WARRICK COUNTY COUNCIL MEETING
COMMISSIONERS MEETING ROOM
107 W. Locust Street
Boonville, Indiana
June 14, 2018
6:00 PM

The Warrick County Council met in regular session in the Warrick County Courthouse, 107 W. Locust Street, Boonville, Indiana.

Attorney Cliff Whitehead was in attendance.

County Auditor Debbie Stevens and Secretary Kristine Georges attended and recorded the minutes.

Council President, Gary Meyer, called the meeting to order at 6:00 PM.

PLEDGE OF ALLEGIANCE

Gary Meyer: Roll call.

Krystal Powless: Gary Meyer?

Gary Meyer: Here.

Krystal Powless: Charlie Christmas?

Charlie Christmas: Yep.

Krystal Powless: David Hachmeister?

David Hachmeister: Here.

Krystal Powless: Ted Metzger?

Ted Metzger: Present.

Krystal Powless: Brad Overton?

Brad Overton: Here.

Krystal Powless: Greg Richmond?

Greg Richmond: Here.

Krystal Powless: Paul Rudolph?

Paul Rudolph: Here.

APPROVAL OF MINUTES
MAY 3, 2018

Gary Meyer: Okay, Approve Minutes, May 3rd meeting.

Councilman Metzger: Motion to approve if there's no corrections.

Councilman Meyer: Motion made by Ted. Is there a second?

Councilman Overton: Second.

Councilman Meyer: Seconded by Brad to approve. All those in favor? Opposed? Motion carried seven, zero (7-0).

PARKS AND RECREATION BUSINESS
TRASH PICKUP – CONTRACTUAL SERVICES – BEACH

Councilman Meyer: Parks and Recreation Business, Additional Appropriation, Trash Pickup, three thousand five hundred dollars ($3,500.00); Contractual Services, four thousand dollars ($4,000.00); Beach, two thousand six hundred dollars ($2,600.00); for a total of ten thousand one hundred dollars ($10,100.00).

Ben Labhart: Ben Labhart, Parks Department. The first one (1) is we had the, the whole fish hatchery building in the back of the park torn down and that was just, that was just the fees to get it hauled off and that pretty much emptied our Trash Disposal Line Item. So that's what that's for. And the second one (1) is for Contractual Services, the same thing that I ask for every year, the credit card charges. I did talk briefly with Gary about this a couple months back. We did look into, if we could pass it onto the customer. It wasn't, it's not an option for us because in order to do that, the people have to be there in person and the majority of our reservations are over the phone. So we could not, it wasn't an option for us.

Councilman Meyer: Really?

Ben Labhart: Yep. So, you know, if all of our reservations were, were walk-in, it would be a possibility, but you can't do that unless they're there to approve it, I guess.

Councilman Meyer: Hmm, interesting.

Ben Labhart: And then the last one (1) is the water heater at the beach. It was, the water heater at the beach was

original with the building, so '88, '89. And you know it sits for seven (7), eight (8) months out of the year. And then this year when we turned it on it was just, the bottom was rusted out and it just wasn't holding water. So, we had to replace the water heater. So that's what that one (1) is.

Councilman Meyer: Well, but I think you want a water heater that holds water.

Ben Labhart: Yeah, that's important.

Councilman Rudolph: Who provided that advice on the Contractual Services that that's why we couldn't do it, because...?

Ben Labhart: APS.

Councilman Rudolph: Hmm?

Ben Labhart: APS, the credit card company we use. We did, through that process of trying to figure out, I mean it was Audrey was working on that for, working with them, talking back and forth for a long time. And we did get a price decrease on our percentages, but they weren't, we weren't, you know, we weren't able to do that at this time, so...

Councilman Meyer: Any other questions?

Councilman Hachmeister: Motion to approve all three (3) of the amounts.

Councilman Meyer: Motion made by David to approve ten thousand one hundred dollars ($10,100.00). Is there a second?

Councilman Overton: Second.

Councilman Meyer: And seconded by Brad. Any further discussion? All those in favor? Opposed? Motion carried seven, zero (7-0).

Ben Labhart: Thanks.

Councilman Meyer: Thank you.

COMMISSIONER BUSINESS
TRANSFER FROM WORKMAN'S COMP TO GENERAL

Councilman Meyer: Commissioner Business, Transfer from Workman's Comp, one thousand nine hundred eighty-nine dollars ($1,989.00), transfer to General, one thousand nine hundred eighty-nine dollars ($1,989.00).

Commissioner Weisheit: Marlin Weisheit, Warrick County Commissioner. Any questions on the first one (1) there? This was money that I think, they're not going to need in Workman's Comp and they need it in our account. We're, basically just offices supplies and things of that nature where they'd be running short.

Councilman Rudolph: Why we so short in office supplies? I would think that...

Commissioner Weisheit: I don't know what all's included in that. That's general maintenance supplies for the office. They was going to be running a little short. So they said they had the extra in Workman's Comp. That was what was explained to me today. I know Roger's out sick as you all know. So trying to fill in there. I talked to the girls here and that's what was explained to me. Did they explain any further to you on that, Krystal?

Krystal Powless: I mean basically Workman's Comp has been paid for the year and that's left over and I think they want to be able to utilize it somewhere. That's all I know.

Councilman Hachmeister: Motion to approve.

Councilman Overton: Second.

Councilman Meyer: Motion made by David and seconded by Brad to approve. Any further discussion? All those in favor? Opposed? Motion carried five, two (5-2 with Ted Metzger and Paul Rudolph opposing).

Krystal Powless: And the two (2)?

Councilman Meyer: Paul and Ted.

ADMINISTRATOR
VACATION PAY BACK

Councilman Meyer: Additional Appropriation, Commissioners, Administrator, two thousand one hundred forty dollars and eighty cents ($2,140.80), which I guess is a sell back, right?

Commissioner Weisheit: Yeah, that's on Roger's vacation. He does this every year and does, I don't even think he uses all of his vacation time the way it is. So...

Councilman Rudolph: Motion.

Councilman Overton: Motion.

Councilman Rudolph: Second.

Councilman Overton: Sure.

Councilman Meyer: Motion made by Brad and seconded by, was that you, Paul?

Councilman Rudolph: Yep.

Councilman Meyer: To approve, and it also approves the Salary Ordinance of two thousand one hundred forty dollars and eighty cents ($2,140.80). All those in favor? Opposed? Motion carried seven, zero (7-0).

TRANSFER DISCUSSION
HIGHWAY DONATION OR ADDITIONAL APPROPRIATION TO PUBLIC NUISANCE FUND

Councilman Meyer: Transfer Discussion, Highway Donation Fund to Public Nuisance Fund, twenty thousand dollars ($20,000.00) or Additional Appropriation, Contractual Services of ten thousand dollars ($10,000.00).

Krystal Powless: This is, it's an either or and honestly, if you, if you transfer from the Highway Donation Fund it would have to be paid back by the end of the year. Well that doesn't really benefit them in that if they start collecting money into the Nuisance Fund, the idea is that they would start paying their contractual work out of the Nuisance Fund. Well, if they have to pay this money back, you know, you don't establish any money from the fund. So this second option then was to go ahead and do an additional out of Contractual Services to get them started then the money would start coming into the Nuisance Fund and then they could start paying contractors out of the Nuisance Fund. So, that's the difference in the two (2).

Councilman Meyer: Two (2) questions, you've used about half of the Contractual Services and it's about half over, the year's half over. You gonna have enough in there for that ten thousand dollars ($10,000.00) as well as...?

Commissioner Weisheit: I would hope so, but you never know what's expected to break down and this and that.

Councilman Meyer: Yeah.

Commissioner Weisheit: But we hope we do. You know, we're not looking to...

Councilman Meyer: Do you have any contractors yet that are going to do this?

Commissioner Weisheit: We'll find some. No, we haven't yet. And it's going to be a long process. Probably be three (3) or four (4) months before we get to that phase by the time we end up taking someone to court if we have to do that. But I mean we're going to try, we're not going to be out here picking on every Tom, Dick, and Harry. Just the real extreme cases that we would have to do that. By the time we go to court, we're probably looking three (3) to four (4) months down the road, Gary. It's a lengthy process.

Councilman Meyer: I'm sure it is.

Commissioner Weisheit: But we'll be sending letters out. We've already sent letters out. Hopefully people come into compliance. And just extreme cases is what we're looking at anyhow. You know. But we'll probably have two (2) or three (3) that we have to do some clean up on. File some liens on some properties.

Councilman Meyer: I'm just wondering what kind of contractor you're going to get to go on someone's property and do something like that, when they don't want anybody on their property.

Commissioner Weisheit: Yeah. There'll be a few that'd be willing to go, I'm sure.

Councilman Meyer: Oh, I know.

Commissioner Weisheit: I'd rather use a contractor than County Highway. You know, used to we took care of these serious problems with Area Plan. You know they would take them to court, get a court order to use the Highway Department and tie up the Highway resources. And that just wasn't going to work out. Area Plan was tired of dealing with it. We had to come up with a different strategy. So we've been dealing with this for a couple years. I think we've got an Ordinance now that's going to be fair with everybody and it's in the Commissioner's hands to deal with. So, with Area Plan, they just wasn't going to deal with it anymore. They was tired of it.

Councilman Meyer: So which one (1) of these, well, if you take it out of Highway, you're going to have to pay it back. You don't want to do that, do you?

Commissioner Weisheit: Well, that's the Donation Fund. Either way, yeah, I think either way works for us. Whatever way Krystal thinks works the best. Just got to have some funds in place so that if we get a court order to go do a cleanup, we can hire a contractor to do it. I hope we don't even have to use it. But I'm sure we will on one (1) or two (2).

Krystal Powless: I really don't think the Highway Donation Fund transfer will work, because I'm afraid they won't collect enough money by the end of the year to...

Councilman Meyer: (Inaudible).

Commissioner Weisheit: End of the year...

Councilman Meyer: To pay it back.

Commissioner Weisheit: Yeah, cause that could be a lengthy process by the time it's three (3) to four (4) months before we use it and then you know, end up putting liens on the property and paying it at tax time and that don't get paid. Probably be better off with the ten thousand dollar ($10,000.00) Contractual Services as long as we've got something to work with.

Councilman Overton: I make a motion to approve the Contractual Services.

Councilman Christmas: Second.

Councilman Meyer: Motion made by Brad and seconded by Charlie to approve the ten thousand ($10,000.00) from Contractual Services. My only concern is that you run out of money there.

Commissioner Weisheit: Well, we're going to have to be very careful.

Councilman Meyer: Yeah, you do. Cause if you take ten thousand dollars ($10,000.00) and you're only going to have about twenty-three ($23,000.00), twenty-four ($24,000.00) the rest of the year in there.

Commissioner Weisheit: Yeah.

Councilman Meyer: And I'd hate to see you come back for more money in there now.

Commissioner Weisheit: Yeah, and I agree. We'll be very careful. But I think we'll make it Gary. I got my hopes up. We could have any kind of a major break down or roof repair or something, but if we do...

Councilman Meyer: I can understand that.

Commissioner Weisheit: Yeah. We are getting estimates now for the roofs for the EMS station over there. And when they come in, that's in dire need of a roof.

Councilman Christmas: Which one's that?

Commissioner Weisheit: The Old Jail, across from Boonville Fire.

Councilman Meyer: Okay, we have a motion made by Brad and seconded by Charlie to approve the ten thousand ($10,000.00) out of Contractual Services. All in favor? Opposed? Motion carried six, one (6-1 with Ted Metzger opposing). Ted.

Commissioner Weisheit: Thank you.

Councilman Meyer: Okay, thank you.

Commissioner Weisheit: Any other questions for the Commissioners' side?

Councilman Meyer: No, not yet.

Commissioner Weisheit: Okay, appreciate it. Thank you.

AREA PLAN BUSINESS
ASSISTANT EXECUTIVE DIRECTOR – RETIREE

Councilman Meyer: Area Plan Business, Additional Appropriation, Assistant Executive Director, six thousand eight hundred seventy-eight dollars and fifty-six cents ($6,878.56), and that would be a Retiree. The Salary Ordinance right below that would be six thousand eight hundred and seventy-eight dollars and fifty-six cents ($6,878.56).

Councilman Overton: Motion to approve both.

