner Shuck to close the meeting of the Redevelopment Commission. Second by Commissioner Mullins. Motion carries.

Board of Commissioners

Motion by Commissioner Shuck to Authorize the insurance company to investigate settlement of the Leffler/Terry lawsuit. Second by Commissioner Manier. Motion carries.

Motion by Commissioner Shuck to authorize County Attorney to file an extension on behalf of the Board of Commissioners in the Jansen litigation. Second by Commissioner Manier. Motion carries.

County Council

Boys and Girls presentation by Amanda Mendenhall and Brittany Day

Amanda Mendenhall described the various programs of the Boys and Girls Club and expressed the need for additional support. She gave a packet of information to the Board of Commissioners and County Council. No action was taken at this meeting.

Encore-Cara Kellerman

Cara Kellerman spoke of the need for additional funding to support the many services to senior citizens provided by Encore. No decision was made at this meeting.

Board of Commissioners

The agenda was amended to add the Jail and Steve Niblick.

Highway-Brett Morris

Motion by Commissioner Shuck to approve the contract with INDOT and Tipton County for Bridge inspections. Second by Commissioner Manier. Motion carries.

Motion by Commissioner Shuck to allow Highway Superintendent to use pug mix on CR200W from Division Road to CR300N and CR 600N from CR400 W to the overpass project and on the west side to CR800W. Second by Commissioner Manier. Motion carries.

He reported that the Community Crossing projects on Division Road and CR450N should start in June and that CR300S between 600E and &00E is still closed due to tile failure.

Highway Superintendent Morris reported that he had received complaints about crops being planting into the rights of way, which creates a safety issue when the crops grow and compromises the ditches that the highway department cuts and maintains.

County Engineer-Phil Beer

Motion by Commissioner Shuck to accept ATC to do the groundwater and methane monitoring at the landfill for \$25,432.65. Second by Commissioner Manier. Motion carries.

Motion by Commissioner Shuck to approve ATC contract for the conceptual design for the leachate system, as presented, in the amount of \$21,724.80. Second by Commissioner Manier. Motion carries.

Motion by Commissioner Shuck to approve addendum 1 to contract with USI in the amount of \$2,300.00. Second by Commissioner Manier. Motion carries.

Sheriff – No report.

Jail

There will be a jail meeting on Thursday at 6 pm at the Tipton County Foundation with neighbors to see the preliminary drawings. This meeting is open to the public. Then, 2 weeks

later, there will be a Jail Committee meeting, open to the public and public comments. The new address for the jail is 2300 W SR 28 Tipton, In 46072.

Single Unit Plat Approve by Steve Niblick

Motion by Commissioner Shuck to approve the Uitts Estate Single Plat Sub-Division. Second by Commissioner Manier. Motion carries.

TDS

Motion from Commissioner Shuck to allow and authorize Jim Mullins to sign a letter to TDS acknowledging responsibility for telecommunications at the new jail. Second by Commissioner Manier. Motion carries.

Minutes 4-30-2018

Motion by Commissioner Shuck to approve the minutes as presented. Second by Commissioner Manier. Motion carries.

County Council

Motion by Councilman Hoover to amend the agenda to add the public hearing for additional appropriations, Debbie Tragesser, and the Library.

Additional Appropriations Resolution CC2018-08.

ADDITIONAL APPROPRIATION RESOLUTION CC2018-08

Whereas, It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

Sec. 1. Be it resolved by the County Council of Tipton County, Tipton, Indiana; that for the expenses of the taxing units listed below; the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

Fund Name:	Requested	Approved
1000 General	Amount	
Location 068 Commissioners		
34200 Insurance/All Types	<u>\$14,740.00</u>	\$14,740.00
30000 Other Services & Charges	\$14,740.00	
Location 161 Courthouse		
36000 Repair & Maintenance Bldg/Prop	<u>\$715.00</u>	\$715.00
30000 Other Services & Charges	\$715.00	
Total for Fund	\$15,455.00	
9001 Tobacco Prevention Grant		
30102 Contractual Services	\$3,000.00	\$3,000.00
30000 Other Services & Charges	\$3,000.00	
Total for Fund	\$3,000.00	
9200 Spec. Legislation – Jail		

