

Vermillion County Council
Meeting Minutes

May 10, 2021

6:30 P.M.

Commissioner's Court, 2nd Floor Courthouse

- I. **Call to Order.** The Council convened in a regular meeting on May 10, 2021 at 6:30 p.m. in the Commissioner's Courtroom.
- II. **Pledge of Allegiance to the Flag.**
- III. **Roll Call.** Members present were President Ashley James, Vice President Randy Dreher, William Brent Bush, Neil Costello, Rick Weir, Kelly Summerville, Martin Brown, Auditor, Brenda Furry, Claims Deputy Auditor, Mandy Wann, and County Council Attorney, Scott Craig.
- IV. **Approval of Minutes.** James acknowledged the April 12, 2021 and April 27, 2021 meeting minutes. Brent Bush stated Rozanne's last name should be Scott not Sky, correction will be made. A motion was made to approve the April 12th & 27th, 2021 meeting minutes by Bush and seconded by Dreher. All in favor, motion carried.
- V. **Treasurer's Report.** President James acknowledged receipt of the Treasurer's Report.
- VI. **Comp Time Report.** President James acknowledged receipt of the Comp Time Report. Dreher mentioned that Column E needs to be added showing positive/negative. Costello would like the columns titled.
- VII. **Transfer of Funds-Approval by Council-**
132 County Jail- \$20,000 transfer from 33802 Addiction Recovery Svcs to 30277 Inmate Medical. The amount for the Addiction Recovery Svcs has dropped and is not needed. A motion was carried by Brown and seconded by Dreher. Motion carried.

1176 Motor Vehicle Highway- \$3,000 transfer from 11212 Singles-Summer Help to 20217 Signs. A motion was made by Dreher and seconded by Brown. Motion carried.

Costello stated he would really like to see, Printed Name Section and new forms be created with this information. Requested all old forms be discarded and everyone use consistent copies.

Additional Appropriations. The Council considered additional appropriations as published. President Ashley James reviewed the appropriations from the written requests submitted by Auditor Brenda Furry. Thus, the following ordinance was adopted: WHEREAS: it has been determined it is now necessary to appropriate more money that was appropriated in the annual budget for 2021, BE IT ORDAINED, by the County Council of Vermillion County Indiana, for the expenses of said county government, the following additional sums of money are hereby appropriated and ordered set out of the funds herein specified, subject to the law governing the same:

<u>FUND/DEPT</u>	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROVED</u>
County General-1000	\$25,411.60	\$25,411.60

Trails Grant Fund-this was monies that the County provided the VTA for startup and needs to be appropriated back into the fund so they can keep track of the funds from the grant and the appropriations done for the startup. A motion

was made by Bush to approve the additional appropriation and was seconded by Summerville. All in favor, motion carried.

<u>FUND/DEPT</u>	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROVED</u>
<i>Supp Public Def 1200</i>	<i>\$50,000</i>	<i>\$50,000</i>

This is for an additional Public Defender, that they are needing as the jury trials have increased per Nancy Wilson. Also stated that they have lost one of the full-time public defenders. A motion to approve the additional appropriation was made by Brown and seconded by Costello, motion carried.

<u>FUND/DEPT</u>	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROVED</u>
<i>Victim Assistance-1209</i>	<i>\$5,765.00</i>	<i>\$5,765.00</i>

The Prosecutor's office is asking for additional appropriation under the VOC grant. A motion was made to approve the additional appropriation by Bush and seconded by Brown. All in favor, motion carried.

<u>FUND/DEPT</u>	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROVED</u>
<i>Peer Court – 1213</i>	<i>\$38,249.92</i>	<i>\$38,249.92</i>

This is to add position, \$20,000 will be reimbursed as a one- time grant. It was asked if the program will continue after 2021 and Wesch explained their game plan. A motion was made by Dreher to approve the additional appropriation and was seconded by Bush. All in favor, motion carried.

<u>FUND/DEPT</u>	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROVED</u>
<i>Comp Plan-8135</i>	<i>\$30,000.00</i>	<i>\$30,000.00</i>

These monies have already been received, just need to be appropriated into the correct account. A motion was made by Costello to approve the additional appropriation and seconded by Brown. All in favor, motion carried.