Councilman Hachmeister: Second.

Councilman Meyer: Motion made by Brad and seconded by David to approve both. This is pursuant to the handbook. Right?

Councilman Overton: Yes.

Councilman Meyer: Any discussion? All those in favor? Opposed? Motion carried seven, zero (7-0).

ECONOMIC DEVELOPMENT BUSINESS
TAX PHASE-IN
POWERUP, INC D/B/A PBTT CORPORATION

Councilman Meyer: Economic Development Business, Tax Phase In, PBTT.

Larry Taylor: Larry Taylor, Economic Development Director. Yeah, the first thing we've got is PBTT is a company that has a small location over in Evansville now. Their main location is in Michigan outside of Detroit, and they're consolidating that and expanding some of the new processes. They're a company that does some high tech manufacturing and they, they process alloy and plastic components and they do machining on those components. But then they also do the surface prep to them and finishing and then they do coding and different plating. Some of the components they make are used by the automotive industry, aerospace defense, electronics, and medical. And examples of it would be some interior automotive pieces, you know, that go on the inside of vehicles, some firearms components, and then also housings for electronic components. So it's a, they have a nice book of business and it's a, a growing business, and you know, seems to be based in some technology. They have a smaller facility in Evansville that's leased now. That's where they're relocating. And then their other facility's in Oak Park, Michigan, that they're relocating in Phase 2 and 3. And where they're looking at going is the old existing Spectronics facility. And we had another company that was trying to go in there but couldn't get their financing together, the one (1) firearms company. And so they've since have worked out a deal to sell this building to, to this company because they do some plating. The initial thing that was of interest to them was the wastewater pre-treatment facility that's in there, because when you do any type of a coating and plating and that, you need that. But it appears that they're gonna have to pretty much redo that wastewater treatment facility in there, which will be part of the investment they're putting in place. And then after they get

improvements. And then the new equipment is thirteen point one-one-five million ($13,115,000.00), and it's plating, vapor disposition, machining, buffing, and b-blasting, heat treatment, wastewater equipment, hoists and extrusion capabilities, and vibration machinery. I was in the building with the, the principle of this last week, and he was showing me the plans and it's pretty, you know it's a pretty solid building. I don't know how old it is, but it's really solid in size. But what they're doing is they're going and they're putting the epoxy coating on the flooring. So they're going through, you know, and completely cleaning it out, putting the epoxy on it, and then up, you know, it has the open rafters and things up, you know. They're painting it a light, whitish type color. So, they say it should look as part of what they're going for to rejuvenate that building. The timing would be to do the Phase 1, would start immediately. They're getting ready to, they're wanting to close on the property. And they wanted to see about this before they closed on the property. Comments are, it's, they're excellent jobs. The diversification is, you know, it brings another kind of a tech industry in here and jobs and diversifies what we've got going on here. They're moving stuff from Michigan, this is always nice, and out of their leased facility in Evansville. The facility's empty now, so it's not being utilized. And they're talking about moving some foundry type operations to either here, or they're looking up at Seymour, Indiana. The State of Indiana, IEDC people are very interested in this project and we're working with them and they're working with us as well. The property was previously established as an ERA 'til 2020. But since, in the recent thing, you had asked several years ago that when we started doing these, we do ERA's, we don't do them forever and ever and ever. So that one (1) is one (1) that expires before the term would come up. So our attorneys talked with Cliff and we decided that the best thing to do, and also since there's going to be three (3) phases of investment, we thought the best way to do it was to look at the three (3) phases of investment and then do an ERA, a new ERA rather than getting started on the old one (1) that's there and that would run the whole time of the three (3) phases. That's what we're suggesting tonight. The phases shows the, it lays out the phases of the investment in each of them. And it shows the tax revenue with this phase in and then the abated amount totals. It's quite a thick packet we sent out on it, but it's got all the applications that they put in and all the forms and background information. That's why that's so thick. Our EDAC and Economic Development Department recommend the ten (10) year tax phase in on all these phases. And again the Preliminary Resolution that establishes until 2025 and that's what we're asking for the Preliminary Resolution tonight. And then if that's approved, then we advertise it. We've got them set to advertise it tomorrow cause it's a short month because of, it's the 14th already now. And it will be advertised and then we would come back with a Confirming Resolution in August.

Councilman Overton: Larry, what's the final date on all of those phases to complete?

Larry Taylor: Uh, let's see.

Councilman Overton: (Inaudible) try to fish through all that.

Larry Taylor: Early 2020.

Councilman Overton: Okay.

Larry Taylor: But they want to, they start immediately on getting it cleaned up and the original equipment in and get what they need to operate in there. And then the Phase 2, they'd start, 2019 is really, what, six (6) months away.

Councilman Overton: Pretty quick turnaround.

Councilman Metzger: So in 2020 their entire operation would be in Warrick County?

Larry Taylor: That's what they're, they're looking at.

Councilman Metzger: The plan. The plan.

Larry Taylor: Well, well, the plans.

Councilman Metzger: Right. Excellent.

Larry Taylor: But it, it's, I don't know, it's kind of interesting stuff, cause it's not just the coating part of it. You know it's the actual, you know, fabrication, machining, and preparation, that kind of thing.

Councilman Richmond: I have two (2) different scoring sheets and they both have sixteen million six hundred sixty-five thousand ($16,665,000.00) on it. Is one (1) a copy of the other? There's a little bit of wording difference at the top. And I assume the sixteen-six-sixty-five ($16,665,000.00) is Phases 1, 2, and 3? Is that how you got the score? (Inaudible).

Larry Taylor: Yeah, it changed a little bit. It changed and went down to thirteen-one-one-five ($13,115,000.00). But still the thirteen ($13,000,000.00)...

Councilman Richmond: (Inaudible) above the ten thousand ($10,000.00) (inaudible)?

Larry Taylor: Yeah, the thirteen one-one-five ($13,115,000.00) is still above the ten million ($10,000,000.00). I'm sorry about that. (Inaudible) notice that.

Councilman Meyer: Twelve (12), five (5), eighteen (18) (inaudible).

Larry Taylor: And they, as they've been going through this, they actually, they came in here and been working with, you know, different types of people. Because you have to work with IDEM on this. You have to work with Newburgh to get all their permits for waste water and all that. They actually had ESG, who we're somewhat familiar with, go in and look at, you know, some things that they would recommend to make the plant more efficient. And one (1) of the things that they recommended was some of the wastewater type things. So their, their investment is moved around a little bit but it's been stable for the last month.

Councilman Rudolph: So do you know how they settled on this property? Did they get any enticement from the ammunition company to take it off their hands?

Larry Taylor: (Inaudible) it's just basically a sale. They're selling it to them. But they're, I'm sure they gave them a reasonable deal. I don't know what the ammunition company ended up having in that property, but mainly it's the, the location and it's set up for this type of an operation. Because when you have a wastewater pre-treatment, you go in there

and it's got, it's got a pit that's as deep as this room is. So you go down, they've got the tanks and the pre-treatment equipment in there for the waste water. And then they also have throughout the whole facility, it has troughs in the floor. So if you have a spill, not even where the wastewater treatment thing is, these troughs go into, into that tank. So, that's kind of a specialized set up. And if you were to go into a brand new building, you can certainly set it up like that. But any used building, you're going to have to get in and jack hammer it, you know, shape the concrete a certain way and everything else. So, I think the way this building was set up and the previous use lends itself for an operation like this. And also there's land, there's extra land on this site. And then there's an empty lot right next to it. So, you know, it gives them the expansion possibilities that they want.

Councilman Metzger: What was the total number of employees they were planning on having? I don't, I don't have that here.

Larry Taylor: Let's see. They're bringing seven (7) over. And then they're creating a hundred and two (102).

Councilman Overton: I make a motion to introduce Resolution 2018-07.

Councilman Hachmeister: I'll second.

Councilman Meyer: Motion's been made by Brad and seconded by David to introduce Resolution 2018-07. All those in favor? Opposed? Motion carried seven, zero (7-0). Now, I have a question here. The previous tax abatement we gave this property was in 2015. Was that a five (5) year tax abatement?

Cliff Whitehead: I believe so.

Councilman Meyer: What happens to the last two (2) years of that tax abatement?

Cliff Whitehead: It's a, it's a separate one (1), is that correct? Yeah, it's a separate tax abatement. And I know Herb Davis and I spoke to, about this issue as well.

Larry Taylor: It's separate but that business never went into business? So...

Cliff Whitehead: (Inaudible).

Councilman Meyer: I understand that, but the tax abatement, from what I understand, goes with the property, not the business.

Larry Taylor: (Inaudible).

Cliff Whitehead: An ERA, the ERA, the area stays with the property.

Larry Taylor: The Economic Revitalization Areas...

Cliff Whitehead: Yeah, that stays with the property.

Councilman Meyer: Right.

Cliff Whitehead: The abatement goes with the business.

Councilman Meyer: Equipment?

Cliff Whitehead: Yes. Yeah, personal property or the business (inaudible).

Councilman Meyer: Well, what are we doing with this, just the equipment and the...?

Cliff Whitehead: Real estate development.

Councilman Meyer: Real estate?

Larry Taylor: The real estate improvements.

Councilman Meyer: So, we don't have to do the ERA?

Cliff Whitehead: We are going to do our ERA in the end. I'm looking for Mr. Davis as well.

Councilman Hachmeister: Well, when it runs out...

Councilman Rudolph: Well, that was the comment that they made that when they extended it to 2024, and it was just easier and cleaner that way.

Larry Taylor: The other ERA would expire before the three (3) phases are done.

Councilman Meyer: Right, I understand that.

Larry Taylor: So rather than start it on that ERA and then have to clean it up and do another one (1)...

Councilman Meyer: I'm just, I guess I'm, I'm confused that we're not, we're not doing two (2) for two (2) years. Two (2) tax abatements on this ERA for two (2) years. Is that correct?

Cliff Whitehead: That is correct, but the other one (1) is, is of no consequence anymore, because that business was going to utilize that ERA and never did.

Councilman Meyer: Yeah.

Cliff Whitehead: So, instead extending that one (1), which is the same type of process, we've just merely created another one (1).

Councilman Meyer: The old one (1) just goes away?

Cliff Whitehead: That's correct, in 2020.

Councilman Meyer: Magically goes away. Okay.

Cliff Whitehead: Well, by the original confirming Resolution, it would go away pursuant to that Resolution which extends until 2020. This one (1) is to 2025.

Councilman Meyer: Okay.

Larry Taylor: And on any tax abatement, they don't get the benefit of the abatement until they perform, then file for it and come in and do the compliance with you guys.

Councilman Rudolph: So, just to make sure we understand, it's a tax phase in on additional app...additional purchases, right? Additional improvements?

Larry Taylor: Yes, Sir.

Councilman Rudolph: So, if the ammunition company doesn't make any improvements or equipment purchases, so there's nothing there, this company will be making those. And so anything incremental to what they already have at that site, so for example if they have a hundred thousand dollars ($100,000.00) worth of equipment and they go to two hundred thousand ($200,000.00), that's the only part that's being phased out that they're getting a tax credit for. So this would be for a phase in or whatever word you want to use.

Councilman Meyer: The new equipment that (Inaudible)...

Larry Taylor: Yeah, and not on the purchase when they bought the building. It's not on that purchase price.

Councilman Meyer: Okay.

Larry Taylor: It's just on real estate improvements. So it'd be new real property assets in Warrick County or new personal property.

Councilman Rudolph: It's all incremental.

Councilman Meyer: Okay, we have a motion made by, oh, shoot.

Councilman Hachmeister: Brad and seconded by me.

Councilman Meyer: Brad and seconded by you to introduce Resolution 2018-07 and it passed seven, zero (7-0). A Preliminary Resolution declaring an Economic Revitalization Area for Real and Personal Property Tax Phase-in, Powerup, Inc., doing business as PBTT Corporation. Any more discussion on the Resolution?

Councilman Richmond: Motion to approve Preliminary Resolution 2018-07.

Councilman Overton: Second.

Councilman Meyer: Motion made by Greg and seconded by Brad to approve Resolution 2018-07. All those in favor of the motion? Opposed? Motion carried six, one (6-1 with Gary Meyer opposing).

Krystal Powless: And the one (1)?

Councilman Meyer: Me.