45250 New Construction \$250,000.00 \$250,000.00

 40000 Capital Expenditures
 \$250,000.00

 Total for Fund
 \$250,000.00

Adopted and dated this 15th day of May, 2018

FIPTON COUNTY COUNCIL		
Beth Roach	Dennis Henderson	
Helen Tragesser	James F. Leffler	
ames D. Ashley	Jeff Hoover Attest:	

Emily Wilson Gregg A. Townsend, Secretary and County Auditor

Prepared by: Mark R. Regnier

Tipton County Attorney;

GRAHAM, REGNIER, FARRER & WILSON, P.C.

120 S. West Street

Tipton, Indiana 46072

Council President Roach opened the public hearing for additional appropriations Resolution CC2018-08 and read the resolution . There was no public comment.

Motion by Councilman Leffler to close Public Hearing for additional appropriation CC2018-08. Second by Councilman Ashley. Motion carries.

Resolution CC2018-09 IMPA - Emily Williams

TIPTON COUNTY COUNCIL RESOLUTION CC2018-09

A PRELIMINARY DECLARATORY RESOLUTION DESIGNATING AN ECONOMIC REVITALIZATION AREA AND FIXING A DATE, TIME AND PLACE FOR A PUBLIC HEARING THEREON FOR THE INDIANA MUNICIPAL POWER AGENCY

WHEREAS, the Tipton County Council for Tipton County, Indiana (the "Council") recognizes the need to stimulate growth and to maintain a sound economy within Tipton County, Indiana (the "County"); and

WHEREAS, I.C. § 6-1.1-12.1-1(1) provides that certain areas which become undesirable for, or impossible of normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property may be considered an economic revitalization area (the "Economic Revitalization Area"); and

WHEREAS, I.C. § 6-1.1-12.1-2.5 empowers the Council to designate Economic Revitalization Areas by following a procedure involving adoption of a preliminary resolution declaring the area an Economic Revitalization Area, publication of a public notice and filing

certain information with each taxing unit that has authority to levy property taxes in the geographic area, conducting a public hearing and adoption of a final resolution confirming or modifying and confirming the preliminary declaratory resolution; and

WHEREAS, the Council further recognizes that it would be beneficial to designate certain areas within the County in order to qualify as an Economic Revitalization Area for tax abatement purposes; and

WHEREAS, I.C. § 6-1.1-12.1 provides for tax abatement for rehabilitation or redevelopment of real property and/or installation of new manufacturing equipment in Economic Revitalization Areas; and

WHEREAS, the Indiana Municipal Power Agency (the "Applicant") has filed a completed statement of benefits with the Council requesting that real estate described in the attached Exhibit A (the "Real Estate"), located at approximately 3000 W. State Road 28, to be designated as an Economic Revitalization Area for the purpose of achieving tax savings on personal property in connection with the following redevelopment project (hereinafter called the "Project") on the Real Estate to consist of the purchase of new manufacturing equipment; and

WHEREAS, the Real Estate on which the Project is planned to be placed is located within the jurisdiction of this Council for purposes of I.C. 6-1-1-12.1; and

WHEREAS, the Council has been requested by the Applicant to find, pursuant to I.C. § 6-1.1-12.1-2, that the Real Estate is an Economic Revitalization Area; and

WHEREAS, the Applicant plans to develop an electric generating facility consisting of new manufacturing equipment including solar photovoltaic panels, inverters and transformers, single axis tracking system, rack mounts, wiring, circuit breakers, relays, reclosers, transformers and related equipment and facilities on the Real Estate, which will be interconnected with the electric distribution system of the City of Tipton; and

