

SEPTEMBER 13, 2021

REGULAR SESSION

The LaGrange County Council met in Regular Session on Monday, September 13, 2021 at their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana 46761, at 8:30 a.m., with the following present: with the following present: Council Members, Jeffrey L. Brill, Harold D. Gingerich, Steven E. McKowen, Ryan J. Riegsecker, Michael G. Strawser and James R. Young; and LaGrange County Auditor, Kathryn Hopper. Councilman, Mr. Charles F. Ashcraft was absent. Mr. Mike Strawser brought the meeting to order and lead the reciting of the Pledge of Allegiance to the Flag.

KZRV, L.P AND KZ TAX ABATEMENT

Mr. Bill Bradley, LaGrange County Economic Development Corporation President, explained that KZRV, L.P and KZ, Inc. are requesting a tax abatement for 10 years on real property and 5 years on personal property. They are looking at an expansion of approximately \$9.6 million.

Mr. Delbert Miller, Vice President of Corporate Industrial Relations explained that they are looking at a warehouse expansion, a new customer service center, and various upgrades. They are hoping to add at least 160 new jobs.

The following Resolution was presented for consideration:

**COUNTY OF LAGRANGE
RESOLUTION 2021-09-13 A**

A RESOLUTION OF THE LAGRANGE COUNTY COUNCIL FOR THE DEDUCTION FROM ASSESSED VALUATION FOR THE INSTALLATION OF NEW MANUFACTURING EQUIPMENT, FOR THE INSTALLATION OF NEW LOGISTICAL DISTRIBUTION EQUIPMENT, AND THE REDEVELOPMENT OR REHABILITATION OF REAL PROPERTY – KZRV, L.P. AND KZ, INC.

WHEREAS, the County Council (the "Council") of the County of LaGrange, Indiana (the "County"), has hereto before found pursuant to I.C. §6-1.1-12.1 (the "Act"), and Resolution 2010-3-8a, as amended by Resolution 2010-04-12a (collectively the "ERA Designation Resolution"), that the real estate described on Exhibit "A" attached hereto and incorporated herein is, and within, an Economic Revitalization Area; and

WHEREAS, the ERA Designation Resolution provided for deductions from assessed valuation for the installation of new manufacturing equipment, for deductions from assessed valuation for the installation of new logistical distribution equipment, and for deductions from assessed valuation for redevelopment or rehabilitation of real property; and

WHEREAS, KZRV, L.P. (the "Equipment Applicant") has paid all required filing fees and, pursuant to the ERA Designation Resolution, has filed with the Council a Statement of Benefits Personal Property/Form SB-1/PP for the installation of new manufacturing equipment and for the installation of new logistical distribution equipment for consideration and approval, a copy of which is attached hereto as Exhibit "B" and incorporated herein; and

WHEREAS, KZ, Inc. (the "Real Estate Applicant" and along with the Equipment Applicant, collectively, the "Applicants") has paid all required filing fees and, pursuant to the ERA Designation Resolution, has filed with the Council a Statement of Benefits Real Estate Improvements/Form SB-1/Real Property regarding the redevelopment or rehabilitation of real estate for consideration and approval, a copy of which is attached hereto as Exhibit "C" and incorporated herein; and

WHEREAS, said Statement of Benefits of the Equipment Applicant and the Real Estate Applicant (collectively, the "Statements of Benefits") have been reviewed by the Council and duly considered at a duly held public meeting of said Council; and

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNTY COUNCIL OF THE COUNTY OF LAGRANGE, INDIANA, THAT:

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SECTION I

The Council makes and confirms those findings necessary for approving the Statements of Benefits, those findings being to-wit:

1. The said described real estate is located within the jurisdiction of the Council for purposes set forth in I.C. §6-1.1-12.1-2; and
2. That the installation of new manufacturing equipment, the installation of new logistical distribution equipment, and the redevelopment or rehabilitation of real estate described herein would be of public utility and would be to the benefit and welfare of all citizens and taxpayers of the County; and
3. That the approval of the Statements of Benefits will assist in the inducement of a project that will provide employment opportunity to residents of the County; and
4. That the estimated increase in employment, increase in annual salaries, and the cost value of the installation of new manufacturing equipment, the installation of new logistical distribution equipment, and the redevelopment or rehabilitation of real estate, each as set forth in the Statements of Benefits are reasonably expected to occur as a result of the proposed project thus justifying the deductions; and
5. That the estimate of the cost of the new manufacturing equipment and the installation of new logistical distribution equipment is reasonable for equipment of the types set forth by the Equipment Applicant in the Statements of Benefits; the estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the installation of new manufacturing equipment and the installation of new logistical distribution equipment; the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed installation of new manufacturing equipment and the installation of new logistical distribution equipment; and the totality of benefits, is sufficient to justify the deduction.
6. That the estimate of the value of the redevelopment or the rehabilitation is reasonable for projects of the nature set forth by the Real Estate Applicant in the Statements of Benefits; the estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed redevelopment or rehabilitation of the real estate; the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed redevelopment or rehabilitation of real estate; and the totality of benefits is sufficient to justify the deduction.

