

# Gibson County Council Regular Session Agenda October 11, 2022

The Gibson County Council met in Regular Session on October 11, 2022, at 9:00 a.m. at the North Annex Meeting Room.

**Members Present:** President Jeremy Overton, Vice President, Craig Pflug, Councilmen Dan Beard, Jeff Clark, Derek McGraw, Jay Riley, and Michael Stilwell absent.

Also present were Auditor Mike Watkins, and staff members, Kristy York, and Wendy Williams

The Council opened the meeting with the Pledge of Allegiance to the Flag.

Council suspended the meeting agenda and modified to hear from Attorneys and Prosecutor.

**Probation Building Updates/Questions – Lisa Moody** – Lisa Moody told Council bricking will begin soon and drywall and painting is in progress on the inside. They are unsure they will be in the building before year end. She has plans to fund the technology portion of the building by ARPA funds as well as other funds; the quotes on this were approximately \$128,000. They will have to tear down the old building for parking, but all the storage must first be moved. Every office will need to determine their own move and plan and she has been making the rounds to get this accomplished. They will request ARPA funds to pave the parking lot.

**Prosecuting Attorney, Michael Cochren** – Prosecutor Cochran told Council that long-time county employee, April Graper is leaving the County. Her feels her position is unique to the County, and he cannot hire just anyone to fill her position. He is requesting to hire someone with 15 years of service in IV-D from Vanderburg County, which April diligently vetted. April will stay on to train this individual; and she will take phone calls along the way, so she does not leave Gibson County without help. Prosecutor Cochran explained they will not ask the County to pay two salaries as their incentive money will pay for the training. Prosecutor Cochran requests the Council waive the \$1,000 reduction in beginning, probationary salary as the person they are hiring is making a lateral move and they have references on the person.

Councilman Pflug motioned to waive the \$1,000 reduction in beginning, probationary salary based on information received , seconded by Councilman Beard. The vote was 7-0.

**Ft. Branch-Johnson Township Public Library Ordinance by Attorney McDonald** – Attorney McDonald told Council he was present to introduce the fact that when this building went out to bid, bids came in over the projected estimated cost and amount originally awarded by the Redevelopment Commission. The RDC has since granted an additional \$1,000,000 to the Ft. Branch Library's original request. Attorney McDonald explained that he will return to next month's meeting with an amendment to the Forgivable Loan Document that he will request Council approve. Councilman Overton asked what contributed to the overage. Laura Happe, Library Director explained that when they went to the RDC with the request, it was in the amount of \$4.7 million, however, they were only awarded \$3.7 million. They were told by the RDC they could come back if bids came in higher or if the grants they were pursuing did not prevail. Universal Design, located in Ferdinand, IN is the contractor. They worked to reduce the size of the building to meet the \$3.7 million cost, but the bid just came in high . The library does not have debt and their bonding capacity is very low, as they have a high property tax. They have worked with Baker Tilly, and they did not feel it was in their best interest to seek a bond. They will be back to the November meeting with a forgivable loan document amending their first.

The regular meeting agenda is resumed.

**Approval of Minutes** - September 13, 2022, minutes were approved as written.

**Treasurer's Report** – August 2022 report was acknowledged by the Council.

Sheriff Bottoms reported they have been getting employment applications for open positions. Councilman Overton complimented their advertisement for employment.

EMS – Director Pond gave his report for September.