Councilman Rudolph: Me being Gary Meyer.

Larry Taylor: (Inaudible).

Councilman Meyer: Me being Gary Meyer. Right.

Larry Taylor: And we will, so we will file the necessary legal, legal notice tomorrow. And then we'll bring back for the Confirming Resolution to the...

Councilman Meyer: Will that be in the July or August?

Larry Taylor: July meeting. July meeting. Yes, Sir.

Councilman Meyer: July meeting. Okay. Okay, you're on a roll. Call you butter, you're on a roll.

Councilman Rudolph: Oh...

Larry Taylor: I've never heard that one (1), but I'll take it.

Councilman Meyer: Okay.

Councilman Rudolph: That one (1) hurt.

(Preliminary Resolution 2018-07 is located on Page 27 of these Official Minutes)

TAX PHASE-IN
COMPLIANCE MILESTONE PROPERTIES

Councilman Meyer: Tax Phase-in, Compliance, Milestone Properties.

Larry Taylor: Okay, Milestone Properties, you should have the, the forms in front of you.

Councilman Richmond: Is that Brentwood?

Larry Taylor: Yes, it's Brentwood, it used to be Brentwood Meadows and it's changed the name slightly. But it's the Brentwood deal. And this I think is the last year, next to last year for them. And we recommend approval. Their employment that they suggested was thirty-two (32) to begin with. Their actual is ninety-seven (97) employees. So they beat that. And the investment that they committed to on the SB-1 was three million ($3,000,000.00) and it actually came out to be six point eight million ($6,800,000.00).

Councilman Richmond: Motion.

Councilman Overton: Second.

Councilman Meyer: Motion made by Greg and seconded by Brad to approve. Any discussion?

Councilman Rudolph: Did someone from Milestone come today? Or…I'm just curious.

Larry Taylor: Um, I'm not sure. Anyone from Milestone here?

Councilman Rudolph: Okay.

Larry Taylor: They're the owners and the tax people are over in Louisville, I think. So, I did talk to them.

Councilman Meyer: All those in favor of the motion? Opposed? Motion carried six, one (6-1 with Gary Meyer opposing). Me.

Councilman Christmas: I never met me.

Councilman Meyer: Me again.

(Milestone Tax Phase-In is located on File in the Auditor's Office)

TAX PHASE-IN
COMPLIANCE – CIHOLAS PROPERTIES

Councilman Meyer: Okay, Tax Phase-in, Compliance, Ciholas Properties

Larry Taylor: Okay, so Ciholas Properties and Vicky McDonald from Ciholas Properties is here (inaudible) tonight. And that's the engineering and technology firm that's down on Bell Road down in Newburgh. When their employees, on their SB-1, they had planned on having twenty-seven (27). They actually have thirty-six (36). The new employees there, they're not, for over a ten (10) year period, they were to have twenty-three (23) new employees. And so far they have only four (4) new employees. So they're not really tracking on the new employees, but I, you know, they're still searching and working on getting that employment level up.

Vicky McDonald: (Inaudible).

Larry Taylor: Okay.

Vicky McDonald: (Inaudible) four (4) this past year.

Larry Taylor: Oh, okay.

Vicky McDonald: The total is, since the start is thirteen (13) we added.

Larry Taylor: So they are, they would be tracking…

Vicky McDonald: (Inaudible).

Larry Taylor: To the twenty-three (23) employee commitment. They're at thirteen (13). And these are all, you know, engineering and engineering technology jobs. So they're excellent jobs. Any of you that have not been there, it would be a really interesting place to go down. I'm sure Vicky would be happy to show you around some of the stuff that they're doing. But not the secret room.

Councilman Overton: I forget what I saw.

Larry Taylor: Yeah. You liked it.

Councilman Richmond: Motion to approve.

Councilman Overton: Did somebody give a motion?

Councilman Christmas: Greg did.

Councilman Overton: Second.

building? What is this…?

Larry Taylor: This was a new building and the equipment that they had in it.

Councilman Meyer: Okay.

Larry Taylor: And it's a, they bought the property, you know where Acapulco's is on Bell Road?

Councilman Meyer: Um hum.

Larry Taylor: It kind of sits, there's a tree line in between it and it's back off the road. And it's really interesting because they've done, you know, it's all this geothermal heating, I mean, he dug wells down and he actually invented some things that drive the heat out of the geothermal stuff that he got patented to do it. So, it's really an interesting facility in just the way it's set up. And it's, also they're, they're kind of an interesting company because of the, the way they work with their engineers, is their engineers can put their time in, if, if you feel especially technically creative at 2:00 (AM) in the morning, they can come in at 2:00 (AM) in the morning, and, and put their time in for that week. So, it's really, you know, it's kind of a flexible type thing. But it works. They were really, when they chose this location, he actually looked at his existing employees and did this mapping diagram that showed how long it's going to take all the existing people to get into the place to, you know, make an efficient place for it, and it ended up with the location in Newburgh. It's an interesting business.

Councilman Meyer: Okay, we have a motion made by Greg and seconded by Brad to approve. All those in favor of the motion? Opposed?

Councilman Metzger: Abstain.

Councilman Meyer: Six (6), one (1), and one (1) abstention.

Councilman Hachmeister: Five (5), one (1).

Councilman Richmond: Five (5), one (1).

Councilman Meyer: I'm sorry, five (5), one (1). (Motion carried 5-1-1 with Gary Meyer opposing and Ted Metzger abstaining) Exactly, I'm used…

Krystal Powless: And the one (1) nay?

Councilman Meyer: Me.

Krystal Powless: And the one abstention?

Councilman Meyer: The abstention was Ted.

Krystal Powless: Okay.

(Ciholas Tax Phase-In is located on File in the Auditor's Office)

TAX PHASE-IN COMPLIANCE – ALCOA

Councilman Meyer: Tax Phase-in, Compliance, ALCOA.

Larry Taylor: Okay, ALCOA is, on their SB-1, this is for their power generating plant from years ago. I believe if it's not the last year, it's the next to the last year of it. On the employees, they committed to twenty-four (24). The actual is twenty-four (24). And on the investment, on the SB-1, is a hundred and forty-seven ($147,000,000.00). The actual investment was a hundred and thirty-three million ($133,000,000.00). But if you look at some of the numbers that they've got over there, their net investment comes out being right in line with what the commitment was. We also have Carrie is here and Joe Kuhn is here from ALCOA if there's any questions about this portion of it. It primarily has to do with their power generating portion of their plan.

Councilman Overton: Motion to approve.

Councilman Richmond: Second.

Councilman Meyer: Motion made by Brad and seconded by Greg to approve. Any discussion?

Councilman Rudolph: Just to make sure I understood this correctly, even if they had asked for or put in the lower amount in their request, they would have got the same amount of tax phase-in that they received?

Larry Taylor: Yes, Sir. It was pretty large dollar investment.

Councilman Meyer: Any other discussion? All those in favor? Opposed? Motion carries six, one (6-1 with Gary Meyer opposing).

Krystal Powless: The one (1)?

Councilman Meyer: Me. I'm on a roll now I guess.

(ALCOA Tax Phase-In is located on File in the Auditor's Office)

ADDITIONAL APPROPRIATION
GREENLIFE DEVELOPMENT ACCESS ROAD

Councilman Meyer: Okay, Additional Appropriation, Economic Development, Greenlife Access Road, a hundred and twenty thousand dollars ($120,000.00).

Larry Taylor: Okay, I had a couple of questions from some of you, but Greenlife is the development arm of Victoria National Group. And so over the last couple of years I know they've been working on pulling this off for four (4) or five (5) years now. And several of you have been out to different presentations on that and everything else. And it's moved, it has moved around some. You guys have heard me talk about the quality of life type things and all that. We're trying to attract these jobs for engineering firms like Ciholas, a lot of the medical jobs, that we're doing, and what these guys are doing, they're taking the back three hundred and some (300+) acres back behind Victoria. And it's really kind of a beautiful area back there. It is reclaimed mine land, but the bad thing about it is it's reclaimed mine land but the good thing about it is you get a lot of water features and waterways and that type of thing with it. So they're looking at putting thirty some...thirty some million dollars ($30,000,000.00) in that development. This Regional Cities Estate Program, they were awarded some money from that program also, because of the high development costs, cause there's no sewer back there. There's no water back there, no palatable water back there. And then, and then also because it's reclaimed mine land, you know, you have to, the grading you do with reclaimed mine land, especially the first generation of reclaimed mine land like that is, there's a lot more extensive, then you may have to do it other places to make these lots back there. And when they were trying to put all their financing together, they were working with us and we had the Commissioners and I was there. And we're looking at trying to find out, you know, where the financing gap that they had to make this a project that would be a go deal for their investors. The investors, the same guy that owns Victoria, but it's a, a group out of Jacksonville, Florida. It's a guy that owns a lot of moving and storage and logistics stuff. I mean, he started with a moving and storage and now he has you know worldwide logistics and things as well as the moving and storage, you know, all across the United States and he's chosen to invest here. In the housing development that they're doing is different than some of the other ones that we may have seen, and we have a lot of nice housing in Warrick County. And this is one (1) of these more, it's a planned community and yeah, there's a lot of planned communities. But the idea is, you know, some of these front porch type things and then you would have a combination of some smaller houses with the front porch that are closer up on the sidewalk, and then townhouses and then going up into some estate homes, estate sized homes on some of the lots. Ultimately, I believe it would have five hundred (500), five hundred (500) to five hundred eighty (580) lots would be available on it. Of course they're going to do that in phases. And what we did is to help out with that and to, we structured this to go against the, helping them with the access road. Cause the current plan is that access would come off of Roslin Road down past the Milestone property at Brentwood Meadows, and to you know pretty that road up and do some things on the side with some berms and then do their entryway in and they're dealing with wetlands and a bunch of stuff there to get back to that property. And so this is two hundred and forty thousand ($240,000.00) of which we signed an agreement that a hundred and twenty ($120,000.00) would come out of the Highway portion of EDIT and a hundred and twenty ($120,000.00) would come out of Economic Development portion of EDIT. Because this will help the, you know, if you have that many new residents back there, it helps the access in and out of it. And then you've got that kind of a funky intersection at Roslin Road where it meets the new Oak Grove Road that's there. So that's what we're asking for, an appropriation. We do have claw-backs in place. So it's not like they get two hundred and forty thousand dollars ($240,000.00). You know, once they get their plans laid out and their approvals, and they get construction done, then actually get lots platted so you can sell them. Because a lot goes into that because if you have a lot platted that means you've got all your sewer, your water and everything else that has to be, you know, back there also. So a lot of the work would be done. So we've got it in there so there's, they don't get the money until certain milestones are met and then there's claw backs if they don't do it within a certain amount of time. So, the request is for an appropriausion...appropriation out of Economic Development for a hundred and twenty thousand ($120,000.00) and out of Highway EDIT for another hundred and twenty thousand ($120,000.00). I think on your agenda you have another line item for the Highway EDIT portion of it. Nick Cassala is the President of Greenlife Development and he's developed a lot of different areas around. Primarily down in Florida and some other ones that he's worked with from an architecture standpoint. And a lot of the architects that they've got working on this are, are pretty much the rock starts of architects you know that he's brought in here and has looked at that and put their name, their name on this program that they've got. Nick's here if you have any questions for him.

Councilman Rudolph: So can...go ahead.

Councilman Metzger: Can I make a motion that we table this item 'til we hear from Bobby? I don't, he's coming up on the agenda, right?

Councilman Rudolph: Well, you can talk to him now?

Krystal Powless: He can just talk now.

Councilman Metzger: Okay.

Councilman Meyer: You want to ask him to come up? Discuss it now?

Councilman Metzger: No, it's a whole other subject. Never mind.

Councilman Rudolph: So, I have a couple questions. So let me, I just want to make sure I compact this. So we're spending two hundred forty thousand dollars ($240,000.00) on basically a road with the promise that approximately five hundred (500) homes will be built. You mentioned the clawback, the clawback is if they build one hundred homes (100) by 2021. Is that...?

Larry Taylor: If they're not platted by 2021.

Councilman Rudolph: Platted.

Larry Taylor: Yeah. But once you're doing that to get them platted, you have to have done the heavy lifting to get the roadway all back through there.