SECTION II

Pursuant to the ERA Designation Resolution, the type of deductions that are allowed by this Resolution is limited to the installation of new manufacturing equipment, the installation of new logistical distribution equipment, and the redevelopment or rehabilitation of real estate. This limitation on the type of deduction allowed is established pursuant to I.C. §6-1.1-12.1-2(i)(2).

SECTION III

Based on the Statement of Benefits submitted by the Equipment Applicant, including: (i) the total amount of the Equipment Applicant's investment in real and personal property; (ii) the number of new full-time equivalent jobs created; (iii) the average wage of the new employees compared to the state minimum wage; and (iv) the infrastructure requirements for the Equipment Applicant's investment, the Council authorizes that the deduction from assessed valuation for the installation of new manufacturing equipment shall be for a period of five (5) years. This time limitation is established pursuant to I.C. §6-1.1-12.1-4.5(e) and I.C. §6-1.1-12.1-17.

Pursuant to I.C. §6-1.1-12.1-4.5(c) and I.C. §6-1.1-12.1-17, the percentage to be used in calculating the deduction shall be as follows:

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Year of Deduction	Percentage
1st	100%
2nd	80%
3rd	60%
4th	40%
5th	20%

The amount of deduction applicable to the installation of new manufacturing equipment pursuant to this Resolution is limited to the amounts set forth in the approved Statement of Benefits filed by the Equipment Applicant. This limitation on the amount of the deduction is established pursuant to I.C. §6-1.1-12.1-2(i)(3).

SECTION IV

Based on the Statement of Benefits submitted by the Equipment Applicant, including: (i) the total amount of the Equipment Applicant's investment in real and personal property; (ii) the number of new full-time equivalent jobs created; (iii) the average wage of the new employees compared to the state minimum wage; and (iv) the infrastructure requirements for the Equipment Applicant's investment, the Council authorizes that the deduction from assessed valuation for the installation of new logistical distribution equipment shall be for a period of five (5) years. This time limitation is established pursuant to I.C. §6-1.1-12.1-4.5(e) and I.C. §6-1.1-12.1-17.

Pursuant to I.C. §6-1.1-12.1-4.5(c) and I.C. §6-1.1-12.1-17, the percentage to be used in calculating the deduction shall be as follows:

Year of Deduction	Percentage
1st	100%
2nd	80%
3rd	60%
4th	40%
5th	20%

The amount of deduction applicable to the installation of new logistical distribution equipment pursuant to this Resolution is limited to the amounts set forth in the approved Statement of Benefits filed by the Equipment Applicant. This limitation on the amount of the deduction is established pursuant to I.C. §6-1.1-12.1-2(i)(3).

SECTION V

Based on the information provided in the Statement of Benefits submitted by the Real Estate Applicant, including: (i) the total amount of the Real Estate Applicant's investment in real and personal property; (ii) the number of new full-time equivalent jobs created; (iii) the average wage of the new employees compared to the state minimum wage; and (iv) the infrastructure requirements for the Real Estate Applicant's investment, the Council authorizes that the deduction from assessed valuation for the redevelopment or rehabilitation of real estate shall be for a period of ten (10) years. This time limitation is established pursuant to I.C. §6-1.1-12.1-3(c) and I.C. §6-1.1-12.1-17.

Pursuant to I.C. §6-1.1-12.1-4(a) and I.C. §6-1.1-12.1-17, the percentage to be used in calculating the deduction shall be as follows:

Year of Deduction	Percentage
1st	100%
2nd	90%
3rd	80%

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4th	70%
5th	60%
6th	50%
7th	40%
8th	30%
9th	20%
10th	10%

The amount of deduction applicable to the redevelopment or rehabilitation of real estate pursuant to this Resolution is limited to the amounts set forth in the approved Statement of Benefits filed by the Real Estate Applicant. This limitation on the amount of the deduction is established pursuant to I.C. §6-1.1-12.1-2(i)(4).

