

STATE OF INDIANA)
 SS)
 COUNTY OF CLAY)

Auditor Jennifer M Flater called the regular meeting of the Clay County Council to order on Monday, January 5, 2015, at 6:00 p.m. Council members present were Michael McCullough, Larry Moss, Patricia Heffner, Toni Carter, John Nicoson, Jason Britton and Jackie Mitchell. Auditor Jennifer M Flater made a record of the proceedings, to wit:

Jennifer called for nominations for 2015 Council President. Michael McCullough made a motion that Larry Moss, be President and seconded by Patricia Heffner. Motion carried 7 ayes. Larry Moss took over the meeting.

Michael McCullough made a motion that Toni Carter, be Vice President and seconded by John Nicoson. Motion carried 7 ayes.

Larry Moss led the Pledge of Allegiance and opening prayer was offered by Larry Moss.

A motion to approve the December 1, 2015, regular meeting minutes was made by Toni Carter and seconded by John Nicoson. Motion carried 7 ayes.

IN THE MATTER OF ADDITIONAL APPROPRIATION

Larry Moss read the following:

COUNTY EMERGENCY APPROPRIATION ORDINANCE

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

Sec.1. Be It Ordained by the County Council of Clay County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds names and for the purposes specified, subject to the laws governing the same:

		Aye	Nay
CAGIT CERTIFIED SHARES			
SHERIFF			
Personal Services			
Dep Chief (Lt)	\$45,922.00	7	_____
Process Civil Server	\$12,000.00	7	_____
Holiday Pay	\$20,000.00	7	_____
Full Time Clerical	\$28,988.00	7	_____
Overtime Pay	\$55,000.00	7	_____
FICA	\$55,000.00	7	_____
Unemployment Comp	\$ 7,695.00	7	_____
E911			
Personal Services			
Assistant Supervisor	\$30,389.00	7	_____
Chief Dispatch/911 Coordinator	\$33,766.00	7	_____
HIGHWAY			
ADMINISTRATION			
Personal Services			
Secretary	\$28,988.00	7	_____
SHERIFFS SALE FEE			
Other Services and Charges			
Contractual Services	\$ 200.00	7	_____

Presented to the Clay County Council, read in full and adopted this 5th day of January, 2015.

AYE	NAY
<u>Larry Moss /s/</u>	_____
<u>Toni Carter /s/</u>	_____
<u>Jason Britton /s/</u>	_____
<u>Jackie Mitchell /s/</u>	_____
<u>John Nicoson /s/</u>	_____

Michael McCullough /s/ _____

Patricia Heffner /s/ _____
Members of the Clay County Council

ATTEST: Jennifer M Flater /s/ _____
Jennifer Flater, Clay County Auditor

Pat Heffner made a motion to accept the additional for CAGIT Certified Shares for Sheriff Department in the amount of \$204,625.00, seconded by Jackie Mitchell. Motion carried 7 ayes

Toni Carter made a motion to accept the additional for CAGIT Certified Shares for E911 personal services in the amount of \$64,155.00, seconded by John Nicoson. Motion carried 7 ayes

Paul Sindere explained the request for Highway Administration personal services. John Nicoson made a motion to accept the additional for Highway Administration personal services and Sheriff Sale fees in the amount of \$28,988.00 and \$200.00, seconded by Jackie Mitchell. Motion carried 7 ayes.

IN THE MATTER OF 2015 APPOINTMENTS

Larry Moss made a motion to appoint Tom Ames to the WCIEDD Board, seconded by Toni Carter. Motion carried 7 ayes.

A motion to appoint James Mayrose to the ABC Board was made by Pat Heffner and seconded by Toni Carter. Motion carried 7 ayes.

A motion to appoint Tom Ames to the Clay County Economic Development Commission was made by Mike McCullough and seconded by Jackie Mitchell. Motion carried 7 ayes.

A motion to appoint Bill Sisson and Vickie Mace to the Clay County Redevelopment Commission was made by Jason Britton and seconded by Toni Carter. Motion carried 7 ayes.