Councilman Rudolph: Sure, sure, sure.

heavy lifting will have been done by that time. That's why we set that number.

Councilman Rudolph: Do we know what kind of homes we're talking about? Big lots, small lots...?

Larry Taylor: Were you able to, do they have this other presentation, the one (1) that I sent?

Krystal Powless: Yes.

Larry Taylor: Nick, you want to come up and answer some of that? This is Nick Cassala. He's the President of Greenlife. So the question was, what kind of homes are they? Small lots, big lots, what's your vision there?

Nick Cassala: Well, there's a variety of homes, home sites envisioned. In fact the master plan is five (5) or six (6) different lot sites, from town homes to half (1/2) to three-quarters (3/4) acre estate lots. But the bulk of the lots would be very similar to what you might be seeing today but they're figured completely different. They're planned completely different. But not too much differently than the new development out there on Bell Road that is being done by Chris Collins and the other builders. That size lot is the more typical lot size and actually that price point is sort of close to what we envision the average price plan, although we'll have prices for product will start at the high two's ($200,000.00) to low three's ($300,000.00) and upwards to what you would expect, like you see in other parts of Victoria.

Councilman Rudolph: We're talking about the development at Bell and Telephone, I'm assuming? Or are we talking about the one (1) at Bell and Vann Road, the small one (1)?

Nick Cassala: No, Bell and Telephone.

Councilman Rudolph: Telephone.

Larry Taylor: But the other thing about this is a lot of the lots have, especially when you have water features, you face all the lots right on the edge of the lake. So, when you have, you know, certain number of lots, lake lots, one (1) thing they've done is they've broken up the lakefront and they put little pocket park type things in on some of the lakefronts. So really a lot of the people in the community can access the amenities that are there, some of the natural stuff. And also there's a lot of design to it that promotes you know people going back and forth and visiting back and forth and having a center core area in the development.

Nick Cassala: What Larry's referring to regarding the, the land plan, if you're familiar with, I don't know if any of you are familiar with the traditional neighborhood design or new urbanism. This, this plan incorporates some elements of that. So there's cluster development as opposed to, as opposed to a more typical lot, lotting plan. We cluster development so we can preserve more green space. In fact our working name for the community is Victoria Preserve in addition to this land plan, we're also preserving the most sensitive environmental area on the site. The only site that wasn't mined to be the easiest to develop also has the best ecosystem on the site. And we're going to actually preserve that and de-restrict that and make that part of our mitigation that will be preserved in its entirety in perpetuity. That's about fifty (50) acres or so. But the way we started the design of this plan is pretty interesting. And Larry's correct, we did bring some pretty talented folks up here to look at the site and help us develop the concept. We didn't really start with any homes. We didn't really start with a grid pattern. We started with the, the trail system. And, and the whole, the whole system for the community is about outdoor living, I mentioned the front porches. So it's about engaging with your neighbors and more importantly about using and taking advantage of the natural environment that exists there. We are developing about three hundred and fifty (350) or three hundred eighty (380) of the acres, but our company also owns another two hundred acres (200) to the north which we're also placing in a preserve. It runs all the way up to (Hwy) 261 and that land will also offer additional hiking and biking opportunities off road that is for our residents to enjoy. So it is a comprehensive plan. This is a, this is a big idea. It's a, it's a fifteen (15) year development program and it's going to take a lot of work to get us there. We are, just to tell you where we are, cause that would be an obvious next question, "When's this thing going to happen? We've heard a lot about this." We are wrapping up a, I was hoping today I could announce that we've completed them all, but we've had a fairly successful, great start, good start of the year with our final entitlements. We've got most of our permits in place. We're down to the final pen strokes of the conservation documents for Army Corp of Engineers to, to issue the 404 Permit. Our plan is to break ground because of, because we have some potential and that's the key word, potential bat habitat on site, we actually can't do any clearing until after October. But our plan is to start clearing in October and then move in dirt hopefully thereafter. So, the other thing that, that was mentioned by Mr. Taylor was the, this, there was a question about the clawback and he probably wouldn't be comfortable presenting this but by the time that we've earned the clawback, or the, excuse me, by the time that we earn the money that has been allocated and we appreciate your consideration, our capital investment will be some in the neighborhood of seven million dollars ($7,000,000.00) just to deliver those lots. Because this is such a difficult site to get to.

Councilman Rudolph: Thank you. You answered a question I was getting ready to ask.

Nick Cassala: Well, I would ask that question, so, both of them, by the way.

Councilman Hachmeister: Well, off the maps, I, I couldn't determine exactly where this access road is going to be put in. Who owns the property where that access road would be put in?

Nick Cassala: Well, the road, the road, now we studied a number of different scenarios but currently the road that we're locked on is, is what you all know as the current public right of way. So, starting at the intersection of Oak Grove Road and Roslin and Wethers, I know everybody's familiar with that. There's a lift station there, Newburgh Sewer Station is there. So that intersection is going to require some improvements and we're hoping that we can work closely with the County and get where we can get those improvements made. But some of this money I envisioned, some of this money would go to beautify that intersection and then Roslin Road itself, if you take that hard turn and go up Roslin Road, the entrance to our community will begin, if you know where the back entrance to Victoria Nationals is, where the golf course maintenance is, that will be when you step, that will be the first place you, you, you know, you come off of the public right-of-way onto our property. Should be noted that the road that we're building internal to community the main road it all going to be dedicated to public right-of-way when we're finished, well, when it's acceptable by the County, and it will connect out from Roslin, it will connect out to Jenner.

Councilman Hachmeister: But it's not public right of way at this time?

Nick Cassala: No, cause it's...

Councilman Hachmeister: You're (inaudible) yeah.

Nick Cassala: And adjacent to the public right of way will also include, assuming that the funding is there and it can be built concurrent with our construction, which every indication is that that is the case, there'll be a link to the Warrick County Trail. So, this is, even though this is a, this is a, a, I'll call it an upscale community, it's meant to be inclusive, not exclusive. It's not gated. It's not meant to be overly private. The Warrick Trail, we've worked very closely with those folks for three (3) years now. And we've worked on a couple of schemes to bring that trail through there and help make that link from Newburgh to Boonville and get it off of the roads. So, if you saw that land plan, I think that there's a land plan probably the scale were looking at was hard to see, but that dash black line, if you saw it in color, that's what that was. It's not marked. And you can see where we placed it, we placed it in a premium location. A lot of it has, we'll offer water views and it's going to be spectacular. Any other detail or any questions?

Councilman Meyer: Are you telling me then that at the present time, you own the property that we're going to improve the road to, on to your subdivision?

Nick Cassala: Well...

Councilman Meyer: I guess what I'm trying to ask...

Nick Cassala: The majority, it's not, there's some flexibility built into the agreement of where the improvements are going to be. But the intent is not to place two hundred and forty thousand dollars ($240,000.00) worth of improvements on our property. As I mentioned, the Roslin Road is going to require a fair amount of improvements. The intersection to Roslin and Oak Grove is going to require some beautification and some enhancements where it's possible given the widths of the right-of-way. I, I'm sure the County's going to require that we make some of those improvements, so our request was can, can we utilize some of these funds for that. I mean two hundred forty thousand dollars ($240,000.00) on that length of road is not going to go very far.

Councilman Christmas: Gary's question was about (inaudible), who owns this property?

Nick Cassala: We own the property that's going to be developed. We don't own the right-of-way.

Councilman Christmas: I didn't say right-of-way, I said, he said property. Who owns the property? The question was (inaudible).

Nick Cassala: We, we, we own the property from, from the intersection of Roslin to what's currently called the, probably Victoria Lane or something and the road, the Victoria Lane which is a private road will be converted to a public right of way as part of this process. So eventually all the road will, with the money we spend, will be public right-of-way.

Larry Taylor: But a portion of it would be spent on the existing Roslin Road because of the (inaudible) Brentwood Meadows.

Councilman Metzger: So, the two hundred forty thousand ($240,000.00) does include improvements to that intersection?

Larry Taylor: It includes some improvements to the beautification of that intersection at Roslin Road.

Councilman Metzger: (Inaudible).

Larry Taylor: They, their, you haven't finalized all (inaudible).

Nick Cassala: No, it's hard to, I mean, it's hard, there's no planning, there's no plan today for what exactly the improvements need to be.

Councilman Metzger: Okay, cause I say there's that pump station right in the middle of it.

Nick Cassala: It creates a, it creates an opportunity and it create a challenge.

Councilman Metzger: That could be expensive. Yeah.

Nick Cassala: And the pump station as you know is, is about to be completely (inaudible).

Councilman Meyer: Is this number an estimate then? Cause you don't know how much it's going to cost to do what you want to do? Correct?

Larry Taylor: It's going to cost more than this, and what this is, this is the money, that between the Commissioners and Highway and Economic Development, we said that we would be willing to put towards.

Councilman Meyer: This is our cut. I see.

Councilman Rudolph: So we're basically writing up, and the next question I actually have, we're writing a quote, unquote 'blank check' of two hundred forty ($240,000.00) to quote, unquote 'Victoria' with the intention that this two-forty ($240,000.00) is going to be used towards the five hundred million dollars ($500,000,000.00) or whatever's required for those, I'll call them road improvements? Is that...?

Larry Taylor: Well, we're not writing a blank check, we're, once they design their improvements and get them approved through Area Plan Commission and everything, because whenever you do a development that they have to say, okay, what's the traffic impact and anything else? So once they submit those and get those approved, and then once they actually start the construction on them, then we would start releasing some of the money. So it's not, we're not going to hand them a two hundred forty thousand dollar ($240,000.00) check and say, you know, have fun with it. It's the way we've got it laid out in the contract is that there would be milestones before that comes out. And then the ultimate milestone being when they plat some of the lots. Actually you don't get the total amount of the money 'til you plat the three hundred (300)

Nick Cassala: First hundred (100) lots.

Larry Taylor: So, it kind of puts them on, you know, so they're not going to say, well, okay, we're going to come in, you know, we're gonna pretty up this back entrance and then say, naw, we're not interested anymore. I believe the contract that those guys have put together protect against that.

Councilman Rudolph: So, it's not even a clawback provision is what you are saying, it's really a, we won't fund completely until that happens.

Larry Taylor: It's milestones and a clawback.

Councilman Rudolph: Okay.

Krystal Powless: (Inaudible).

Councilman Meyer: Let me ask you something, Larry, what prevents another development for, in another subdivision asking the same thing?

Larry Taylor: Nothing.

Councilman Meyer: Okay.

Larry Taylor: But if the other developer comes with a, a subdivision, and you mentioned the one (1) lot, or the one (1) subdivision, that's your normal subdivision where you come out and I think he was referencing that because of the size of the lots. But it's, you know, it's the normal up, down, and cul de sac here. Where this one (1) has a huge amount of amenities, you know, it's opened up a new kind of a housing development. That's the thing, it's not like your regular housing development. This is the kind of thing people are seeing in major communities in major areas of the country that helps draw some of the talent in. Which is why the State and the Regional Cities Group is invested in this and why we're interested in pushing it for the development. It will be nice to have the, you know, the property values or the tax base that is created by it. But it creates a different kind of a living thing than just a regular subdivision that we have now.

Councilman Rudolph: So, I only have one (1) last question? How did we decide on a hundred (100) lots by 2021 rather than five hundred (500) or contemplated…? Why not, I'm just, numbers I don't understand (inaudible)…

Larry Taylor: Because they have like, I think Nick said it's a fifteen (15) year total build out. So, you know, what their timing is and what's reasonable to get done and then also we kept in the back of our mind that once they get a hundred (100) lots platted, they will have had to put roadways, water, sewer, I mean there's a whole lot of stuff that has to happen and then they're off and running and then it will you know, go on its merits after that.

Councilman Meyer: I don't have any problem with us improving the intersection. It just, it doesn't rub me right in building a road on private property, using public money to build a road on private property. Now I understand if they would build the road they're going to turn it over to the County to maintain anyway. I understand that. But this, we're putting public money onto a private entity. And it seems like Joe Schmo who, who builds another subdivision will ask the same thing. And we have no reason to say we can't do that. But it just, like the intersection should be done. I'm not arguing that. But my problem is the public money on the private property. I don't know that we can legally do that. Can we?

Cliff Whitehead: I haven't looked at that issue. I don't know. I would assume it's for Economic Development, I assume you can. But I don't know.