SECTION VI

The Equipment Applicant is responsible for timely filing any deduction application forms and certified deduction schedules and personal property returns with the Township Assessor of the township in which the new manufacturing equipment and new logistical distribution equipment is located (or with the County Assessor if there is no Township Assessor for the Township) within the time periods set forth in the Act.

SECTION VII

The Applicants must provide the LaGrange County Auditor and the County, at the time of filing a deduction, and updated within sixty (60) days after the end of each year in which a deduction is applicable, information showing the extent to which the Applicants have been in compliance with the signed Statements of Benefits in accordance with the Act.

SECTION VIII

The Council incorporates I.C. §6-1.1-12.1-12 into this Resolution. The County desires, with the consent of the Applicants, to incorporate I.C. §6-1.1.1-12.1-14 into this Resolution for the purposes of permitting the County to charge the fee provided in said statute. For purposes of the calculation contained in I.C. §6-1.1.1-12.1-14(c), the percentage amount shall be equal to three percent (3.0%). The Council shall apply the fee collected as provided herein to one or more public or nonprofit entities established to promote economic development within the boundaries of the County and shall identify such entities to the LaGrange County Auditor as set forth in I.C. §6-1.1.1-12.1-14. Any Tax Abatement Agreement between the Applicants and the County related to the deductions from assessed valuation for the installation of new manufacturing equipment, the installation of new logistical distribution equipment, and for deductions from assessed valuation for redevelopment or rehabilitation of real property approved by this Resolution is hereby confirmed and ratified and any proper officer of the Council is authorized to sign the same on behalf of the Council.

SECTION IX

No part of this Resolution shall be interpreted to conflict with any local, state or federal laws, and all reasonable efforts should be made to harmonize the same. Should any section or part thereof of the Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Resolution as a whole, or any other portion thereof other than that portion so declared to be invalid, and for this purpose the provisions of the Resolution are hereby declared severable.

SECTION X

This Resolution shall be effective upon promulgation according to law.

Mr. Steven McKowen made a motion to approve the tax abatement Resolution, the tax abatement agreement, and the memorandum for Tax abatement agreement for KZRV, L.P and KZ, Inc. Mr. Ryan Riegsecker seconded the motion and it carried unanimously. Mr. Harold Gingerich made a motion to waive the requirement for second reading Mr. Jeff Brill seconded the motion and it carried unanimously.

2022 BUDGET

At 8:45 a.m. Mr. Mike Strawser opened the public hearing on the 2022 budget.

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Mr. Harold Gingerich reported that the employee wage committee met recently and has the following recommendations for 2022:

- 5% pay increase across the board
- Maintenance: Director salary at \$55,000
- Park: Part Time Park Ranger at \$17.50 hour
- Soil and Water: Office Coordinator at \$19.00 hour
- Highway: Implement proposed Operator pay scale
- Auditor: Auditor and Chief Deputy Auditor 6% pay increase
- Highway: Additional 2 Truck Drivers
- Sheriff: Additional 2 Jail Officers
- Circuit Court: Additional Court Reporter
- Prosecutor: Change one Paralegal position from hourly to salary, subject to job description
- Prosecutor: Ticket Clerk from part time to full time

Mr. Steven McKowen made a motion to accept the recommendations as presented. Mr. Jim Young seconded the motion and it carried unanimously.

Mr. Steven McKowen made a motion to include a Human Resources Director for 2022. Mr. Harold Gingerich seconded the motion and it carried unanimously.

After discussion, the Council wants to remove the legal fees line item from the County General Fund – Surveyor budget and pay the legal fees out the funds allocated for the County legal fees.

Mr. Steven McKowen made a motion to give all board members a \$5.00 per meeting pay increase for 2022. Mr. Jim Young seconded the motion and it carried unanimously.

Mr. Harold Gingerich made a motion to remove the legal fees line item from the Health Department. Mr. Steven McKowen seconded the motion and it carried unanimously.

Mr. Harold Gingerich made a motion to increase the Coroner's deputy calls from \$200 to \$250 per call. Mr. Jeff Brill seconded the motion and it carried unanimously.

Mr. Mike Strawser closed the public hearing on the 2022 budget.

