

BE IT REMEMBERED THE HENRY COUNTY COUNCIL OF HENRY COUNTY, INDIANA, met in regular session in the Courthouse Circuit Courtroom, in the City of New Castle, Indiana on Wednesday, March 22, 2017 at 3:30 P.M., with the following members present: Nate Lamar, Steve Dugger, Richard Bouslog, Harold Griffin, Robin Reno-Fleming, Clay Morgan, Patricia A. French, Auditor, and County Attorney Joel Harvey.

The meeting was opened with the invocation given by Mr. Morgan followed with the Pledge to the Flag by Mr. Dugger.

A motion was made by Mr. Morgan and seconded by Mrs. Fleming to approve the minutes from the February 22, regular meeting. Motion carried 4-0.

Missy Modesitt gave an update on the Chamber of Commerce's annual dinner with guest speaker Tom Allen. REMC was named Henry County's Business of the Year and Dennis Hamilton was named Henry County's Citizen of the Year. Missy also stated that anyone interested in walking in the Memorial Day Parade needs to register online.

Corey Murphy, EDC Director, gave an update on the timeline of Micronutrients. Corey also announced the EDC annual meeting is the evening of April 24th in the REMC Community Room.

Corey Murphy, EDC Director, brought to the council an amended resolution to an abatement for NextEra. Mr. Murphy stated the council voted 6-0 in 2014 for the abatement. There will be no changes in locations or number of turbines, only a date change of when the abatement will start. The abatement start date will be 12-31-2018. Zack Milda and Mary Soliday spoke on behalf of NextEra and ensured the turbines are in total compliance and stated the project was delayed a year due to redesigning. The following people made comments: Judy Walker, Melissa Elmore, Bobbie Palmer, Dan Richey, Rosalyn Richey, Patsy Conyers and Dave Fisher. A motion was made by Mr. Dugger and seconded by Mrs. Fleming to approve the amended resolution and grant a 1 year extension. Motion carried 4-2, with Mr. Morgan and Mr. Griffin voting against.

RESOLUTION NO. 2017-2 (4-26)

COUNTY COUNCIL OF HENRY COUNTY, INDIANA

**RESOLUTION APPROVING REVISED STATEMENT OF BENEFITS AND RECONFIRMING GRANT OF REAL AND PERSONAL
PROPERTY TAX ABATEMENT**

West Fork Wind, LLC

WHEREAS, I.C. 6-1.1-12.1 allows an abatement of real and personal property taxes attributable to "redevelopment or rehabilitation" activities in "Economic Revitalization Areas;" and

WHEREAS, I.C. 6-1.1-12.1 empowers the Henry County Council ("Council") to designate an economic revitalization area ("ERA") by following a procedure involving the adoption of a preliminary resolution, provision of public notice, conducting of a public hearing and adoption of a final resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

WHEREAS, West Fork Wind, LLC, formerly known as Whitewater Wind, LLC ("West Fork Wind"), has an ownership interest in property in Dudley Township, in Henry County, Indiana, as shown on the project map attached hereto as Exhibit A (the "Subject Real Estate"), which is proposed for development of a commercial wind energy development (the "Project"); and

WHEREAS, on December 17, 2014, after final public hearing, the Council approved tax abatement for proposed redevelopment and rehabilitation of the Subject Real Estate and the proposed installation of new manufacturing equipment for the Project under a ten (10) year real property tax deduction and a ten (10) year personal property tax deduction schedule; and

WHEREAS, the Resolution approved on December 17, 2014, is attached hereto as Exhibit B; and

WHEREAS, due to delays in obtaining Project approvals in Rush County, the commencement of construction and completion date for the Project may be delayed accordingly; and

WHEREAS, West Fork Wind has submitted to the County Assessor, Auditor, and Council, a revised Statement of Benefit – SB-1 (Amended Statement) which describes the totality of benefits arising from the Project; and

WHEREAS, the Council has the authority to act pursuant to I.C. 6-1.1-12.1-11.3, among other provisions.