VIII. Open Issues

Jail Renovations- Resolution 2021-15 for the \$17 million needed for bonds. Motion to adopt Resolution made by Summerville and seconded Weir, Dreher opposed, Resolution 2021-15 is approved.

IX. New Business

Prolyx Tire Recycling LLC dba Preferred Tire Recycling spoke on new equipment purchasing and the reason for asking for the Abatement. A motion was made to pass Resolution 2021-16 and then public hearing in June to pass Tax Abatement. Dreher made motion to approve and seconded by Weir, Resolution was passed. Costello mentioned error in land description and that will be corrected.

X. Public Comment

~James stated salary study should be received at the end of May and wanted to put together a subcommittee. James requested volunteers and Furry, Dunavan, Brown and Costello agreed to be on the subcommittee along with James.

~Furry stated should be receiving the \$3 million grant money from the American Rescue Plan and she would like a committee to ensure all guidelines are being met. Volunteers were requested and the following members agreed to be on the committee; Furry, Yocum, Brewer, Weir, Brown and James.

~Remote participation for meetings has been passed into law with certain guidelines stated by Craig, but a policy must be put in place, Craig is to draft a policy.

~Costello voiced his concerns on the IT issues, specifically the email. He would like commissioners to review the IT policy, strengthen it. Also, the need for computer

security upgrades, possibly have our own email domain, rather than Google.
Dunavan acknowledged the issues and said they are working on the matter.


XI. Adjourn

Motion to Adjourn made by Dreher and 2nd by Weir. All in favor.
Meeting Adjourned.

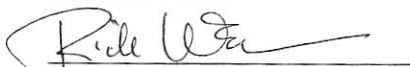
AYE

Nay



Ashley James


Randy Dreher

William Brent Bush


Rick Weir


Martin Brown


Neil Costello


Kelly Summerville

Attest:


Brenda J. Furry, Auditor

RESOLUTION NO. 2021-15

A Resolution of the Vermillion County Council
Designating an Area Within
Vermillion County, Indiana as an Economic Revitalization Area
for the Purpose of a Personal Property Tax Abatement

WHEREAS, Pyrolyx Tire Recycling, LLC, d/b/a Preferred Tire Recycling Petition for a 10 year personal property tax abatement with the Vermillion County Council (hereinafter "Council") requesting that the property described on Exhibit A be designated as Economic Revitalization Area for the purposes of personal property tax abatement; and

WHEREAS, Pyrolyx Tire Recycling, LLC, d/b/a Preferred Tire Recycling, (hereinafter the "petitioner"), has submitted a Statement of Benefits and provided all information and documentation necessary for the Council to make an informed decision, said information includes a description of the real property on which the project will be located a copy of which is attached hereto as Exhibit A (the "subject property") and the personal property to be abated.

WHEREAS, petitioner has represented and presented evidence that in connection with the project, Petitioner will retain 21 employees with an annual payroll of approximately \$780,000.00 and create approximately 10 new permanent jobs with a total annual payroll for those 10 new permanent jobs of approximately \$355,000.00. Petitioner has further represented and presented evidence that the cost of this project will be approximately \$2,500,000.00 for acquisition of personal property.

WHEREAS, the Council is authorized under the provisions of I.C. 6-1.1-12.1-1 et. seq. to designate the areas of the County as economic revitalization areas for the purpose of tax abatement; and

WHEREAS, the Council has considered the petition and Statement of Benefits and has conducted a complete and proper investigation of the subject property and neighborhood to determine that the area qualifies as an economic revitalization area under Indiana statute; and

WHEREAS, the Council has found the subject property to be located in an area where facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenues and has become undesirable for or impossible of normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements, character of occupancy, age, obsolescence, substandard buildings and other factors which prevent normal development or use;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED by the Council that:

1. The petitioner's estimate of the cost of new manufacturing equipment is reasonable for manufacturing equipment of that type in view of current technologies.