ORDINANCE APPROVING EXPENSES OUT OF RECORDER'S RECORDS PERPETUATION FUND

Mrs. Kathryn Hopper, County Auditor, presented the following Ordinance for the Recorder's Records Perpetuation Fund:

LAGRANGE COUNTY COUNCIL ORDINANCE 2021-09-13

ORDINANCE APPROVING THE LAGRANGE COUNTY RECORDER'S REQUEST TO PARTIALLY FUND THE RECORDER'S OFFICE EXPENSES OUT OF THE RECORDER'S RECORDS PERPETUATION FUND

WHEREAS, The LaGrange County Recorder has submitted the sworn statement dated September 13, 2021 (see Exhibit A) to the Lagrange County Council as the fiscal body of LaGrange County, as required in IC 36-2-7-10.2; and

WHEREAS, the LaGrange County Recorder requests that the Recorder's Record Perpetuation Fund be used to cover a portion of the expenses of the Recorder's office in calendar year 2022; and

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WHEREAS, IC 36-2-7-10.2(b)(2) requires that the LaGrange County Council approve sufficient money from the Recorder's Records Perpetuation Fund but not in excess of the amount requested by the County Recorder.

NOW, THEREFORE, the LaGrange County Council approves the use of the Recorder's Records Perpetuation Fund to cover a portion of the expenses of the LaGrange County Recorder's Office for the 2022 calendar year.

Mr. Jeff Brill made a motion to approve the Ordinance. Mr. Harold Gingerich seconded the motion and it carried unanimously. Mr. Harold Gingerich made a motion to waive the requirement for second reading. Mr. Ryan Riegsecker seconded the motion and it carried unanimously.

2022 COUNCIL MEETINGS

Mr. Jim Young made a motion to approve the 2022 Council meeting schedule. Mr. Ryan Riegsecker seconded the motion and it carried unanimously.

RESOLUTION TO TRANSFER FUNDS

Mr. Mike Strawser read the following Resolution to Transfer Funds:

RESOLUTION TO TRANSFER FUNDS

BE IT HEREBY RESOLVED THAT the following increases and decreases be made in order to meet the expenses of the units of government for the year 2021.

	<u>DECREASE</u>	<u>INCREASE</u>
<u>COUNTY GENERAL – CORONER</u>		
1000-007-02-2040 Uniforms	932.00	
1000-007-04-4010 Furniture & Equipment		932.00
<u>COUNTY GENERAL – SUPERIOR COURT</u>		
1000-037-03-3012 Travel / Mileage	500.00	
1000-037-01-1510 Extra Hours / Overtime		500.00
1000-037-03-3108 Indigent Appeals	1,478.00	
1000-037-04-4010 Equipment		1,478.00
<u>SUPPLEMENTAL JUVENILE PROBATION</u>		
2152-000-01-1510 Extra Hours / Overtime	800.00	
2152-000-03-3010 Travel / Mileage		800.00
<u>ECONOMIC DEVELOPMENT AREA #2</u>		
4502-000-03-3003 Reimbursement Costs	93,977.00	
4502-000-04-4016 Fire well		39,200.00
4502-000-04-4017 Lima Twp – generator		5,087.00
4502-000-04-4018 Tornado Sirens		49,690.00

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97.067 HOMELAND SECURITY COMMAND VEHICLE

8206-000-04-4002 Equipment for Mobile Command

6,500.00

8206-000-04-4003 IT Equipment for Mobile Command

6,500.00

Mr. Harold Gingerich made a motion to approve the Resolution. Mr. Steven McKowen seconded the motion and it carried unanimously.

LEGAL CLAIMS

Mr. Harold Gingerich presented the July 2021 legal claims in the amount of \$13,638.50 from Beers Mallers. Mr. Harold Gingerich made a motion to approve. Mr. Jim Young seconded the motion and it carried unanimously.

MINUTES

Mr. Ryan Riegsecker made a motion to approve the August 9, 2021 regular session minutes. Mr. Jim Young seconded the motion and it carried unanimously.

ADJOURNMENT

There being nothing further to come before the Board at this time, Mr. Ryan Riegsecker made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Jim Young seconded the motion and it carried unanimously.

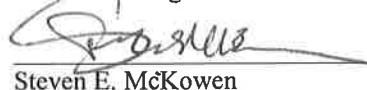
ABSENT

Charles F. Ashcraft


Jeffrey L. Brill

HAROLD GINGERICH /S/

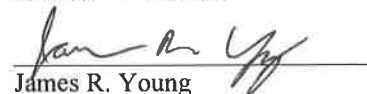
Harold D. Gingerich


Steven E. McKowen

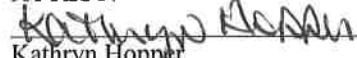
ABSENT

Ryan J. Riegsecker


Michael G. Strawser


James R. Young

ATTEST:


Kathryn Hopper
LaGrange County Auditor