

IN THE MATTER OF WIC GRANT RENEWAL

Elizabeth Wheby requested the Fiscal Year 2017 WIC Grant renewal. This is a no match grant with two parts NSA WIC and Breast Feeding Peer Counseling. The new grant would start October 1, 2017 and go thru September 30, 2017.

Motion to approve the Fiscal Year 2017 WIC Grant was made by Toni Carter and seconded by John Nicoson. Motion carried 6 ayes.

IN THE MATTER OF BRAZIL AIRPORT

Ray Jones and Kip Clark board members of the Brazil Airport gave an update and a packet to the Council Members. Ray informed Council of their intention to cancel the phone at airport and will now use a track phone. Currently all the hangers are full, there is one large hanger that can hold 3 planes and there are only 2 in it. Council thanked the board members for the updates.

IN THE MATTER OF SEA67 SPECIAL DISTRIBUTION

Jennifer Flater stated the special onetime distribution money came in on April 26, 2016. The SEA 67 stated 75% is to be placed in a special fund for roads and the remaining 25% can be put in rainy day or county general.

Motion to put 25% of SEA67 Special Distribution money into Rainy Day Fund was made by Toni Carter and seconded by John Nicoson. Motion carried 6 ayes.

IN THE MATTER OF OTHER COUNTY BUSINESS

Larry Moss read Resolution 2015-5 first reading:

RESOLUTION NO. 2016-5

A Resolution of the County Council of
Clay County, Indiana, Designating an Area Within
Clay County, Indiana as an Economic Revitalization Area
for the Purpose of a Ten Year Real Property Tax Abatement

WHEREAS, a Petition for a ten (10) year real property tax abatement has been filed with the County Council of Clay County, Indiana (hereinafter "Council") requesting that the property described therein be designated an Economic Revitalization Area for purposes of real property tax abatement; and

WHEREAS, **JRG Materials, LLC**, (hereinafter the "petitioner,") has submitted a Statement of Benefits and provided all information and documentation necessary for the Council to make an informed decision, said information including a description of the real property which is more particularly described in Exhibit A.

WHEREAS, petitioner has represented and presented evidence that in connection with this Project it currently has an existing 2 full-time jobs with an annual payroll of \$160,000.00. Completion of this project will permit petitioner to maintain the existing full-time jobs and will create approximately 6 new permanent full-time jobs with a total annual payroll of approximately \$180,000.00. Petitioner has further represented and presented evidence that the cost of this project will be approximately \$90,000.00 for real property improvements and approximately \$455,000.00 for new equipment (the "manufacturing equipment").

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

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

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

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

1. The petitioner's estimate of the value of the redevelopment and rehabilitation and the project to be constructed on the subject real property is reasonable for projects of that nature in order to maintain, expand, update and improve opportunities in Clay County for manufacturing.

2. The petitioner's estimate of the number of individuals who will be employed and retained, and the benefit thereby, can reasonably be expected to result from the project and the redevelopment and rehabilitation.

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

4. That the benefits about which information has been requested can be expected to result from the project and the redevelopment and rehabilitation.

5. The totality of the benefits of the proposed redevelopment and rehabilitation can reasonably be expected to result from the project and are sufficient to justify a ten (10) year real property tax deduction from assessed valuation under Indiana statutes, in accord with the attached Deduction Schedule and each such deduction should be, and they are hereby, allowed in accord with the attached Abatement Schedule.

6. That the Council has considered the Petitioner's total investment in real and personal property, the number of new full-time equivalent jobs created by the Project, the average wage of the new employees compared to the State minimum wage and the infrastructure requirements for Petitioner's investment and, based on such factors, has determined that the petition for designating the subject property as an economic revitalization area for the purposes of ten (10) year real property tax abatement and the Statement of Benefits copies of which were submitted with the petitions are hereby approved and the Real Estate described hereinabove is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 et. seq., and petitioner is entitled to the ten (10) year real property tax abatement provided therein in accord with the attached Abatement Schedule for the proposed redevelopment and rehabilitation.

7. That notice hereof should be published according to law stating the adoption and substance hereof, that a copy of the description of the affected area is available for inspection in the County Assessor's Office and stating a date on which the Council will hear and receive remonstrances and objections and take final action, all as required by law and further notifying the taxpayers that the Council will conduct a hearing concerning the waiver of Petitioner's non-compliance with the requirement that a Statement of Benefits be filed before the initiation of the redevelopment.

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

9. That this abatement is subject to the terms and provisions of the Abatement Calculation Agreement entered by and between the Council and Petitioner pursuant to I.C. 6-1.1-12.1-2(i).

10. Pursuant to I.C. 6-1.1-12.1-14, the Council has, by Resolution No. 6-2008, established an Abatement Fee ("Abatement Fee"), Petitioner has been advised of said fee and agreed to the imposition of the Abatement Fee established by Resolution No. 6-2008, and the incorporation of such fee in this Resolution. Now, therefore, the Council incorporates herein the provisions of I.C. 6-1.1-12.1-14 and declares that the percentage to be applied by the County Auditor for purposes of Step Two of I.C. 6-1.1-12.1-14(c) is 5%.

Passed in Open Council this 2nd day of May, 2016.

CLAY COUNTY COUNCIL

Michael D. McCullough

Jacqueline Mitchell

Toni Carter

Larry J. Moss

Jason Britton

John Nicoson

Patricia Heffner

This instrument prepared by _____
Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN, LLP
511 Wabash Avenue, Terre Haute, IN 47807; (812) 232-6003.