### **OLD BUSINESS**

**Highway Machine Tax Abatement Request by Attorney Jerry Stilwell** – Attorney Stilwell told Council his longtime client, Highway Machine Company (HMC) was present to request an abatement, after this was taken under advisement at the last meeting. Attorney Stilwell told Council the abatement request is just under \$5,000,000 and the machine they are purchasing is for military contracts. They presently pay \$141,515 in personal property taxes. At last meeting they talked about scrapping of two machines, which will result in a personal property tax change of \$4,917 less per year to the County. The two machines are used approximately 3500 hours per year. One machine was purchased in 1986 and is a 1979 model, while the other machine was purchase in 1986 and is a 1942 model. The machines will not be sold, as if they were sold, it would be to a competitor. HMC was incorporated in 1938, but originally opened in 1924. This company has been in business for almost 100 years. He feels it is important to keep small businesses going. Tax abatements do not have to be the same each year, as a different percentage can be granted each year. Councilman Riley had asked Attorney Stilwell to run the numbers with the older machines falling off and the other abatement ending soon. It appears to Councilman Riley that if they allow 100% abatement the first year, it will still increase HMC's property taxes by \$2,000 per year. If they give an abatement more than 80% the second year, it appears it will produce a negative if no other inventory additions are made. Attorney Stilwell feels HMC will add to their inventory every year, which will most likely prevent this from happening. Attorney Stilwell does not feel this will go into a negative; he has given a document to all Councilman so they could go to the Assessor to see private records of assessments and calculations. Councilman Riley is in favor of giving the abatement, but he does not want to put the County into a negative in year two of abatement. Last time they gave the abatement to HMC, it was a higher priced piece of equipment with the about the same number of employees. Councilman Riley recommends a four-year abatement with 100% in year one; 80% in year two; 70% in year three; 60% in year four. Attorney Stilwell wonders how a new solar company can get more abatement than a company that has been here for 100 years. Councilman Overton explained how the assessed value of a solar farm changes the land value when it transforms from ag land to industrial land, making the increases substantial in year one of the project. He went on to explain all the different factors in this abatement, including the economic development agreement. Councilman Riley explained there was no magic formula, and they try to be fair and reasonable to everyone, including the taxpayers. Councilman Overton thanked Councilman Riley for the time/effort he put into this study and asked if anyone else had another proposal. Councilman Riley motioned to approve the abatement of 100% in year one; 80% in year two; 70% in year three; 60% in year four, seconded by Councilman Pflug on a total project cost of \$4,939,895. The vote was 7-0.

### **DEPARTMENT REPORTS**

**Jail Project** –George Ballard, Owners Representative told Council that Duke will power the steel building and Centerpoint Energy will install the gas to this building. They will be seeking a building permit today with City of Princeton. He hopes to announce groundbreaking before the end of the month. The county highway is breaking the concrete on the monument property to use for erosion control, which

is saving money with Garmong. Councilman Overton says the bond proceeds have been received, and based on the Garmong provided payment schedule, they are working with Old National Bank to invest the bond money with Baker Tilly. They hope to garner approximately \$300,000 of interest to help additionally fund the project. Mr. Ballard told Council they will speak with Pollock Law to update them on the progress of the jail project. So far, there have been no federal comments, which is good news. The next report is due at the end of the month.

**Additional Appropriation Resolution** – The following additional appropriations have been advertised and await Council approval via resolution.

1000 General Fund	EMS requests additional appropriation of		
		32100 Ambulance Repairs (Major)	\$15,000
		and 22100 Diesel Fuel/Gas	\$35,000
	Treasurer requests additional appropriation		
		11500 2 <sup>nd</sup> Deputy	\$7,816
Commissioner		10401 FICA/Medicare	\$ 598
		12500 PERF	\$1,110
	Payout County Employee that took a position w/GCSWD		

This will bring the total general fund additional appropriation to \$59,524.

Councilman McGraw motioned to approve the additional appropriation resolution, seconded by Councilman Beard. The vote was 7-0.

**NEW BUSINESS**

**Gibson & Elliott Solar EDA Agreement – Rick Reed** – Mr. Reed presented changes to the Economic Development Agreement. The proposal shows they have some panel delivery delays. He thinks these panels are coming from Taiwan and Korea. Due to this delay, they need to change projection date of construction to a worst-case scenario of 2024 on both projects, however, they hope to start work on both projects in the first quarter of 2023. This amended agreement changes the dates on the agreements only. Mr. Reed hopes to receive a motion to approve the amendment as Attorney Spindler has reviewed the document, which pulls both projects together. Councilman McGraw motioned to approve the amendment to the first agreement, seconded by Councilman Stilwell. The vote was 6-0 with Councilman Pflug abstaining because of his involved in the solar project.