WHEREAS, the improvement of the Real Estate and installation of new manufacturing equipment used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property would be to the benefit and welfare of all citizens and taxpayers of the County; and

WHEREAS, the Council has determined the Project will further and promote County development objectives by making effective use of bypassed, vacant or underutilized land and the expansion of the property tax base through the purchase of new equipment with an estimated cost of approximately Eight Million Dollars (\$8,000,000), which estimates are reasonable for the Project; and

NOW, THEREFORE, BE IT RESOLVED by the Board that the Real Estate should be and is hereby declared to be an Economic Revitalization Area as defined and intended in I.C. §§ 6-1.1-12.1-1 through 6-1.1-12.1-6.

BE IT FURTHER RESOLVED, that the deduction allowed under I.C. § 6-1.1-12.1-4.5 pertaining to new manufacturing equipment shall be for ten (10) years upon compliance with the provisions of I.C. § 6-1.1-12.1-1 *et seq*.

BE IT FURTHER RESOLVED, that there shall be published and posted the notice of the adoption and substance of this Resolution in accordance with I.C. § 5-3-1, which notice shall name a date for the public hearing on this matter and that at the conclusion of said public hearing the Council may take final action on the proposed designation and may affirm, modify, or rescind this Resolution.

BE IT FURTHER RESOLVED, that the Applicant has filed a statement of benefits concerning the manufacturing equipment that will be located on the Real Estate.

BE IT FURTHER RESOLVED, that upon the adoption of this Resolution, Applicant shall cause a copy of this Resolution to be filed with the Tipton County Assessor and/or such other Tipton County government officials as shall be necessary.

BE IT FURTHER RESOLVED, that upon the adoption of this Resolution, Applicant shall cause a copy of the public notice and statement of benefits to be filed with each taxing unit that has authority to levy property taxes in the geographic area where the Economic Revitalization Area is located at least ten (10) days in advance of the public hearing.

BE IT FINALLY RESOLVED, that if any part, parts, clause or portion of this Resolution shall be adjudged, invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any part, clause or portion of this Resolution.

RESOLVED AND ADOPTED, this day of	, 2018, by the County
Council of Tipton, Indiana.	
-	Jeff Hoover
	Dennis Henderson
	Jim Ashley
	Emily Wilson
	Beth Roach
	Jim Leffler
ATTEST:	Helen Tragesser
Gregg Townsend, Auditor	

Motion by Councilwoman Wilson to approve Resolution CC2018-09 A PRELIMINARY DECLARATORY RESOLUTION DESIGNATING AN ECONOMIC REVITALIZATION AREAAND FIXING A DATE, TIME AND PLACE FOR A PUBLIC HEARING THEREON FOR THE INDIANA MUNICIPAL POWER AGENCY. Second by Councilman Ashley. Motion carries.

Resolution CC2018-10 Hartley Grain-Kirk Retherford

TIPTON COUNTY COUNCIL
RESOLUTION CC2018- 10
A PRELIMINARY DECLARATORY RESOLUTION
DESIGNATING AN ECONOMIC REVITALIZATION AREA
AND FIXING A DATE, TIME AND PLACE FOR A PUBLIC HEARING
FOR HARTLEY GRAIN COMPANY, INC.

WHEREAS, the Tipton County Council for Tipton County, Indiana (the "Council") recognizes the need to stimulate growth and to maintain a sound economy within Tipton County, Indiana (the "County"); and

WHEREAS, I.C. § 6-1.1-12.1-1(1) provides that certain areas which become undesirable for, or impossible of normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property may be considered an economic revitalization area (the "Economic Revitalization Area"); and

WHEREAS, I.C. § 6-1.1-12.1-2.5 empowers the Council to designate Economic Revitalization Areas by following a procedure involving adoption of a preliminary resolution declaring the area an Economic Revitalization Area, publication of a public notice and filing certain information with each taxing unit that has authority to levy property taxes in the geographic area, conducting a public hearing and adoption of a final resolution confirming or modifying and confirming the preliminary declaratory resolution; and