A motion to appoint Jackie Mitchell to the Personnel Committee was made by Toni Carter and seconded by Jason Britton. Motion carried 7 ayes.

Jackie Mitchell made a motion to appoint Gerald Hardesty and Mendy Litz to the PTABOA for 2015 and seconded by Jason Britton. Motion carried 7 ayes.

IN THE MATTER OF RESOLUTION 1-2015- PDF 7 YEAR ABATEMENT

RESOLUTION NO. 2015- 1

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 County Council of Clay County, Indiana (hereinafter "County Council") requesting that the property described therein be designated an Economic Revitalization Area for purposes of personal property tax abatement; and

WHEREAS, **Process Development and Fabrication, Inc.** (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 132 full-time jobs with an annual payroll of \$5,134,000.00. Completion of this project will permit petitioner to maintain the existing full-time jobs and will create approximately 4 new permanent full-time jobs with a total annual payroll of approximately \$145,760.00. Petitioner has further represented and presented evidence that the cost of this project will be approximately \$662,000.00 for new equipment (the "manufacturing equipment").

WHEREAS, the County 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 County 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 County 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 County Council of Clay County, Indiana, 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. The totality of the benefits of the proposed project and installation of the new manufacturing equipment can reasonably be expected to result from the project and are sufficient to justify personal property tax abatement over a _____ year deduction period 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 Statement of Benefits submitted to the County 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 _____ 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 County Council of Clay County, Indiana 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 County Council of Clay County, Indiana, has, by Ordinance 3-2005, which was amended by Ordinance 11-2007, established an Abatement Fee, Petitioner has been advised of said fee and agreed to the imposition of the Abatement Fee established by Ordinance 3-2005, which was amended by Ordinance 11-2007, and the incorporation of such fee in this Resolution. Now, therefore, the County Council of Clay County, Indiana, 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 ____ day of _____, 2015.

CLAY COUNTY COUNCIL

Michael D McCullough /s/
Michael D. McCullough

Jacqueline Mitchell /s/
Jacqueline Mitchell

Toni Carter /s/
Toni Carter

Larry J Moss /s/
Larry J. Moss

Jason Britton /s/
Jason Britton

John Nicoson /s/
John Nicoson

Patricia Heffner /s/
Patricia Heffner

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

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12/30/2014

Tracy Orman, from Cox, Zwerner, Gambill, & Sullivan appeared before the council to ask them to grant seven year abatement for PDF Inc. on equipment they plan to purchase. Pat Heffner made a motion to accept Resolution 1-2015, seconded by mike McCullough. Motion carried 7 ayes.

IN THE MATTER OF PROSECUTOR ROBERT PELL

Robert Pell explained he needed the Council President to sign the state required form stating that he is a full time Prosecutor for Clay County. Larry Moss signed the form.

IN THE MATTER OF ORDINANCE 2-2015

ORDINANCE 2-2015

AMENDED SALARY ORDINANCE

An ordinance setting compensation for certain County Employees, for the calendar year 2015.

Be it ordained by the County Council of Clay County, Indiana as follows:

CAGIT CERTIFIED SHARES

Recorder

Deputy

\$ 28,988.00

Effective January 1, 2015. Presented to the Clay County Council for first reading this 5^h day of January, 2015, and set for approval the **2nd** day of February, 2015.

AYE

NAY

Larry Moss /s/

Michael McCullough /s/

Jason Britton /s/

Jacqueline Mitchell /s/

John Nicoson /s/

Patricia Heffner /s/

Toni Carter /s/

Members of the Clay County Council

ATTEST:

Clay County Auditor

Mike McCullough made a motion to suspend the rules and pass on first reading, seconded by Toni Carter. Motion carried 7 ayes.

Mike McCullough made a motion to accept Ordinance 2-2015 as presented, seconded by Pat Heffner. Motion carried 7 ayes.

IN THE MATTER OF ADJOURNMENT

There being no further business, John Nicoson made a motion to adjourn seconded by Pat Heffner. Motion carried 7 ayes.

Members of the Clay County Council

Attest:

Clay County Auditor