

STATE OF INDIANA)
 SS)
 COUNTY OF CLAY)

Council President Larry Moss called the regular meeting of the Clay County Council to order on Monday, February 2, 2015, at 6:00 p.m. Council members present were Larry Moss, Michael McCullough, Toni Carter, John Nicoson, Pat Heffner, Jason Britton and Jackie Mitchell. Auditor Jennifer M Flater made a record of the proceedings, to wit:

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

A motion to approve the January 5, 2015, regular meeting minutes was made by Toni Carter and seconded by Jackie Mitchell. Motion carried 7 ayes.

IN THE MATTER OF ESTABLISHING ADVISORY COUNCIL FOR EMA

Bryan Husband explained his request for an Advisory Council, it is a law that the State is now enforcing. The board would consist of President of Commissioner's, President of Council, Mayor of each city located in the County, an individual representing the legislative bodies of all towns located in the County, and representatives of private and public agencies. Advisory Council would meet either monthly or quarterly. Council. Larry will discuss with the Council Members and will decide who will be on advisory council.

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			
TREASURER			
Personal Services			
Deputy	\$1807.78	<u>7</u>	_____
JAIL			
Personal Services			
Matron	\$1,082.16	<u>7</u>	_____
TOTAL	\$1,481.00		
HIGHWAY			
UNDISTRIBUTED EXPENSE			
Other Services and Charges			
GPS Monthly Service Fee	\$3,000.00	<u>7</u>	_____
Capital Outlay			
GPS Tracking	\$2,000.00	<u>7</u>	_____
COMMISSION FOR DRUG FREE COMMUNITY			
Personal Services			
Administration	\$3,911.00	<u>7</u>	_____
Other Services and Charges			
Prevention Grants	\$7,500.00	<u>7</u>	_____
Treatment Grants	\$7,000.00	<u>7</u>	_____
Justice Grants	\$6,136.00	<u>7</u>	_____
LOIT PUBLIC SAFETY			
SHERIFF			
Capital Outlay			
K-9 Dog Purchase	\$30,000.00	<u>Tabled 7-0</u>	_____
BRAZIL CITY/NORTH CENTRAL TIF			
Other Services and Charges			
Reimbursement of Costs	\$38,000.00	<u>7</u>	_____

Presented to the Clay County Council, read in full and adopted this 2nd day of February, 2015.

AYE
NAY

Larry Moss /s/

Toni Carter /s/ _____
Jason Britton /s/ _____
Jackie Mitchell /s/ _____
John Nicoson /s/ _____
Michael McCullough /s/ _____
Patricia Heffner /s/ _____
 Members of the Clay County Council

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

Sam Glover explained the additional for the treasurer's office was due to the fact the office had to let an employee go when he took office because he asked Debbie James to stay as the first deputy. Pat Heffner made a motion to accept the additional for CAGIT Certified Shares for Treasure's office personal services in the amount of \$1,807.78, seconded by John Nicoson. Motion carried 7 ayes.

Sheriff Paul Harden explained the additional for Matron. Toni Carter made a motion to accept the additional for CAGIT Certified Shares for Jail Matron in the amount of \$1,082.16, seconded by Jackie Mitchell. Motion carried 7 ayes.

Tony Fenwick discussed the additional for the Clay County Highway for GPS tracking and GPS monthly service fee. Mike McCullough made a motion to accept the additional for Highway in the amount of \$5,000.00, seconded by John Nicoson. Motion carried 7 ayes.

Scott Stuckey explained that the money is from the state for four grants Local Drug Fee Communities Fund. Jason Britton made a motion to accept the additional for all 4 grants in the amount of \$24,457.00, seconded by Pat Heffner. Motion carried 7 ayes.

Josh Clarke explained the need for two new K-9 dog purchase from LOIT. It will cost \$14,000.00 per dog for their lodging and training. After much discussion it was decided to give Josh a verbal go ahead and start the process for the purchase. John Nicoson made a motion to table this item until next month and a new request is made from County General and seconded by Mike McCullough. Motion carried 7 ayes.

Jennifer Flater explained the request from Brazil City/North Central TIF district, the money should have been budgeted in August and due to the new requirements that all TIF districts have a budget this particular TIF got overlooked. The money is to pay Brazil City for the Pogues Run Detention Pond. Pat Heffner made a motion to accept the additional for North Central TIF in the amount of \$38,000.00, 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 for final approval on a seven year abatement for PDF Inc. on equipment they plan to purchase. Kenny Maurer and Jason Maurer discussed what the new equipment can do. Pat Heffner made a motion to accept Resolution 1-2015, seconded by Toni Carter. Motion carried 7 ayes.

ORDINANCE 4-2015

AMENDED SALARY ORDINANCE

Larry Moss read in full the following:

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

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

VOCA GRANT		
Victims Advocate	\$	13.50 Hourly
STOP GRANT		
Advocate	\$	13.50 Hourly

Presented to the Clay County Council, for first reading 2nd day of February, 2015.
Approved by the following vote on February 2, 2015.

AYE	NAY
<u>Larry Moss /s/</u>	_____
<u>Michael McCullough /s/</u>	_____
<u>Jason Britton /s/</u>	_____
<u>Jacqueline Mitchell /s/</u>	_____
<u>John Nicoson /s/</u>	_____
<u>Patricia Heffner /s/</u>	_____
<u>Toni Carter /s/</u>	_____
Members of the Clay County Council	

ATTEST:

Jennifer M Flater /s/
Clay County Auditor

Robert Pell explained that the STOP and VOCA grants were not being paid at the maximum amounts and if the monies are not used the state will decrease the grant amount.

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

John Nicoson made a motion to accept Ordinance 4-2015 as presented, seconded by Jackie Mitchell. Motion carried 7 ayes.

ORDINANCE 3-2015

AMENDED SALARY ORDINANCE

Larry Moss read in full the following:

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:

LHD TRUST ACCOUNT		
Public Health Nurse	\$	1,500.00 Salary
Registrar	\$	1,500.00 Salary
Secretary	\$	1,500.00 Salary
Environmentalist	\$	1,500.00Salary
HEALTH MAINTENANCE FUND		
Community Health Educator	\$	18.50 Hourly
Health Dept Assistant	\$	12.50 Hourly
EMERGENCY PREPAREDNESS FUND		
Emergency Preparedness Coordinator	\$	18.50 Hourly

CAGIT CERTIFIED SHARES

Jail

Matron

\$ 37,310.00 Salary

Presented to the Clay County Council, for first reading 2nd day of February, 2015.
Approved by the following vote on February 2, 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:

Jennifer M Flater /s/
Clay County Auditor

Kim Hyatt explained the LHD Trust, Health Maintenance Fund, Emergency Preparedness Fund to the Council and that they are all grant monies. Sheriff Paul Harden explained that the Matron salary is to be at the same rate as the lowest paid deputy, and due to rounding ordinance 18-2014 had the Matron salary as \$37,309.00 instead of \$37,310.00

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

Mike McCullough made a motion to accept Ordinance 3-2015 as presented, seconded by John Nicoson. Motion carried 7 ayes.

IN THE MATTER OF ADJOURNMENT

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

Members of the Clay County Council

Attest:

Clay County Auditor