DEDUCTION SCHEDULE

10 YEAR REAL PROPERTY

<i>YEAR OF DEDUCTION</i>	<i>PERCENTAGE</i>
1 ST	100%
2 ND	95%
3 RD	80%
4 TH	65%
5 TH	50%
6 TH	40%
7 TH	30%
8 TH	20%
9 TH	10%
10 TH	5%

Larry Moss read Resolution 2015-6 first reading:

RESOLUTION NO. 2016-6

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

WHEREAS, A Petition for a personal property tax abatement has been filed with the Council County of Clay County, Indiana, (hereinafter "Council") requesting that the property described therein be designated an Economic Revitalization Area for purposes of personal property tax abatement <and a separate Petition for Real Property Tax Abatement for real property redevelopment and rehabilitation> related to the acquisition of equipment, the "Project"; and

WHEREAS, **JRG Materials, LLC** (hereinafter the "petitioner") has submitted a Statement of Benefits and provided all information and documentation necessary for the County Council to make an informed decision, said information including a description of the real property which is more particularly described in Exhibit A.

WHEREAS, petitioner has represented and presented evidence that in connection with this Project it currently has an existing 2 full-time jobs with an annual payroll of \$160,000.00. Completion of this project will permit petitioner to maintain the existing full-time jobs and will create approximately 6 new permanent full-time jobs with a total annual payroll of approximately \$180,000.00. Petitioner has further represented and presented evidence that the cost of this project will be approximately \$90,000.00 for real property improvements and approximately \$455,000.00 for new equipment (the "manufacturing equipment").

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

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

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

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

1. The petitioner's estimate of the cost of new manufacturing equipment is reasonable for manufacturing equipment of that type in view of current technologies.
2. The petitioner's estimate of the number of individuals who will be employed and retained, and the benefits thereby, can reasonably be expected to result from the project and installation of new manufacturing equipment.
3. The petitioner's estimate of the annual salaries or wages of the individuals who will be employed and retained, and the benefit thereby, can reasonably be expected to result from the project and the installation of the new manufacturing equipment.

4. That the benefits about which information has been requested can reasonably be expected to result from the installation of the new manufacturing equipment.

5. Based upon: (1) the Petitioner's total investment in real and personal property; (2) the number of new full-time equivalent jobs created; (3) the average wage of the new employees compared to the State minimum wage; and (4) the infrastructure requirements for Petitioner's investment and the totality of the benefits of the proposed project and installation of the new manufacturing equipment are sufficient to justify personal property tax abatement over a five (5) year deduction period, in accord with the attached Deduction Schedule and each such deduction should be, and they are hereby, allowed in accord with the attached Abatement Schedule.

6. That the Statement of Benefits submitted to the Council is hereby approved and the Real Estate described in Exhibit A is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1, et seq. and petitioner is entitled to personal property tax abatement over a five (5) year deduction period as provided therein in accord with the attached Abatement Schedule for the proposed acquisition of the new manufacturing equipment.

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

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

9. That this abatement is subject to the terms and provisions of the Abatement Calculation Agreement entered by and between the Council and Petitioner pursuant to I.C. 6-1.1-12.1-2(i).

10. Pursuant to I.C. 6-1.1-12.1-14, the Council has, by Resolution No. 6-2008, established an Abatement Fee ("Abatement Fee"), Petitioner has been advised of said fee and agreed to the imposition of the Abatement Fee established by Resolution No. 6-2008, and the incorporation of such fee in this Resolution. Now, therefore, the Council incorporates herein the provisions of I.C. 6-1.1-12.1-14 and declares that the percentage to be applied by the County Auditor for purposes of Step Two of I.C. 6-1.1-12.1-14(c) is 5%.

Passed in Open Council this 2nd day of May, 2016.

CLAY COUNTY COUNCIL

Michael D. McCullough

Jacqueline Mitchell

Toni Carter

Larry J. Moss

Jason Britton

John Nicoson

Patricia Heffner

This instrument prepared by _____
Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN, LLP
511 Wabash Avenue, Terre Haute, IN 47807; (812) 232-6003.

DEDUCTION SCHEDULE

5 YEAR PERSONAL PROPERTY

<i>YEAR OF DEDUCTION</i>	<i>PERCENTAGE</i>
1 ST	100%
2 ND	80%
3 RD	60%
4 TH	40%
5 TH	20%
6 TH and thereafter	0%

Tracy Orman with Cox, Zwerner, Gambill, and Sullivan presented a Tax Abatement request for JRG Materials LLC. George Coleman is one of the owners and he answered several questions from the Council. This request is for Real Property for \$184,000.00 and Personal Property for \$455,000.00 and will be adding 6 new employees. If approved tonight Tracy will have everything ready for final approval at the June 6, 2016 Council Meeting.

Motion to approve 1st reading of Resolution 2016-5 for a Real Property Tax Abatement for JRG Materials LLC was made by Jackie Mitchell and seconded by Mike McCullough. Motion carried 6 ayes.

Motion to approve 1st reading of Resolution 2016-6 for a Personal Property Tax Abatement for JRG Materials LLC was made by Mike McCullough and seconded by Pat Heffner. Motion carried 6 ayes.

IN THE MATTER OF ADJOURNMENT

There being no further business, Pat Heffner made a motion to adjourn seconded by Toni Carter. Motion carried 6 ayes.

Members of the Clay County Council

Attest:

Clay County Auditor