2. The petitioner's estimate of the number of individuals who will be employed and retained, and the benefits thereby, can reasonably be expected to result from the project and installation of new manufacturing equipment.

3. The petitioner's estimate of the annual salaries or wages of the individuals who will be employed and retained, and the benefit thereby, can reasonably be expected to result from the project and the installation of new manufacturing equipment.

4. That the benefits can reasonably be expected to result from the installation of the new manufacturing equipment.

5. Based upon: (1) the Petitioner's total investment in personal property; (2) the number of new full-time equivalent jobs created or retained; (3) the average wage of the new employees compared to the State minimum wage; and (4) the infrastructure requirements for Petitioner's investment and the totality of the benefits of the proposed project and installation of the new manufacturing equipment are sufficient to justify the personal property tax abatement over a 10 year deduction period, in accord with the attached Deduction Schedule and each such deduction should be, and they are hereby, allowed in accord with the attached Abatement Schedule, prepared from Hoosier Energy's Tax Abatement Estimator developed with the assistance of Baker Tilly Municipal Advisors, LLC using the cost dollar amount.

6. That the Council has considered the Petitioner's total investment in personal property, the number of new full-time equivalent jobs created by the project, and average wage of the new employees compared to the State minimum wage and the infrastructure requirements for Petitioner's investment and, based on such factors, has determined that the petition for designating the subject property as an economic revitalization area for the purposes of 10 year personal property tax abatement and the Statement of Benefits is hereby approved and the subject property is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 et seq., and Petitioner is entitled to the 10 year personal property tax abatement provided therein for the proposed project in accord with the Abatement Schedule attached as Exhibit B, prepared from Hoosier Energy's Tax Abatement Estimator developed with the assistance of Baker Tilly Municipal Advisors, LLC.

7. That notice hereof should be published according to law stating the adoption and substance hereof, that a copy of the description of the affected area is available for inspection in the County Assessor's Office and stating a date on which the Council will hear and receive remonstrances and objections and take final action, and copies thereof delivered to all affected taxing units, all as required by law.

8. This Resolution is supplementary to and in addition to any prior resolutions.

PASSED in open Council this 10th day of May, 2021.

Rick Weir
Rick Weir

William B. Bush
Brent Bush

Neil Costello
Neil Costello

Randy Dreher
Randy Dreher

Kelly Summerville
Kelly Summerville

Martin Brown
Martin Brown

Ashley James
Ashley James

This instrument prepared by Jeffrey A. Lind, LIND LAW FIRM, 400 Ohio Street, Terre Haute,
IN 47807; (812) 234-5463

2020-
RESOLUTION NO. 16

**RESOLUTION OF THE COUNTY COUNCIL OF VERMILLION COUNTY, INDIANA
ESTABLISHING A FUND FOR PROCEEDS RECEIVED FROM THE SALE OF REAL
ESTATE TO THE VERMILLION COUNTY, INDIANA BUILDING CORPORATION
AND MAKING AN APPROPRIATION FROM SUCH FUND**

WHEREAS, the Board of Commissioners (the "Board") of Vermillion County, Indiana (the "County") has entered into a lease (the "Lease") with the Vermillion County, Indiana Building Corporation (the "Corporation") for the purpose of financing the acquisition, construction, improvement, and/or equipping of all or any portion of the renovation to and an expansion of the existing jail facility located at 1888 South State Road 63, Hillsdale, Indiana 47854 and any related improvements, all to be used for the purposes of providing incarceration, community corrections, or other law enforcement or criminal justice services by the County, together with preliminary expenses and the costs of issuing bonds of the Corporation (collectively, the "Project"); and

WHEREAS, to provide for the financing and construction of the Project, the Building Corporation proposes to issue lease rental revenue bonds (the "Bonds") pursuant to the terms of a trust indenture (the "Indenture"), between the Corporation and a trustee bank, which Bonds will be payable solely from and secured exclusively by the trust estate established pursuant to the Indenture, which includes the lease rentals received by the Corporation under the Lease; and