WHEREAS, the Council further recognizes that it would be beneficial to designate certain areas within the County in order to qualify as an Economic Revitalization Area for tax abatement purposes; and

WHEREAS, I.C. § 6-1.1-12.1 provides for tax abatement for rehabilitation or redevelopment of real property and/or installation of new manufacturing equipment in Economic Revitalization Areas; and

WHEREAS, Hartley Grain Co., Inc. has filed a completed statement of benefits with the Council on April 17, 2018 requesting that real estate described in the attached Exhibit A (the "Real Estate"), located at approximately 100 Cobb Street, Elwood, In 46036 (Tipton County), to be designated as an Economic Revitalization Area for the purpose of achieving tax savings on personal property in connection with the following redevelopment project (hereinafter called the "Project") on the Real Estate to consist of the purchase of new manufacturing equipment; and

WHEREAS, the Real Estate on which the Project is planned is an Agricultural Business located within the jurisdiction of this Council for purposes of I.C. 6-1-1-12.1; and

WHEREAS, the Council has been requested by the Applicant to find, pursuant to I.C. § 6-1.1-12.1-2, that the Real Estate is an Economic Revitalization Area; and

WHEREAS, the Applicant plans to develop on the Real Estate, Two 90'x 25' ring Brock Grain Bins and one 42'x24' ring Brock grain bin as described within the SB1 Real Property application estimated at \$1,238,936.00; and

WHEREAS, as described in the SB 1 Personal Property application for manufacturing equipment to enhance the operations located on said Real Estate include the purchase of a Neco Grain Dryer, 115' Honeyville bucket elevator, 124' Honeyville bucket elevator, 84' Honeyville bucket elevator, Honeyville support tower, drag conveyors and grain dump pit estimated at \$1,361,000.00 and

WHEREAS, the Council has determined the Project will promote a local, established business to expand by making effective use of bypassed, vacant or underutilized land and allow for the expansion of the property tax base through the purchase of new equipment, and

NOW, THEREFORE, BE IT RESOLVED by the Council that the Real Estate should be and is hereby declared to be an Economic Revitalization Area as defined and intended in

I.C. §§ 6-1.1-12.1-1 through 6-1.1-12.1-6.	
BE IT FURTHER RESOLVED, that the applica	
property improvements is hereby granted, for the period	
shall be entitled to a deduction from the assessment for	
the real property taxes related thereto, shall beyears	s pursuant to the provisions of under I.C.
§ 6-1.1-12.1-17 et seq.	
BE IT FURTHER RESOLVED, that there shall be	
adoption and substance of this Resolution in accordance	
name a date for the public hearing on this matter and that	t at the conclusion of said public hearing
the Council may take final action on the proposed design	ation and may affirm, modify, or rescind
this Resolution. Public hearing shall be set for	, 2018 at p.m.
BE IT FURTHER RESOLVED, that upon the add	option of this Resolution, Applicant shall
cause a copy of this Resolution to be filed with the Tip	
Tipton County government officials as shall be necessary	
BE IT FURTHER RESOLVED, that upon the add	
cause a copy of the public notice and statement of benef	<u>-</u>
has authority to levy property taxes in the geographic a	
Area is located at least ten (10) days in advance of the pu	
BE IT FINALLY RESOLVED, that if any part, p	
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shall be adjudged, invalid or unconstitutional, such in	· · · · · · · · · · · · · · · · · · ·
affect the validity or constitutionality of this Resolution	as a whole or any part, clause or portion
of this Resolution.	2010 1 1 0
RESOLVED AND ADOPTED, this day of _	, 2018, by the County
Council of Tipton, Indiana.	
	Jeff Hoover
-	Dennis Henderson
_	
	Jim Ashley
	F 11 W/11
	Emily Wilson
	Beth Roach
	Jim Leffler
	Helen Tragesser
ATTEST:	8
Gregg A. Townsend, Auditor	
Prepared by Mark R. Regnier, Attorney at Law	
EVHIDIT A	