Councilman Rudolph: Did we do something similar for the hospital? Back in the day?

Councilman Meyer: I don't know. I don't remember.

Councilman Rudolph: Felt like I heard we had. I was obviously not on the Council.

Larry Taylor: Well, we just done some things for Deaconess and some of the wayfinding that's in Deaconess, we helped them out with.

Councilman Meyer: I agree and we've done that but…

Larry Taylor: And we, we've, the State through the City Regionals Program is putting two million dollars ($2,000,000.00) into this. And it's basically to help them get through the high development costs to get back to put these amenities in and the fact that they're using reclaimed mine land and everything. So I, yeah, it's, I guess we're tying the money to something specific. And you know, the other way to do that would be just to do it as a grant and say we've got a grant to help with this development. But instead we chose to tie it to something, something specific. But, that happens.
Councilman Meyer: How sure are you that you're going to get all those permits and such? It looks like we're the first one (1) you've come to. No? Okay. How sure are you that you're going to get these permits from, I don't know, whoever? Who else do you have to check with?

Nick Cassala: Environmental permits?

Councilman Meyer: Yeah, well, all kinds of permits. On the Area Plan Commission, the…

Councilman Rudolph: Building permits.

Councilman Meyer: Building permits…

Nick Cassala: Well, this project has been before Area Plan Commission and the Commissioners already in its preliminary stage. Because one of the things, in order to execute this land plan, we had to go outside the bounds if you will of the local Ordinances and so we went through the entire process last, last summer to present the program in depth and demonstrate where we were going to need some modifications and some approval from the, from the County Commissioners and the APC. And they both granted, you know, what they could at the time given the details of the plan. They, they, they accepted, they gave consensual approval to the plan. We still have to go back and get a full

development plan approval. But I don't, with as much as they know about the program, and what we're attempting to do, I think that the heavy lifting, add to the fact that we've got a build to certain specification, has been done. As far as environmental permits we're down to, we're down to one (1) last major permit. We have our IDEM permit, we have a DNR permit, we have our Incidental Take Permit from US Fish and Wildlife Services. And we've even, we even have a permit from DNR to, to, to delineate the current floodway lines. So we've been at this, we've been, we've been at the permitting portion of this for almost two (2) years now. This is, the biggest way to think about this project is, is from a standpoint of what we're attempting to do is instead of addressing it fifty (50) acres at a time or forty (40) acres at a time or thirty (30) acres at a time which is more typical, we're addressing it four hundred (400) acres at a time. And so the upfront time and investment has been much more significant. But the intent there is that once we're done and once we have everything approved with the last one (1) being the County, that all the heavy lifting has been done. All the zoning would be taken care of. We're rezoning the entire parcel at one (1) time. That's the intent. But we're going to have to build it in phases. So there was a question about, how did you get to a hundred lots? I don't remember the exact maturation of that but, but if you work from this fall forward, it takes us until, the official launch from a sale standpoint, completed homes, won't happen 'til the spring of 2020. So while that launch is taking place, we're going to be building the second phase, because we have to stay a phase ahead. We don't want a hundred and fifty (150) lots out there built at one (1) time. There's not, that's not going to do anybody any good. Right? So we have to build it in, in, in phases. Plus, that's the only way we can manage cash on such a large project.

Councilman Richmond: Larry, a large portion of this money's going to be spent on Roslin Road, County Road?

Councilman Christmas: (Inaudible).

Larry Taylor: I'd say a good portion of it.

Councilman Richmond: It's a very attractive community and the assessed valuation of the County will go up quite a bit.

Larry Taylor: One (1) thing that the attorney, Herb, just brought up, that if they don't commence construction on the project by the October 2018 then the agreement terminates. So, this isn't one (1) of those things that's just going to sit out there and sit out there. You know, they have to, it's time for them to get going with it, we're ready to get going with it. The other people that they've been talking with, there's a Regional Development Authority that's administering the Regional Development Funds from the State. And Nick and his group have been going in front of them regularly.

Nick Cassala: We have to report to them every month.

Larry Taylor: Every month on things, like we did for the Regional City Project that we had. And in that they're looking at permitting and the things that have to happen. And the other thing is a big part of this is the sewer, and I think everybody knows a sewer story about different sewer providers and Nick and his predecessor ran right smack dab into the middle of some of that. So they spent the last, good part of the last two (2) years sorting that out. And that just got sorted out about sixty (60) days ago, sixty (60) or ninety (90) days ago. And then there's Vectren agreements and all that is, who pays for it up front, you know and that kind of thing. So they've been doing quite a bit of work and quite a bit of heavy lifting I think the last year and a half (1 ½), two (2) years.

Councilman Rudolph: So I do have one (1) more question, and that is, in the permitting process, has there been any push back, any people concerned that with the expansion?

Nick Cassala: There's been no, to date, there's been no remonstration in anything that we've done. We have not really begun our full community outreach. And the reason we haven't done that, is because we know exactly what the schedule is. I didn't want to create any more, I won't call it anxiety, but wouldn't want to create any more anticipation. But we have done some, there have been a few subdivision actions. We have a couple in place right now that are going through to date. The only, the only time we had any potential conflicts on any of the actions we've done from a permitting standpoint, there were a couple comments relative to some plans we had for Pine's Ditch. It's that ditch that runs almost north to south on the eastern portion of our site. And because that ditch is included in that area that I described to you before that was going to be preserved as conservation for the high quality ecosystem, we've had to work with the Drainage Board on, on really actually they deregulated that ditch and we've taken on the responsibility for that ditch to satisfy the agencies. And some adjacent property owners obviously wanted to know who do I call if I've got some flooding? That was the gist of that, and that was reasonable of course.

Councilman Meyer: Any other questions? Comments? Okay, fine by me.

Councilman Richmond: I make a motion to approve the additional appropriation of a hundred and twenty thousand dollars ($120,000.00) for Greenlife access road.

Councilman Meyer: That would be out of EDIT?

Councilman Richmond: ED...yes.

Councilman Meyer: Okay.

Councilman Rudolph: I'll second that motion.

Councilman Richmond: We can do the other as it comes up again.

Councilman Meyer: Motion made by Greg and seconded by Paul.

Councilman Rudolph: Yes.

Councilman Meyer: To approve the hundred and twenty thousand dollars ($120,000.00) out of EDIT for this project. Any further discussion? All those in favor? Opposed? One (1), two (2), three, (3), one (1), two (2), three (3). I get, it passes four to three, (4-3 with David Hachmeister, Ted Metzger, and Brad Overton opposing). Three (3) against was Brad, David, and Ted.

Larry Taylor: Thank you, gentlemen.

Councilman Meyer: Thank you.

SUPERIOR COURT I BUSINESS
PAUPER DOCUMENTS

Councilman Meyer: Okay, moving along, Superior Court II Business, Additional Appropriation, Superior Court II, Pauper Documents, two hundred thousand dollars ($200,000.00).

Krystal Powless: That's for Superior Court I. I sent out a new agenda but you used your...

Councilman Meyer: Oh, okay. Superior Court I.

Judge Winsett: Good evening, gentlemen, Mrs. Powless. Zach Winsett, Superior Court I, asking for two hundred thousand dollars ($200,000.00) for the State of Indiana against John Stevenson that is back in our court. The death penalty sentence was overturned on Federal appeal level and it was sent back to here for sentencing. We have to hire death penalty qualified, certified attorneys, two (2) of them. They're very hard to find. They're getting less and less numerous, no one (1) wants to do it. We've already got bills upwards of over a hundred thousand dollars ($100,000.00). And so that's why I'm asking for two hundred thousand dollars ($200,000.00) so maybe we can get through a few more months before I have to come back. Now hopefully, I'm hoping that a lot of this stuff is front end loaded that there's a lot of stuff going on at the beginning. They have to hire experts so this is for expert fees, mitigation experts, private investigators, and that sort of thing. It's just an unfortunate kind of product of our system on a death penalty case. There's just certain rules at certain levels of pay that has to be done and there's attorneys standards that they have to meet. They have to do A, B, C, and D. And I'd love to answer any questions that anyone may have.

Councilman Overton: Motion to approve.

Councilman Christmas: Second.

Councilman Meyer: Motion made by Brad and seconded by Charlie to approve. Any discussion?

Councilman Rudolph: So who's billed us so far for the seventy thousand ($70,000.00)?

Judge Winsett: The attorneys, the two (2) attorneys.

Councilman Rudolph: Local attorneys?

Judge Winsett: No, we could not find any local. Had to actually contact the Indiana Public Defender Council and they're from the Indianapolis area. A lot of the local attorneys have just let their certifications lapse cause they don't want to do it anymore. Barbara Williams in Evansville was one (1) of the last ones. And I think Anthony Long let his lapse maybe ten (10), twenty (20) years ago from what I remember. Don't quote me on that. But there's a private investigator who's local. A mitigation expert, that's the billing. And then the two (2) attorneys, and I think that rounds it out. The two (2) attorneys, the private investigator, and the mitigation expert, I think that's what we're, where the bills are right now.

Councilman Meyer: Did I read somewhere you have a chance at, theoretically getting half of that back?

Judge Winsett: Yes, thank you, Gary, I forgot to mention that. I heard clawback a lot earlier, but that's kind of what it is. It's a federal grant administered by the State, and as soon as the bill goes out, as soon as the bill gets paid, soon as a check is cut, then that next day my office is ready to send it up there, fill out the paperwork, we already have it ready to go, and fifty percent (50%), up to fifty percent (50%) reimbursement. They did warn us there is a certain pot of money there, and when it runs out, it's gone. But there's supposedly money in there right now. And it's not at the end, it's as the bills are paid. So as soon as those bills are paid, we're gonna apply and try to get that fifty percent (50%) reimbursement.

Councilman Meyer: You think this is gonna, this amount will do the trick?

Judge Winsett: No. No.

Councilman Meyer: You don't?

Prosecutor Perry: May I be heard?

Councilman Meyer: Yes, Sir.

Prosecutor Perry: Mike Perry, Prosecutor. I know that the word Stephenson sends shivers down everybody's spine. The most expensive trial in Indiana history. It, it's the State's intention not to repeat that, and we are doing everything we can to limit the financial exposure of this County to you know, what happened previously. Just wanted to let you all know that.

Unknown: Thank you.

Prosecutor Perry: Yes, Sir.

Judge Winsett: Thank you, Mr. Perry.

Councilman Meyer: What do you think the total amount's going to be? You have any idea?

Councilman Christmas: (Inaudible).

Judge Winsett: (Inaudible).

Councilman Meyer: No?

Judge Winsett: If it goes all the way through a sentencing hearing, cause they upheld the judgement, so they just reversed the sentencing, the death penalty portion. So it's just as, I say, it's just a sentencing hearing but it's a death penalty sentencing hearing and you go just as long as any felony trial goes here now.

Councilman Meyer: So the issue's the death penalty? Nothing else?

Judge Winsett: That's it. Or what the sentence is.

Councilman Meyer: Oh, what the sentence is.

Judge Winsett: What the sentence will be. And so this could be years. I mean it could be down the line.

Councilman Meyer: Okay.

Councilman Rudolph: So, and the way I'm guessing it works is we're basically writing a check for two hundred thousand dollars ($200,000.00). You'll be then taking that money and funding, and then that money come backs from the State/Federal. Does this go back into that two hundred thousand ($200,000.00) as well? So, or does it come back to the County to re-appropriate?

Krystal Powless: Yeah, it goes back into the County General Fund.

Judge Winsett: Yes.

Councilman Rudolph: So put another way, we're spending two hundred ($200,000.00). We hope to get a hundred ($100,000.00) of that back.

Councilman Meyer: Um hum.

Councilman Rudolph: In which case you'll be asking possibly for that extra hundred ($100,000.00) back and possibly even more.

Judge Winsett: Correct. It's my understanding that's just the way the grant is, that it goes back into the fund.

Councilman Meyer: Well, we really have no choice?

Councilman Christmas: No, you (inaudible).

Judge Winsett: No.

Councilman Meyer: When you come right down to it, we have no choice. Yeah.

Judge Winsett: I'm not going to disagree with you there.

Councilman Meyer: Okay.

Councilman Overton: (Inaudible) out there in the open when it comes time for budget. Because it's not going to go away.