WHEREAS, it is necessary for the Corporation to own the county jail facility and related real estate subject to the Lease (the "Real Estate") for purposes of the construction of the Project and lease of the Real Estate to the County, and the County has approved the transfer of the Real Estate to the Corporation; and

WHEREAS, the Vermillion County Council (the "Council") desires to establish a fund of the County for the purpose of depositing the purchase price received from the Corporation in exchange for sale of the Real Estate (the "Sale Proceeds") and applying such Sale Proceeds to the costs of the Project; and

WHEREAS, the Council has found that there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to the costs of the Project and has authorized the execution of the Lease and issuance of the Bonds to procure such funds and that an extraordinary emergency exists for the making of the additional appropriation hereafter set out; and

WHEREAS, notice of a hearing on said appropriation has been duly given by publication and posting as required by law, and the hearing on said appropriation has been held on May 10, 2021, at which all taxpayers had an opportunity to appear and express their views as to such appropriation; and

WHEREAS, the Council expects to pay for certain costs of the Project from other legally available funds of the County (the "Expenditures") prior to the issuance of the Bonds and receipt of the Sale Proceeds, and to reimburse such Expenditures with the Sale Proceeds received by the County upon the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF VERMILLION COUNTY, INDIANA, AS FOLLOWS:

1. The Council hereby approves the sale of the Real Estate to the Corporation. There is hereby established a fund of the County designated as the "Vermillion County, Indiana Jail 2021 Bond Construction Fund" (the "Fund"). Upon receipt from the Corporation, the Sale Proceeds shall be deposited into the Fund and used for the payment of costs of all or any portion of the Project not paid for by the Corporation, including any related or incidental expenses and the costs of the issuance of bonds by the Corporation to finance the Project.

2. The Sale Proceeds, in an amount not to exceed \$17,000,000, together with all investment earnings thereon, deposited into the Fund are hereby appropriated for the purpose of paying the costs of the Project. Such appropriation shall be in addition to all appropriations provided for in the existing budget and shall continue in effect until the completion of the Project.

3. Any member of the Board or the County Council, the Auditor of the County, and the counsel to the County Council and the County 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, including the filing of a report of this appropriation with the Indiana Department of Local Government Finance and the execution of an agreement with a financial institution to hold and administer the Fund, and any actions heretofore made or taken be, and hereby are, ratified and approved.


4. This resolution shall be in full force and effect from and after its adoption.

DULY ADOPTED on this 10th day of May, 2021, by the County Council of Vermillion County, Indiana.

COUNTY COUNCIL OF VERMILLION
COUNTY, INDIANA


Ashley James

Randy Dreher


William Brent Bush


Rick Weir


Martin Brown


Neil Costello


Kelly Summerville

ATTEST:


Brenda J. Furry, County Auditor

FINAL ACTION BY Vermillion County Council
REGARDING RESOLUTION NO. 2021-16

WHEREAS, the Vermillion County Council adopted Resolution 2021-16, on the 10th day of May, 2021, and pursuant to Indiana Law has published notice of the adoption and substance of said Resolution including a description of the affected area, legally described as:

Part of the Northeast Quarter of Section 8, Township 16 North, Range 9 West, Vermillion Township, Vermillion County, Indiana, and more particularly described as follows:

Commencing at a railroad spike found at the southeast corner of said Section 8; thence North 00 degrees 33 minutes 21 seconds West 3055.80 feet; thence South 89 degrees 56 minutes 50 seconds West 72.94 feet to a 5/8 inch iron pin with cap stamped "K.J. HENNESSY S20200026", herein called monument, set at the Point of Beginning for the following described tract; thence continue South 89 degrees 56 minutes 50 seconds West 350.35 feet to a set monument; thence North 00 degrees 00 minutes 39 seconds West 474.75 feet to a set monument; thence North 30 degrees 49 minutes 02 seconds East 100.52 feet to a set monument; thence South 89 degrees 56 minutes 42 seconds East 299.10 feet to a set monument; thence South 00 degrees 01 minutes 01 seconds West 560.47 feet to the Point of Beginning, containing 4.46 acres more or less,

and notice that a description of the affected area is available for inspection in the office of the Vermillion County Assessor and further stating a date on which the Vermillion County Council would receive and hear remonstrances and objections; and