EXHIBIT A DESCRIPTION OF ECONOMIC REVITALIZATION AREA

The Economic Revitalization Area consists of the real estate in Tipton County, Indiana legally described as follow:

Property described as 230' by 125' at the widest point of the layout (attached to the Application for Tax Abatement). Approximately 0.66 acres.

Attached Warranty Deed recorded with the Tipton County Recorder's Office page 153 and 155.

Motion by Councilman Hoover to approve Resolution CC2018-10. Second by Councilwoman Wilson. Motion carries.

Public Hearings for the IMPA and Hartley Grain tax abatements are set for May 29 at 7 PM.

Resolution CC2018-08 Additional Appropriations

Motion by Councilman Leffler to approve Resolution CC2018-08, as presented, with correction. Second by Councilwoman Tragesser. Motion carries.

MicroVote - Debbie Tragesser

MicroVote General Manager Steve Shamo presented a proposal to upgrade the current voting machines to current standards, at a cost of \$47,535 for 33 machines. The council will add this to the 2019 Election Board Budget.

Appointment to Library Board

Motion by Councilman Hoover to re-appoint Lin Beck to the Library Board. Second by Councilman Leffler. Motion carries.

State Board of Accounts – Corrective Action Plans

Copies of the State Board of Accounts Corrective Action Plans for Auditor, Treasurer, and Health Department were placed in the council packets. The Prosecutor's report will be sent electronically.

Tax abatements for county businesses

CF-1's were presented for county abatements for review on May 29, 2108 at 7 PM.

Minutes for March 20, 2018 meeting.

Motion by Councilwoman Helen Tragesser to table minutes to next meeting. Second by Councilman Leffler. Motion dies with only council members Hoover and Tragesser voting in the affirmative.

Motion by Councilman Leffler to approve minutes from March 20, 2108, as presented. Second Councilman Ashley. Motion carries.

Auditor Report – None

Committee Reports-None

Council – Reports

Denny Henderson stated that he had received phone calls about the March 20, 2018 council meeting and that it was an embarrassment to the county.

Jeff Hoover stated that he had received calls with approval of the 3/20/18 meeting.

Farm and Home Publishing – Request for shape files for county plat books

This was tabled to the special meeting to be held on May 29, 2018, at 7pm.

Heritage Barn applications

Motion by Councilwoman Wilson to reject the optional \$50 fee on Heritage Barn Deduction applications. Second by Councilman Henderson. Motion carries.

Public Comment - None

Board of Commissioners

Motion by Commissioner Shuck to adjourn the Board of Commissioners meeting. Second by Commissioner Manier. Motion carries.

Motion by Councilwoman Wilson to adjourn the County Council meeting. Second by Councilman Henderson. Motion carries.

Approved this	_day of <u>June_</u> 2018
James N. Mullins, Phi	D, President
Gerald Shuck, Vice Pr	esident
Mark Manier, Membe	er
Attest:	

Gregg A. Townsend, Auditor

County Council	
Approved thisday of <u>June</u> , 20	018
Beth Roach, President	Jeff Hoover, member
Helen Tragesser, Vice President	Jim Leffler, member
James Ashley, member	Denny Henderson, member
Emily Wilson, member Attest:	
Gregg A. Townsend, Auditor	
Redevelopment Commission	
Approved thisday of <u>June</u> , 20	018
Jeff Hoover, President	Denny Henderson
Beth Roach	Jane Harper
James N. Mullins, PhD	Gerald Shuck
Mark Manier	Jim Ankrum
Attest:	
Beth Roach, Secretary	

Respectfully submitted by Gregg A. Townsend, Auditor