Judge Winsett: It's not.

Councilman Meyer: You're right, it won't go away.

Judge Winsett: Right now we have bills of a hundred and seventeen thousand five hundred fifty dollars and forty-nine cents ($117,550.49). And so...

Councilman Meyer: Have you paid those or are you waiting for us to?

Judge Winsett: Waiting for you. And we're a little late cause the May, we didn't get it in time for May. So I want to get them paid as soon as possible. If they get mad and leave, well, I start the search all over again and it's going to be more expensive.

Councilman Meyer: Okay, we do have a motion made by Brad and seconded by Charlie to approve. Any further discussion? All those in favor? Opposed? Motion carried seven, zero (7-0).

Judge Winsett: Thank you, gentlemen.

Councilman Meyer: Thank you.

Councilman Overton: Good luck.

TREASURER/AUDITOR BUSINESS
RAINY DAY – CONVERSION
LOW ASSOCIATES

Councilman Meyer: Treasurer and Auditor Business, Additional Appropriation, Rainy Day, Expense, one hundred sixty-four thousand five hundred dollars ($164,500.00).

Councilman Richmond: Motion to approve.

Councilman Overton: Second.

Councilman Hachmeister: Second.

Councilman Meyer: Motion made by Greg and seconded by...

Councilman Meyer: David to approve. Any discussion? All those in favor? Opposed? Motion carried seven, zero (7-0).

Councilman Christmas: That was easy, wasn't it?

Treasurer Beem: Thank you. Thank you. Thank you.

Councilman Meyer: You talk too much there, Judy.

HIGHWAY BUSINESS
HEAVY EQUIPMENT – BITUMINOUS

Councilman Meyer: Okay, Item 8A, Highway Business, Additional Appropriation, Heavy Equipment, fifty thousand dollars ($50,000.00); Bituminous, eight hundred thousand dollars ($800,000.00); for a total of eight hundred and fifty thousand dollars ($850,000.00).

Bobby Howard: Bobby Howard, Warrick County Highway. Basically, I think I put in your package here, when I sent this out about a month ago, a lot of this is to do with the condition of our roads and the roads package for this year and the Phase 1 and 2 Paving List. When those were evaluated and we got all the estimates in the end of April, the first of May, we realized we needed this, this money just to finish out the list. The Heavy Equipment dollars is due to overtime issues earlier in the year with the winter storms. We had to borrow from Heavy Equipment to pay the overtime. So we just need some of that put back in to Heavy Equipment to be able to finish out the year.

Councilman Richmond: I'm getting lots of calls on our roads. I say, call Marlin. Motion to approve.

Councilman Overton: Second.

Councilman Christmas: Second. (Inaudible).

Councilman Meyer: Motion made by Greg and seconded by Brad to approve. Any discussion? All those in favor? Opposed? Motion carried seven, zero (7-0).

Bobby Howard: Thank you.

EDIT CONSTRUCTION
2018 PAVING PROJECTS

Councilman Meyer: EDIT Construction, 2018 Paving Projects, one million dollars ($1,000,000.00); Greenlife Access Road, one hundred twenty thousand dollars ($120,000.00); for a total of one million one hundred twenty thousand dollars ($1,120,000.00).

Councilman Richmond: Money's there, right?

Bobby Howard: Yes.

Councilman Christmas: (Inaudible).

Councilman Overton: I make a motion to approve the first line item, the 4903-000-4397.18.

Councilman Meyer: For one million dollars?

Councilman Overton: Correct.

Councilman Hachmeister: Second.

Councilman Meyer: Motion made by Brad and seconded by David to approve the one million dollars ($1,000,000.00) in 2018 Paving Projects. Any discussion on that item? All those in favor? Opposed? Motion carried seven, zero (7-0).

GREENLIFE ACCESS ROAD

Councilman Meyer: Greenlife Access Road, one hundred twenty thousand dollars ($120,000.00).

Councilman Richmond: Motion to approve.

Councilman Meyer: Motion made by Greg to approve. Is there a second?

Councilman Rudolph: I'll second it.

Councilman Meyer: And seconded by Paul. Any discussion?

Councilman Christmas: I think we discussed that one (1) pretty good already.

Councilman Meyer: Question, Bobby, you have the money in there for this too?

Bobby Howard: Yes.

Councilman Meyer: Okay. Any other questions, comments? All those in favor? Opposed? Motion carried four to three (4-3 with David Hachmeister, Ted Metzger, and Brad Overton opposing). The three (3) was Ted, David, and Brad.

Bobby Howard: Thank you, that's all I have.

Councilman Meyer: Thank you.

PROSECUTOR BUSINESS
PRE-TRIAL DIVERSION – DONATION

Councilman Meyer: Okay, Prosecutor Business, Additional Appropriation, Pre-Trial, Donation, fifteen thousand dollars ($15,000.00); and the transfer from Other Services, two hundred seventy-five dollars ($275.00); to Donation, two hundred seventy-five dollars ($275.00). Good evening.

Prosecutor Perry: Good evening, Sir. Mike Perry, Prosecutor. First I just wanted to let you know, I will not be asking any money for myself for Stevenson, I've already been paid for that.

Councilman Meyer: Good.

Prosecutor Perry: I'm not even, I don't even remember why I even asked for these things. It's been, these last couple weeks...

Councilman Meyer: My question is...

Prosecutor Perry: Yes, Sir?

Councilman Meyer: Way I read some things that you asked for, this Donation Fund, you wanted to donate to some entities in the County, Police Department in the County, for certain items.

Prosecutor Perry: Right.

Councilman Meyer: That will make your department run better.

Prosecutor Perry: Correct.

Councilman Meyer: And is that all, is that, it's that...?

Prosecutor Perry: Yeah...

Councilman Meyer: The only question I had, there was one (1) thing I read, you had something about a specific item.

Prosecutor Perry: Right, and I think...

Councilman Meyer: And I don't really want to get involved in that.

Prosecutor Perry: I understand that. I talked to Mr. Whitehead about that earlier.

Councilman Meyer: Okay.

Prosecutor Perry: And I think if we can re-categorize that as just a flat donation to the Police Department as opposed to requiring it to be for a specific item.

Councilman Meyer: I would feel much more comfortable.

Prosecutor Perry: I don't have any problem with that, Mr. Meyer.

Councilman Meyer: Okay.

Prosecutor Perry: I will say that the, part of the fifteen thousand ($15,000.00) we're asking for, and again, this is money that's in the Infraction Deferral Fund with the Prosecutor's Office. It's no money that's coming out of the General Fund or anything like that.

Councilman Meyer: It's a user fund, right?

Prosecutor Perry: Yeah, it is. And I haven't checked the numbers lately, but I'm pretty sure that we're probably north of two hundred and thirty thousand dollars ($230,000.00) in that fund. And we're still generating approximately twelve ($12,000.00) to fourteen thousand dollars ($14,000.00) a month as far as collections. So, I don't think we're anywhere close to, to having any issue as far as monies being there. But ten thousand dollars ($10,000.00) of that fifteen thousand ($15,000.00) is for a specific donation and it's to the law enforcement personnel in this County for a fallen officer memorial that they're building at the FOP. And I feel very strongly that that is something that benefits our community so we all remember the sacrifices that our law enforcement personnel make on a daily basis every time they get up and go to work. There's a chance they don't come home.

Councilman Meyer: Right. I think we've seen a lot of that happen.

Prosecutor Perry: Yes, Sir.

Councilman Christmas: A lot of it.

Councilman Overton: Motion to approve.

Councilman Meyer: Motion made by, are you, are you approving the transfer and the...?

Councilman Overton: Yeah.

Councilman Meyer: Motion made by Brad to approve the additional appropriation for fifteen thousand ($15,000.00) and also the transfer.

Cliff Whitehead: And to clarify the transfer, it's the Newburgh Police Department?

Prosecutor Perry: The one (1) item that we're talking about is for the Newburgh Police Department.

Cliff Whitehead: I think we said Police Department, I just wanted to make sure.

Prosecutor Perry: I'm sorry. Yes, Sir.

Cliff Whitehead: Okay.

Councilman Meyer: And seconded by Charlie, did you second?

Councilman Christmas: Yes.

Councilman Meyer: Okay. Any further discussion? All those in favor? Opposed? Motion carried five to two (5-2 with David Hachmeister and Ted Metzger opposing). Ted and David.

Prosecutor Perry: Thank you.

Councilman Meyer: Okay, thank you.

BUILDING DEPARTMENT BUSINESS
TRANSFER
SEASONAL HELP – CONTRACTUAL SERVICES

Councilman Meyer: Okay, Building Department Business, Transfer from Seasonal Help, twenty thousand dollars ($20,000.00) to Contractual Services, twenty thousand dollars ($20,000.00).

Dennis Lockhart: Dennis Lockhart, Warrick County Building Inspector. And the money was put into the Seasonal Help Line Item instead of the Contractual Services Line Item...

Councilman Overton: Motion to approve.

Councilman Rudolph: Second.

Councilman Meyer: Motion made by Brad to approve, seconded by Paul. Any discussion? All those in favor? Opposed? Motion carried seven, zero (7-0).

Dennis Lockhart: Thank you, gentlemen. Always a pleasure doing business with you. Thank you.

Councilman Christmas: How's the new truck?

Dennis Lockhart: Nice.

HEALTH DEPARTMENT BUSINESS
ANIMAL CONTROL – VAXCARE – NURSE 1

Councilman Meyer: Health Department, Additional Appropriation, Animal Control, five thousand eight hundred and five dollars ($5,805.00); Vaxcare, nine hundred ninety-nine dollars ($999.00); Nurse 1, nine hundred twenty-seven dollars ($927.00); and Part Time Immunization, two hundred fifty dollars ($250.00); for a total of seven thousand nine hundred and eighty-one dollars sixty-six cents ($7,981.66). *(Note: Amount for Nurse 1 was misstated and should be $927.66)*

Councilman Richmond: I have a request. We have to do separately the Part Time Immunization Rep, two hundred fifty dollars ($250.00) cause I have a slight conflict there. My sister-in-law is the Part Time Immunization Rep.

Councilman Meyer: Okay, we'll take that two hundred fifty ($250.00) out and discuss that in a minute then. So now we're looking at Animal Control, Vaxcare, and noose 1...Nurse 1 for a sell back of a week's vacation (inaudible). You want to add anything? You okay?

Linda Derr: I'm fine.

Councilman Meyer: Okay.

Councilman Overton: Motion to approve.

Linda Derr: Do you have any questions?

Councilman Christmas: Not me.

Councilman Meyer: We have a motion made by Brad.

Councilman Christmas: Second.

Councilman Meyer: And seconded by Charlie.

Krystal Powless: Is that to approve them all? Sorry, I was talking to (inaudible).

Councilman Overton: No, it's excluding the one (1) (inaudible).

Councilman Meyer: No, it's excluding the Part-Time Immunization.

Krystal Powless: Okay.

Councilman Meyer: Two hundred fifty ($250.00) right now.

Krystal Powless: Okay.

Councilman Meyer: It'd be for the top three (3) right now. Five thousand eight-'o-five ($5,805.00), nine hundred ninety-nine dollars ($999.00), and nine hundred twenty-seven and sixty-six cents ($927.66).

Councilman Christmas: Sixty-six ($0.66).

Councilman Meyer: Any, excuse me, any further discussion. All those in favor? Opposed? Motion carried seven, zero (7-0).

Councilman Christmas: Now, back to the (inaudible).

PART TIME IMMUNIZATION REP

Councilman Meyer: Now we can do the Part Time Immunization for two hundred fifty dollars ($250.00). Doesn't that have to do with the increase of the Part Time?

Linda Derr: Yes, it does.

Councilman Hachmeister: Just wasn't paid the increase...?

Linda Derr: Pardon me?

Councilman Hachmeister: Just wasn't paid the extra thirty cents ($0.30) an hour?

Linda Derr: To pay her that extra thirty cents ($0.30) the rest of the year.

Councilman Rudolph: It's to get the hours back.

Krystal Powless: Yeah.

Councilman Meyer: Yeah.

Councilman Rudolph: To be able to fund the original amount of dollars.

Krystal Powless: Which you guys had stated then...

Councilman Meyer: What she stated I think.

Krystal Powless: In the meeting...