**Ordinance 2009-2 Sheriff's Sale Program & Service Fee – Sheriff Bottoms** – Sheriff Bottoms told Council they wish to change the fees for the administration of Sheriff's Sales to stay in alignment with state fees. They wish to increase this fee from \$200 up to \$300. Councilman McGraw motioned to approve amendment of Ordinance 2009-2 with the proposed new fees, seconded by Councilman Stilwell. The vote was 7-0.

**Personal Series Transfers –**

1000 General Fund, Surveyor 0006 requests moving from	11301 Part-time/Overtime	\$400
	into 12009 Section Corner Cert	
	Cover cost of Section Corner Certifications	

**Out of Series Transfers -**

1000 General Fund, Sheriff #19 requests moving from	42202 Office Furniture	\$500
	and 23304 Fingerprint Supplies	\$500
	into 32401 Gas, Tires, Lube	\$1,000

Fund is getting low & to help pay upcoming invoices

Councilman Stilwell motioned to approve above the transfers, seconded by Councilman Beard. The vote was 7-0.

**Additional Appropriation Requests –**

1000 General Fund	Sheriff #21 requests Additional Appropriation	
	30501 Vehicle Repairs	\$17,280
	Sheriff #20 32401 Gas, Oil, Tires	\$23,040
	Jail <u>Reduction</u> 10201 Corrections Officers	(\$40,320)
	Fund is very low; help pay upcoming invoices	

Councilman Riley motioned to advertise the additional appropriations, seconded by Councilman McGraw. The vote 7-0

EMS	37100 Rental of Equipment	\$2,333
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Director Pond clarified this line is used for rental of the building at Gibson General Hospital. Councilman McGraw asked if he could transfer from another line. Director Pond feels he is going to need his money in all the other lines. Councilman McGraw feels he should try to wait on this, thus Councilman McGraw motioned to table, seconded by Councilman Riley. The vote 7-0.

4201 Jail Bond Construction 2022	request advertisement of Additional Appropriation	
	33003 Professional Services	\$250,000

Appropriate proceeds to pay for costs associated with the jail project.

Councilman McGraw motioned to approve this advertisement, seconded by Councilman Pflug. The vote 7-0.

Councilman Overton says Baker Tilly suggests that the County invest bond proceeds and Jail LIT fund on a more aggressive timeline, and he wonders if other Council Member feel the same? He wants to ensure these proceeds are invested as aggressively as possible.

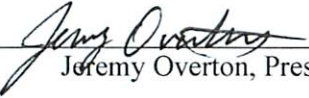
**Salary Schedule #6** – Wendy Williams told Council this new schedule amends salaries to accommodate the ARPA supplemental pay. The terms of the ARPA pay are outlined in the schedule. A withholding of 20% for federal tax was made, plus state and local taxes were withheld. The check will roughly come out \$2728.80 per employee after taxes They withheld at the 20% rate, so employees do not incur tax liability due to the supplemental pay.

Councilman Riley motioned to approve Salary Schedule #6, seconded by Councilman Beard. The vote was 7-0.

**Commissioner Key** – Commissioner Key requested an additional \$1,500 for Stephanie McKinney, which would take her to a First Deputy level on the payroll schedule. This request will have to come back to the Council in January.

Councilman McGraw motioned to adjourn.


Minutes from the October 11, 2022, meeting

  
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Jeremy Overton, President

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Craig Pflug, Vice- President

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Dan Beard, Councilman

  
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Jeff Clark, Councilman

  
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Derek McGraw, Councilman

  
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Jay Riley, Councilman

  
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Michael Stilwell, Councilman

Attest:   
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Michael A. Watkins, Gibson County Auditor