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED:

1. That the estimate of the value of the redevelopment or rehabilitation of the Subject Real Estate is reasonable for projects of that nature and the estimate of the cost of the new manufacturing equipment to be installed in connection with the proposed Project is reasonable for equipment of that type.
2. That the benefits described in the Amended Statement can reasonably be expected to result from the proposed redevelopment or rehabilitation of the Real Property and the proposed installation of new manufacturing equipment.
3. That the totality of benefits from the proposed redevelopment or rehabilitation of the Subject Real Estate and the proposed installation of new manufacturing equipment is sufficient to justify an abatement schedule under I.C. 6-1.1-12.1-17, including a ten-year real property tax deduction period and a ten-year personal property tax deduction schedule as specified herein.

NOW, THEREFORE, based on the foregoing, the Council, taking final action, further RESOLVES, FINDS AND DETERMINES:

1. That the Amended Statement submitted by West Fork Wind is hereby approved and acceptable.
2. That all prior actions of the Council as reflected herein are hereby confirmed and/or amended as specified herein, and West Fork Wind (including its successors and assigns with respect to the Project) is hereby entitled to real property tax deductions under I.C. 6-1.1-12.1-4 for the proposed redevelopment or rehabilitation of the Real Property as part of the Project for a period of ten years and in accordance with the following abatement schedule under I.C. 6-1.1-12.1-17, and personal property tax deductions under I.C. 6-1.1-12.1-4.5 for the proposed installation of new manufacturing equipment as part of the Project for a period of ten years, both in accordance with the following abatement schedule under I.C. 6-1.1-12.1-17 (all as in effect on the date hereof):

YEAR OF DEDUCTION	% ABATED
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

3. That this Resolution shall be effective immediately upon its passage.
4. That the Council shall cause this Resolution to be filed with the Henry County Assessor.
5. This Resolution is supplementary to and in addition to any prior resolutions and, to the extent any prior resolutions are inconsistent herewith, they are hereby modified.

A motion was made by Mr. Dugger and seconded by Mr. Morgan to approve the invoice from the Delaware County Jail in the amount of \$5,285.00 and the invoice from the Randolph County Jail in the amount of \$1,610.00 to be paid from LOIT. Motion carried 5-0.

A motion was made by Mr. Dugger and seconded by Mr. Griffin to proceed to negotiate with the city on renting the Ameriana Building on Broad Street for the county's detectives, the detectives are currently working from the men's dorm. Motion carried 5-0.

A motion was made by Mr. Bouslog and seconded by Mr. Morgan to approve the amended salary ordinance presented by Joni Williams, Community Corrections Director, to hire a case manager with a salary of \$34,698.00 and two part time field officers at \$15 per hour to be paid from a Veterans Treatment Court fund. Motion carried 5-0.

Aaron Benson addressed the Council regarding the YMCA's request to change their Food & Beverage project from a Building Expansion to paying off a loan, which would free up money to create more youth programs. Mr. Benson stated he would produce written letters from the Food & Beverage committee clarifying their decision to grant the Henry County YMCA \$100,000 to be applied for debt service. Mr. Benson will turn those letters into the Auditor's office. Discussion was held and concerns voiced by Mr. Morgan stating the county needed to be more "cautious" on how they handle the Food & Beverage money. After the discussion a motion was made by Mr. Bouslog and seconded by Mrs. Fleming to approve the request for the YMCA to change their Food & Beverage project from Building Expansion to a loan pay off in the amount of \$100,000. Motion carried 4-1, with Mr. Morgan voting against.

A motion was made by Mrs. Fleming and seconded by Mr. Morgan to approve paying a final bill for a Memorial Park vehicle in the amount of \$1,735.85. A transfer from LOIT Repair and Maintenance to LOIT Park Vehicle was approved for \$1,735.85. Motion carried 5-0.

Mr. Griffin gave an update on the Job Classification and Salary Advisory Committee meeting, he introduced Fred Hamlin to the committee and informed that reorganization will take place on the April 26th meeting.

A motion was made by Mr. Griffin and seconded by Mr. Bouslog to hold a public meeting on June 19th at 7:00 p.m. at the Smith Building with Council, Commissioners and Park Board all present. Motion carried 5-0.

Joe Wiley, Highway Supervisor, presented the highway annual report.

A motion was made by Mrs. Fleming and seconded by Mr. Griffin to adjourn the meeting. Motion carried 5-0.

Nate Lamar, President

Steve Dugger, Vice President

Harold Griffin

Robin Reno-Fleming

Richard Bouslog

Clay Morgan

ATTESTED BY: _____
Patricia A. French, Henry County Auditor