Councilman Rudolph: They had to live within it.

Councilman Meyer: Oh, that's right.

Councilman Rudolph: And no one (1) argued with that.

Councilman Meyer: Yeah.

Councilman Rudolph: No Office Holders, no Department Heads said...

Councilman Meyer: That's right.

Councilman Rudolph: We want to get both. So...

Krystal Powless: And I sent an email out to the Department Heads to clarify that they were supposed to live within their budget. So...

Councilman Rudolph: So, I think this would be a bad precedence if we approve this one (1).

Councilman Meyer: So, you make a motion to deny?

Councilman Rudolph: You're putting a lot of words in my mouth there. But, I'll go along with them, sure.

Councilman Overton: That's easy. That's not hard to put a lot of words in your mouth.

Councilman Meyer: So, we have a motion by Paul to deny the two hundred fifty dollar ($250.00) request. Is there a second? Is there a second? Is there a second?

Councilman Overton: I'll make the second.

Councilman Meyer: And seconded by Brad. Any discussion? All those in favor of the motion to deny? One (1), two (2), three (3). Opposed?

Councilman Christmas: (Inaudible). You gonna vote, Greg?

Councilman Richmond: I'm abstaining.

Councilman Christmas: Oh, that's right, you're abstaining (inaudible). I'm sorry.

Councilman Meyer: It's three to three (3-3-1 with Charlie Christmas, David Hachmeister, and Ted Metzger opposing and Greg Richmond abstaining).

Krystal Powless: Three (3) to three (3).

Councilman Meyer: So, it does not pass?

Councilman Christmas: (Inaudible). No.

Krystal Powless: (Inaudible) denied.

Councilman Meyer: Is that correct Counselor?

Cliff Whitehead: That's correct.

Councilman Meyer: It does not pass.

Cliff Whitehead: So no action will be taken.

Krystal Powless: Yep.

Councilman Overton: Now that's all because of that adjustment with the Part Time's money that we made?

Councilman Richmond: We need to identify the nays, don't we?

Councilman Hachmeister: No, yeah.

Cliff Whitehead: Yes.

Krystal Powless: So the nays were...?

Councilman Meyer: The nays were Paul...

Councilman Rudolph: No, I was for.

Councilman Meyer: Oh, you're for, that's right, to deny.

Councilman Rudolph: Yeah, did it weird.

Councilman Meyer: It was weird. So, the nays were you, Ted, did you vote nay?

Councilman Metzger: No.

Councilman Meyer: Okay.

Krystal Powless: And Brad.

Councilman Meyer: And Brad.

Krystal Powless: Charlie.

Councilman Meyer: Charlie.

Krystal Powless: David, Brad, and Charlie were the ones.

Councilman Meyer: David, Brad, and Charlie, that's it. That's it.

Councilman Rudolph: B, C, D.

Councilman Meyer: Okay.

LOCAL HEALTH AND MAINTENANCE
VACCINE - EQUIPMENT

Linda Derr: I'm still up. I'm the Local Health and Maintenance

Councilman Meyer: Oh. I see, I'm sorry. Local Health, there you go.

Linda Derr: You're stuck with me a few more minutes.

Councilman Meyer: We're still going here.

Linda Derr: Yes, we are.

Councilman Meyer: Additional Appropriation, Local Health Maintenance, three thousand five dollars ($3,005.00); Equipment, five thousand dollars ($5,000.00); for a total of eight thousand five dollars ($8,005.00). What's the equipment?

Linda Derr: It's a carry, using our carry over funds to, we've had a lot of problems with our refrigeration this year and it's really eating into our repair budget. So, we asked the State Department of Health...

Councilman Meyer: I remember that.

Linda Derr: Yeah. And they have approved. I have an approval letter here from them to use carry over Local Health Maintenance Fund if you need to have a copy of it.

Councilman Meyer: Okay. That's more or less a State deal, isn't it?

Linda Derr: Yes.

Councilman Meyer: State controlled?

Linda Derr: This is their grant.

Councilman Meyer: Yeah.

Linda Derr: Yeah.

CONTINUED DISCUSSION ON PART TIME NURSE FUNDING

Krystal Powless: You made the motion, but...

Councilman Richmond: He seconded it.

Councilman Rudolph: I made the motion. Brad seconded it.

Councilman Richmond: Brad seconded it.

Krystal Powless: So it was Ted, David...

Councilman Richmond: The no's were David, Brad, and Charlie.

Councilman Rudolph: No, not Brad.

Krystal Powless: Not Brad.

Councilman Rudolph: Cause Brad was with me.

Councilman Meyer: Brad seconded the motion.

Krystal Powless: Ted, it was Ted...

Councilman Metzger: Switch me with Brad.

Krystal Powless: David.

Councilman Richmond: The ones for?

Councilman Hachmeister: (Inaudible).

Councilman Rudolph: Yeah.

Councilman Richmond: Charlie.

Krystal Powless: And Charlie.

Councilman Meyer: That's right. Those were the nays.

Councilman Rudolph: Every other one (1).

Councilman Richmond: Ted voted for it, didn't he?

Councilman Rudolph: One (1), one (1), one (1) verses...

Councilman Overton: Yes, Ted voted to approve the funding. I voted not to approve the funding. Charlie voted not to approve the funding and Paul voted not to approve.

Krystal Powless: And he abstained.

Councilman Overton: And he abstained.

Councilman Christmas: And he abstained, yes.

Councilman Overton: (Inaudible) voted to approve it.

Councilman Richmond: Paul, you voted not to approve it.

Councilman Rudolph: I voted not to approve it.

Councilman Richmond: Okay, so David...

Councilman Rudolph: Or to deny it.

Councilman Hachmeister: Yes.

Councilman Richmond: Okay.

Councilman Christmas: Don't make motions like that, Paul. Those reverse motions...

Councilman Meyer: Confusing.

Councilman Overton: I think that was Gary's fault.

Councilman Meyer: That was my fault. I put words in his mouth.

Councilman Overton: Once again.

Councilman Meyer: Never put words in (inaudible) mouth.

Councilman Rudolph: See, that's what happens when I let Gary put words in my mouth.

Councilman Meyer: That's right.

Councilman Rudolph: That will never happen again.

Cliff Whitehead: So to clarify, the nays on the motion were David, Ted, and Charlie. Okay.

Councilman Meyer: Yeah.

Cliff Whitehead: And Greg abstained.

Councilman Meyer: Right.

Cliff Whitehead: Okay.

Councilman Overton: (Inaudible).

Councilman Meyer: David, Ted, and Charlie. They voted nay. You, me, and Paul voted (inaudible).

CONTINUED DISCUSSION OF LOCAL HEALTH MAINTENANCE VACCINE AND EQUIPMENT

Councilman Overton: Motion to approve this, the, the vaccine equipment thing.

Councilman Hachmeister: Second.

Councilman Meyer: Motion made by David and seconded by...

Councilman Overton: (Inaudible).

Councilman Hachmeister: Motion by Brad.

Councilman Meyer: I'm sorry, motion made by Brad, seconded by David. All those in favor of the motion? Opposed? Motion carried seven, zero (7-0).

Councilman Richmond: Salary Ordinance.

TRANSFER FROM ANIMAL CONTROL TO POUND KEEPER

Councilman Meyer: Transfer, Animal Control, eight thousand six hundred and forty dollars ($8,640.00); to Pound Keeper, eight thousand six hundred forty dollars ($8,640.00).

Councilman Christmas: What's that for?

Councilman Rudolph: What's the reason?

Linda Derr: We just had a lot of hours going on out there.

Councilman Meyer: Will that take us to the end of the year?

Linda Derr: Should, yes.

Councilman Meyer: Okay.

Councilman Overton: Motion to approve.

Councilman Meyer: Have a motion made by Brad to approve.

Councilman Christmas: Second.

Councilman Meyer: And seconded by Charlie. Any, any discussion? All those in favor? Opposed? Motion carried five to two (5-2 with David Hachmeister and Ted Metzger opposing). Ted and David.

Councilman Rudolph: And on the two fifty ($250.00) I think that if an Office Holder believes that they need more time, more hours, that would be a budget conversation.

Councilman Christmas: Yeah. It needs to be addressed next month.

Councilman Meyer: Okay. Thank you.

Linda Derr: Thank you.

SHERIFF BUSINESS
REPAIRS AND MAINTENANCE

Councilman Meyer: Sheriff Business, Additional Appropriation, Repairs and Maintenance, one thousand eight hundred and thirty-five dollars and thirty-five cents ($1,835.35).

Councilman Hachmeister: Reimbursement. Motion to approve.

Councilman Overton: Second.

Councilman Meyer: Motion made by David and seconded by Brad to approve since it is a reimbursement. All those in favor? Opposed? Motion carried seven, zero (7-0).

(May Appropriations are located on Page 26 on these Official Minutes)

CONTINUED DISCUSSION ON NURSE 1 SALARY ORDINANCE

Councilman Meyer: Council Business, Resolution, Rainy Day.

Councilman Richmond: So, we don't need to do (inaudible).

Krystal Powless: I think it was included in (inaudible).

Councilman Richmond: So, Salary Ordinance was included in the motion?

Councilman Meyer: Yes.

Councilman Richmond: Nurse 1? Okay.

COUNCIL BUSINESS
RAINY DAY FUND
RESOLUTION 2018-08 PASSAGE

Councilman Meyer: Do you have this Resolution for the Rainy Day?

Krystal Powless: I do.

Cliff Whitehead: Yes, I believe so.

Councilman Meyer: You do? Okay.

Krystal Powless: Hang on, I'll bring them over.

Councilman Meyer: Is this to move the money? Or what is this for?

Krystal Powless: Yes, hold on. Let me get back to the microphone. I asked Cliff to place this Resolution on the agenda because the supplement that we received could not be deposited directly into the Rainy Day Fund. It had to be split according to the Ordinance. So, since you guys had done a transfer from LIT in the past to Rainy Day, I thought you might want to go ahead and transfer their portion of the supplement to the Rainy Day Fund which is, what's the number? I just saw it.

Cliff Whitehead: Is it three-forty-two ($342,000.00)...?

Krystal Powless: Three-forty-two ($342,000.00)...

Cliff Whitehead: Yeah, three hundred and forty-two thousand four hundred and twenty-eight dollars ($342,428.00).

Krystal Powless: Yes.

Councilman Meyer: Okay, this is Resolution 2018...?

Krystal Powless: '08.

Councilman Meyer: '08.

Councilman Richmond: (Inaudible) both of them.

Councilman Meyer: I guess I need a motion to introduce.

Councilman Overton: Motion to introduce.

Councilman Hachmeister: Second.

County Council of Warrick County, Indiana, authorizing a transfer from the County's Local Income Tax Fund allocated to Economic Development Projects formerly known as the County Economic Development Income Tax allocated to the Rainy Day Fund. And that's the amount of the three-forty-two-four-twenty-eight ($342,428.00)?

Cliff Whitehead: Correct.

Councilman Meyer: Okay. Need a motion to approve or deny.

Councilman Overton: Motion to approve.

Councilman Hachmeister: Second.

Councilman Meyer: Motion made by ses...by Brad and seconded by David.

Councilman Overton: There you go.

Councilman Meyer: Yeah, I got it. To approve Resolution 2018-08. Any discussion? All those in favor? Opposed? Motion carries seven, zero (7-0).

(Resolution 2018-08 is located on Page 28 of these Official Minutes)

TRANSFER
SALARY ORDINANCE
OTHER SERVICES TO COUNCIL ADMINISTRATOR

Councilman Meyer: Okay, Council Business, Transfer, Transfer from Other Services to Council Administrator, one thousand nine hundred sixty-two dollars and thirty-eight cents ($1,962.38). This will be a vacation pay back for two (2) weeks.

Councilman Overton: Motion to approve per Salary Ordinance per, you know.

Councilman Meyer: Motion made by Brad and seconded by...?

Councilman Overton: Nobody yet?

Councilman Meyer: Nobody yet.

Councilman Richmond: I'll second it.

Councilman Meyer: By Greg. This is per our Handbook the sale back of two(2) weeks' vacation pay. All those in favor of the motion? Opposed? Motion carried seven, zero (7-0). Okay. Anybody from the audience want to address the Council?