WHEREAS, the Vermillion County Council has conducted the hearing as required by law and has received no remonstrances or objections to designation of the affected area as a revitalization area or to approval of the Application and the Statement of Benefits heretofore filed; and

WHEREAS, said matter is before the Vermillion County Council for final action pursuant to Indiana law; and

WHEREAS, the Vermillion County Council has received and examined, prior to such hearing, a Statement of Benefits on the form prescribed by the State Board of Tax Commissioners and has heard all appropriate evidence concerning the proposed project and has found and does find:

WHEREAS, the Vermillion County Council has received and examined, prior to such hearing, a Statement of Benefits on the form prescribed by the State Board of Tax Commissioners and has heard all appropriate evidence concerning the proposed project and has found and does find:

1. That the area has 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.
2. That the estimate of the cost of the redevelopment and rehabilitation is reasonable for projects of that type.
3. That the estimate of individuals who will be employed or whose employment will be retained as a result of the redevelopment and rehabilitation can reasonably be expected to result from the proposed project.
4. The estimate of annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed redevelopment and rehabilitation and the project.
5. That the benefits can reasonably be expected to result from the proposed redevelopment and rehabilitation and the project.
6. That the totality of benefits of the Project are sufficient to justify a ten (10) year personal property tax deduction from assessed valuation to result therefrom under Indiana statutes, and each and all of such deductions should be, and are hereby, allowed.
7. That the real property is located within an Economic Revitalization Area as required by Indiana Code 6-1.1-12.1-2 for the type of facility proposed by Petitioner.

8. That all qualifications for establishing an economic revitalization area have been met.
9. That the Petition for designating the subject property as an Economic Revitalization Area for the purposes of an ten (10) year personal property tax abatement and the Statement of Benefits on new, or new to Indiana, equipment (copies of which were submitted with the Petition) are hereby approved and the real estate described hereinabove is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 *et. seq.*

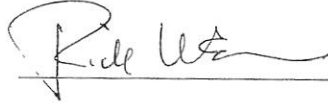
NOW, THEREFORE, for final action on Resolution 2021-~~16~~, the Vermillion County Council, RESOLVES, FINDS AND DETERMINES that:


1. All of the requirements for designation of the real estate described in Resolution 2021-~~16~~ as an Economic Revitalization Area have been met, the foregoing findings are true and that all information required to be submitted has been submitted in proper form.
2. Resolution 2021-~~16~~, is in all respects confirmed and approved (as modified to incorporate therein this final action) and that the benefits of the proposed project and the redevelopment and rehabilitation are sufficient to justify a ten (10) year personal property tax abatement under Indiana statutes for the proposed redevelopment and rehabilitation described in the petitioner's Statement of Benefits and the deduction for the proposed project and redevelopment and rehabilitation and the statements of benefits submitted are approved and the Council authorizes and directs the endorsement of said Statement of Benefits to show such approval and that the real estate described in Resolution 2021-__, is declared an economic revitalization area for the purposes of a ten (10) year personal property tax abatement and the said real estate is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 *et. seq.* and petitioner is entitled to the ten (10) year personal property tax abatement as provided in the attached Exhibit A in connection with the proposed development and the project.

3. Said Resolution supplements any other designation of the real estate as a Revitalization Area or similar designation.
4. That this Final Action, findings and confirmation of Resolution 2021-~~16~~, shall be incorporated in and be a part of Resolution 2021-~~16~~.

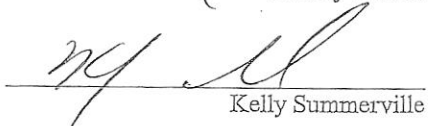
[SIGNATURES ON FOLLOWING PAGE]

PASSED in open Council this 14 day of June, 2021.


Rick Weir


Neil Costello


Randy Drehe


Kelly Summerville


Martin Brown


Ashley James

This instrument prepared by Jeffrey A. Lind, LIND LAW FIRM, 400 Ohio Street, Terre Haute,
IN 47807; (812) 234-5463