

**MARCH 14, 2022**

**REGULAR SESSION**

The LaGrange County Council met in Regular Session on Monday, March 14, 2022, at their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana 46761, at 8:30 a.m., with the following present: Council Members, Charles F. Ashcraft, Jeffrey L. Brill, Harold D. Gingerich, Ryan J. Riegsecker, Michael G. Strawser, and James Young; and LaGrange County Auditor, Kathryn Hopper. Mr. Steven E. McKowen was absent. Mr. Mike Strawser brought the meeting to order and led the Pledge of Allegiance to the Flag.

**RESOLUTION OF THE LAGRANGE COUNTY COUNCIL FOR THE DEDUCTION FROM ASSESSED VALUATION FOR THE REDEVELOPMENT OR REHABILITATION OF REAL PROPERTY – ATJ REAL ESTATE HOLDING LLC**

Mrs. Sherri Johnston, President of the LaGrange County Economic Development Corporation, explained that ATJ Real Estate Holding LLC is applying for a tax abatement. The land is currently bare ground and would be leased to Cruiser RV. Mr. Anujeet Sahni with ATJ Real Estate Holding LLC, explained that the operation would be a new 120,000 square foot building and would create sixty jobs. The following Resolution was presented for consideration:

**COUNTY OF LAGRANGE  
RESOLUTION 2022-03-14**

**A RESOLUTION OF THE LAGRANGE COUNTY COUNCIL FOR THE DEDUCTION FROM ASSESSED VALUATION FOR THE REDEVELOPMENT OR REHABILITATION OF REAL PROPERTY – ATJ REAL ESTATE HOLDING LLC**

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 redevelopment or rehabilitation of real property; and

WHEREAS, ATJ Real Estate Holding, LLC, a Michigan limited liability company (the "Applicant") 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 "B" and incorporated herein; and

WHEREAS, said Statement of Benefits of the Applicant (the "Statement 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:

**SECTION I**

The Council makes and confirms those findings necessary for approving the Statement 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 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

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3. That the approval of the Statement 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 redevelopment or rehabilitation of real estate, each as set forth in the Statement 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 value of the redevelopment or the rehabilitation is reasonable for projects of the nature set forth by the Applicant in the Statement 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 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 information provided in the Statement of Benefits submitted by the Applicant, including: (i) the total amount of the 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 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%
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 Applicant. This limitation on the amount of the deduction is established pursuant to I.C. §6-1.1-12.1-2(i)(4).

SECTION IV

The Applicant 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 Applicant has been in compliance with the signed Statement of Benefits in accordance with the Act.

SECTION V

The Council incorporates I.C. §6-1.1-12.1-12 into this Resolution. The County desires, with the consent of the Applicant, to incorporate I.C. §6-1.1-12.1-14 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. §6-1.1-12.1-14(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

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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 Applicant and the County related to the deductions from assessed valuation for the 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 VI**

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 VII**

This Resolution shall be effective upon promulgation according to law.

Mr. Ryan Riegsecker made a motion to approve the Ordinance. Mr. Charles Ashcraft seconded the motion and it carried with Mr. Jim Young opposing. Mr. Harold Gingerich made a motion to waive the requirement for second reading. Mr. Ryan Riegsecker seconded the motion and it carried unanimously.

**ADDITIONAL APPROPRIATIONS**

Mr. Mike Strawser read the following Ordinance of Additional Appropriations:

**ORDINANCE OF ADDITIONAL APPROPRIATIONS**

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 LaGrange County Council, LaGrange, Indiana, that for the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein named for the purposes herein specified, subject to the laws governing the same.

**REQUESTED  
AMOUNT**

**RECORDER'S PERPETUATION**

1189-000-03-3100

4,442.32

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

**RESOLUTION TO TRANSFER FUNDS**

Mr. Mike Strawser read the following 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 2022.

	<b><u>DECREASE</u></b>	<b><u>INCREASE</u></b>
<b><u>COUNTY GENERAL – EXTENSION</u></b>		
1000-001-02-2010 Office Supplies	282.00	
1000-001-04-4010 Equipment		282.00

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1112 LIT – ECONOMIC DEVELOPMENT

1112-000-03-6503 2021 Carry over Edit funds	40,596.41	
1112-000-04-4024 Courthouse Remodel / Repairs		40,596.41

1219 PARK AND RECREATION

1219-000-01-1003 Maintenance / Communication Specialist	44,022.32	
1219-000-01-1040 Secretary / Receptionist	29,172.50	
1219-000-01-1016 Maintenance Technician 2		40,994.32
1219-000-01-1041 Administrative Asst/Communications		32,200.50

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

MINUTES

Mr. Ryan Riegsecker made a motion to approve the February 14, 2022 regular session minutes. Mr. Harold Gingerich seconded the motion and it carried unanimously.

LEGAL CLAIMS

Mr. Harold Gingerich presented the legal claims in the amount of \$21,825.10 for January 2022 from Beers Mallers. Mr. Harold Gingerich made a motion to approve. 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.


  
Charles F. Ashcraft

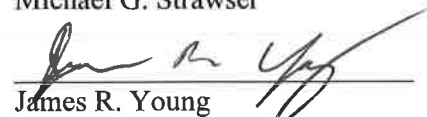
  
Jeffrey L. Brill

  
Harold D. Gingerich

  
Steven E. McKowen

  
Ryan J. Riegsecker

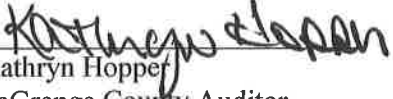
  
Michael G. Strawser

  
James R. Young

ATTEST:

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Kathryn Hopper  
LaGrange County Auditor