Councilman Richmond: I need to go back on my notes. I'm still not straight on the vote on 11A.

Councilman Meyer: Okay.

Councilman Richmond: Because it's a deny.

Councilman Meyer: The motion was to deny.

Councilman Richmond: Okay.

Councilman Meyer: Paul made the motion, Brad seconded it.

Councilman Richmond: I got that.

Councilman Meyer: The yes's were Paul, me, and Brad.

Councilman Christmas: And the ones that said (inaudible).

Councilman Meyer: And the no's were Charlie, David, and Ted.

Cliff Whitehead: And Greg abstained.

Councilman Meyer: And Greg, yeah, you abstained.

Councilman Richmond: Okay, yeah. Thank you.

Councilman Meyer: Okay.

Councilman Overton: That's the last time you can ask us.

Councilman Richmond: Alright. I'm okay now.

Councilman Meyer: Any other Council member have anything to bring up? Our next meeting will be July 5 at 6:00 (PM).

Councilman Hachmeister: And everybody should have got a copy of the Farm Bureau Legislative Update, July 11th.

Councilman Richmond: I also wanted to mention the last Saturday of this month is the State Called County Council Meeting. It's up there at...

Councilman Meyer: I know.

Councilman Richmond: It's the most interesting meeting you can go to, because it is intense all day long. We go from laws that affect us, talking to other Council members and their problems and how they're solving them.

Councilman Hachmeister: (Inaudible) see what else I voted no on.

Councilman Meyer: I'd like to go but never mind.

Councilman Rudolph: I agree.

Councilman Meyer: Anybody else have anything? Okay, then July 5th, 6:00 (PM) is our next meeting. Looking for a motion.

Councilman Overton: Motion to adjourn.

Councilman Meyer: Meeting's adjourned.

ADJOURNMENT: Meeting adjourned at 7:32 PM.

WARRICK COUNTY COUNCIL

Gary Meyer, D.D.S., President

Greg Richmond, Vice President

David Hachmeister

Brad Overton

Ted Metzger

Charles R. Christmas

Paul Rudolph

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, IN

Minutes transcribed by Kristine Georges

Sec. 1 Be It ordained (resolved) by the Warrick County Council, Warrick County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the proposed specified, subject to the laws governing the same:

FUND	APPROPRIATION NUMBER	DESCRIPTION	AMOUNT REQUESTED	AMOUNT REQUIRED
Rainy Day	1186-000-4111.10	Expense	$164,500.00	164,500
Total Rainy Day			$164,500.00	164,500
Parks & Recreation	1219-000-4321.50	Trash Pickup	$3,500.00	3500
	1219-000-4314.00	Contractual Services	$4,000.00	4000
	1219-000-4245.40	Beach	$2,600.00	2600
Total Parks & Rec			$10,100.00	10,100
Highway	1176-102-4125.00	Heavy Equipment	$50,000.00	50,000
	1176-102-4232.00	Bituminous	$800,000.00	800,000
Total Highway			$850,000.00	850,000
Edit Construction	4903-000-4397.18	2018 Paving Proj.	$1,000,000.00	1,000,000
	4903-000-4350.00	"Greenlife" Access	$120,000.00	120,000
Total Edit Construction			$1,120,000.00	1,120,000.
Health	1159-000-4225.00	Animal Control Exp.	$5,805.00	5,805
	1159-000-4220.00	Vaxcare	$999.00	999
	1159-000-4115.00	Nurse 1	$927.66	927.66
	1159-000-4117.00	Pt Time Immun. Rep	$250.00	—
Total Health			$7,981.66	7,981.66
Local Health Maintenance	1168-000-4340.00	Vaccine	$3,005.00	3,005
	1168-000-4362.00	Equipment	$5,000.00	5,000
Total Health Maintenance			$8,005.00	8,005
Pre-Trial	2504-000-4385.00	Donation	$15,000.00	15,000
Total Pre-Trial			$15,000.00	15,000
Economic Dev.	1112-000-4517.75	"Greenlife" Access	$120,000.00	120,000
Total Economic Development			$120,000.00	120,000
Area Plan Commission	1000-115-4113.50	Assist. Exec. Direct.	$6,878.56	6,878.56
Total Area Plan Commission			$6,878.56	6,878.56
Superior Court I	1000-111-4189.00	Pauper Documents	$200,000.00	200,000
Total Superior Court I			$200,000.00	200,000
Commissioners	1000-116-4119.00	Administrator	$2,140.80	2,140.80
	1000-116-4314.00	Contractual Services	$10,000.00	10,000.00
Total Commissioners			$12,140.80	12,140.80
Sheriff	1000-113-4365.00	Repairs & Maintenance	$1,835.35	1,835.35
Total Sheriff			$1,835.35	1,835.35

Taxpayers appearing in the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the State Board of Tax Commissioners. The Board will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action.

Adopted this 14 day of June, 2018

AYE	NAY
	3A, 3D, 5E, 1D
	Emergency Processing
	Nay on Greenlife

Deborah Stevens
Auditor Warrick County

WARRICK COUNTY COUNCIL

RESOLUTION NO. 2018 - 27

A PRELIMINARY RESOLUTION DECLARING AN ECONOMIC REVITALIZATION AREA FOR REAL AND PERSONAL PROPERTY TAX PHASE IN
(Powerup Inc. d/b/a PBTT Corp.)

WHEREAS, Warrick County Council on August 6, 2015 approved Resolution No. 2015-12 a Resolution Confirming the Declaration of an Economic Revitalization Area for Real and Personal Property Tax Phase In wherein an Economic Revitalization Area was established for the property located at 5622 Vann Road, Newburgh, Indiana, Warrick County, Indiana (87-13-19-101-005.000-019 and 87-13-19-101-006.000-019) and more particularly described in Resolution No. 2015-12 a copy of which is attached hereto and made a part hereof and which property shall hereinafter be referred to as "Property"; and

WHEREAS, Resolution No. 2015-12 confirmed Warrick County Council Resolution 2015-11 wherein at Section 4 the designated Economic Revitalization Area for the Property is in effect up to and including June 1, 2020; and

WHEREAS, Powerup Inc. d/b/a PBTT Corp. (the "Applicant") has made application for the creation and/or extension of the Economic Revitalization Area pursuant to I.C. 6-1.1-12.1 et seq. for the Property till June 1, 2025 in order to receive tax phase in for real and personal property for three (3) planned projects to occur over approximately a three (3) to five (5) year period; and

WHEREAS, the Warrick County Economic Development Advisory Council ("EDAC") on the 17th day of May, 2018 received the Applicant's Statement of Benefits and Application for creation and/or continuation of Economic Revitalization Area and Tax Phase in and made a unanimous recommendation for approval by County Council; and

WHEREAS, Applicant intends to make real property improvements and renovations as well as purchase and installation of qualifying personal property in three (3) phases over approximately a three (3) to five (5) year period in approximate amounts and addition of new employees as more particularly described herein:

Phase 1:

Real property improvements - $200,000

Purchase and installation of personal property - $1,325,000

New employees – 23 employees

Phase 2:

Real property additions - $750,000

Purchase and installation of new personal property - $7,540,000

New employees – 54 employees

Phase 3:

Construct new building - $2,500,000

Purchase and installation of new personal property - $4,250,000

New employees – 25 employees

WHEREAS, said improvements to real property and installation of personal property at the Property in the three (3) phases will result in a total investment to real property in the approximate total amount of $3,450,000 and purchase and installation of personal property in the approximate total amount of $13,115,000 and the total of approximately 102 new employees; and

WHEREAS, the Property meets the criteria for designation and the continued designation as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1 et seq.

NOW, THEREFORE, BE IT RESOLVED by the Warrick County Council as follows:

SECTION 1: The Warrick County Council has reviewed the Statement of Benefits, the recommendation of EDAC and additional information submitted pursuant to I.C. 6-1.1-12.1 and make the following findings:

A. The estimate for value for both the redevelopment and/or rehabilitation of Property, the construction of structures on the Property and the installation of personal property to be used in manufacturing at the Property is reasonable for the projects of that type; and

B. The estimate of the number of individuals who will be employed by the project can be reasonably expected to result from the proposed redevelopment and/or rehabilitation, construction of structures, and the installation of personal property to be used for manufacturing at the Property;

C. The estimate of the annual salaries for those individuals who will be employed can reasonably be expected to result from the proposed project; and

D. The totality of benefits likely to accrue from the project is sufficient to justify a tax deduction for both real and personal property for each of the three phases as set forth herein; and

has been found to meet the requirements of an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1.

SECTION 2: Based on the following the Warrick County Council has determined that the purposes of I.C. 6-1.1-12.1 are served by allowing deductions for both real and personal property at the Property described herein and thereby declares that the Economic Revitalization Area previously established by Resolution 2015-12 and which was scheduled to terminate as of June 1, 2020, shall remain in effect and shall continue to be in effect up to and including June 1, 2025.

SECTION 3: Deductions for redevelopment and/or rehabilitation, construction of structures on the property, and the purchase and installation of personal property which shall take place within this Economic Revitalization Area in three (3) separate phases shall be allowed for a period of ten (10) years for each of the three (3) phases beginning with increases in assessed value resulting from the improvements of each of the three (3) separate phases.

SECTION 4: The Warrick County Auditor shall cause to be published notice of the adoption and substance of this Resolution in accordance with I.C. 5-3-1. Said notice complies with I.C. 6-1.1-12.1-2.5(c).

SECTION 5: This Resolution shall be in full force and effect from and after its passage and action.

PASSED this 14 day of June, 2018.

Warrick County Council

President

Vice President

Attest:

Warrick County Auditor

510483.459900/7685908.1

WARRICK COUNTY COUNCIL RESOLUTION NO. 2018 - 08

RESOLUTION OF THE COUNTY COUNCIL OF WARRICK COUNTY, INDIANA, AUTHORIZING A TRANSFER FROM THE COUNTY'S LOCAL INCOME TAX FUND ALLOCATED TO ECONOMIC DEVELOPMENT PROJECTS (FORMERLY KNOWN AS THE COUNTY ECONOMIC DEVELOPMENT INCOME TAX) ALLOCATED TO THE RAINY DAY FUND

WHEREAS, the County Council ("Council") of Warrick County, Indiana ("County") created its Rainy Day Fund (the "Fund"), by passage and adoption of Ordinance No. 2004-01, and thereafter amended, pursuant to I.C. § 36-1-8-5.1; and

WHEREAS, the County has imposed a county economic development income tax on the adjusted gross income of County taxpayers pursuant to Indiana Code 6-3.5-7, which law has been repealed and codified at Indiana Code 6-3.6 for the purpose of consolidating all local income taxes into a single article and reclassified as the economic development purposes and certified shares components of additional revenues derived from the expenditure rate tax under IC 6-3.6 (referred to herein as "LIT" and the revenues derived therefrom as "LIT Revenues"); and

WHEREAS, the Council has determined that it will be of public utility and benefit to transfer a portion of the County's distributions of LIT Revenues to the Rainy Day Fund and the Council now desires to do so as set forth herein; and

NOW, THEREFORE BE IT RESOLVED by the Council, as follows:

Section 1. The Council finds and determines that the transfer of $342,428.00 is permitted under Indiana law.

Section 2. The Council finds and determines that the amount being transferred, being $338,293.00, conforms to the statutory limitation provided in IC 36-1-8-5.1(d).

Section 3. The Council finds and determines that the transfer is not made from a debt service fund.

Section 4. Because of the findings in Sections 1, 2, and 3, *supra*, the Warrick County Treasurer is hereby directed to transfer $342,428.00 from the LIT Fund (formerly known as the EDIT Fund) for the purposes indicated herein.

Section 5. The President of the Council, County Treasurer, and County Auditor are hereby authorized to take all such actions and to execute all such instruments as are desirable to carry out the transactions contemplated by this Resolution, in such forms as such officer or member executing the same shall deem proper, to be conclusively evidenced by the execution thereof, and any and all actions previously taken, or documents previously executed, in connection with the transactions contemplated by this resolution are hereby ratified and approved.

PASSED this 14th day of June 2018.

Warrick County Council

Gary Meyer, D.D.S., President

Greg Richmond, Vice President

Charles R. Christmas

David Hachmeister

Paul Rudolph

Brad Overton

Ted Metzger

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, Indiana