
Gibson County Council
Regular Session
November 10th, 2020

Open with Pledge

Special Consideration to Judge(s)

Judge Krieg was present to discuss the Probation Department and remodel versus moving onto a green space. He requests permission to move forward and advertise for bids, so they know the approximate cost of the project. They also have an outstanding invoice from the Architect, Landmark. They would like to pay this invoice from the Cumulative Building Fund, if allowable. Attorney McDonald feels this invoice is an allowable expense. A redesign had to be done when the Public Defender's offices were added into the plan. This department can receive 40% reimbursement of the portion of the building belonging to them, over a 10-year period. This plan has been in motion for a while, however, changes in the Public Defender's office, Pre-Trial Services, Magistrate and other changes taking place in the Courts Department have delayed the plan.

Landmark Invoice – Request invoice be paid from Cumulative Building Funds in amount of \$27,675. Councilman Pflug motioned to pay this \$27,675 invoice from the Cumulative Building Fund, seconded by Councilman McGraw. With no further discussion, the motion passed 7-0. A motion to advertise for an additional appropriation came from Councilman Pflug, seconded by Council President Riley. With no further discussion, the Motion passed 7-0.

Probation Building Renovation - The Architect and BCS gave overviews of their work on this project regarding renovating a building originally built in the early 1900's, as well as building on a green field site. Councilman McGraw motioned to allow advertisement of bids on the Probation Building, seconded by Councilman Stillwell. With no further discussion, the Motion passed 7-0.

Judge Meade Requests Permission to Replace an Employee - The Council okayed this employee replacement.

Judge Meade – Courthouse Security - The Judge explained to the Council this item is not within the Council's discretion; it is a State mandate. Councilman Overton tells Judge Meade the Council has been in favor of this item since August of 2018. Judge Meade says Landmark is pulling this information together; they have a plan and sketches and this Security will be implemented. Councilman Overton asked what other Counties were doing for personnel. It is felt they use their deputies; these deputies must be trained to use the equipment, which will take time. Sheriff Bottoms asked Council if the two additional people he added to his 2021 budget but cut by Council would be added back. Councilman Pflug explained this will need to be

addressed because at budget time, this addition was not discussed as Courthouse Security. Landmark introduced BCS to present their plan for Courthouse Security; folders were handed out to the Council on this item and explained. A new generator will be required for this project because current one does not have the capacity required; they hope to repurpose the current generator.

Approval of Minutes

October 13, 2020 Regular Meeting Minutes were approved as submitted.

Presentation of Clerk's Report

August 31, 2020 was acknowledged

Department Reports

Sheriff Bottoms reported on the jail.

Old Business

- Veterans Services 1000-27-01-11 Additional Appropriation has been advertised. Councilman Overton motioned to approve this Additional Appropriation, seconded by Councilman Beard. With no further discussion, the Motion passed 7-0.
- Council Appointment to the BZA – President Riley feels they should wait until the new Commissioners come on board in January for their direction. Councilman McGraw motions to table this item, no second to this motion; Councilman McGraw rescinds this motion. Attorney McDonald feels it could take more than one meeting for Zoning to be dissolved, if the new Commissioners choose to dissolve zoning. Councilman Pflug does not want to impede business by delaying this appointment. Councilman Overton motions to appoint Donnie Gries, a surveyor residing in rural Haubstadt and active with the zoning discussions, seconded by Councilman Pflug. With no further discussion, the Motion passed 7-0.
- Elliott Solar Farm Public Hearing - Mary Soliday, Attorney for this project, explained that a presentation will be made by Elliott Solar Farm; they will present the 4 proposals for tax abatement requests. They will open the hearing up for public comment after the presentation. Baker Tilly is also available via zoom for any questions. Elliot Solar Farm repeated their presentation from an earlier meeting. Capital Dynamics is the owner of the project, partnering with Tenaska. They have a very long track record of developing solar projects. The power produced with this project is enough to power 35,000 homes. There are 1,600 acres under lease at the current time. The project is planned to have a 35-year life. A key highlight of the project is the growth of property tax revenues from this project; over the 35-year life these revenues should grow by \$25,000,000. This

growth will begin on day one of this project because real property cannot be abated. Personal property tax is where the company is requesting abatement. They have 4 options for the Council to consider. They are also offering an Economic Development payment option for the County to consider. The options are: 5-year Traditional Abatement where the personal property would be abated 100% in the 1st year and stepped down 20% each year thereafter for five years (100%; 80%; 60%; 40%; and 20%). Option II is a 5-year 100% personal property tax abatement (100% abated each year) plus an \$800,000 Economic Development Payment. Option III is a 10-Year Traditional Abatement where the personal property would be abated 100% in the 1st year and stepped down by 10% each year thereafter for 10 years plus an \$800,000 Economic Development Payment. Option IV is a 10-year 100% personal property tax abatement (100% each year) plus \$2,000,000 Economic Development Payment. They look forward in working with the Council to figure which option is best for the County. They ensure decommissioning and restoration of land back to original conditions; this includes roads and ditches and is reviewed every 5 years with the Assessor. Furthermore, this decommissioning money is set aside or bonded, based on the review. Much of this project is in Center Township, but also includes property in Barton and Columbia Township. They look forward to 2021 for approvals locally plus any state and federal permits the project might need to get started in 2022; completed and fully operational by 2023. They do have a local office in Princeton staffed by Rick Reed as the Community Liaison. The floor was turned over to Kaitlyn Cheek from Baker Tilly via zoom. She reviewed the different abatement options and reviewed the summary schedules to make it easy to compare the options. The investment is \$150,000,000. This investment will provide almost \$25,000,000 of property taxes paid by the solar company, rather than by the taxpayers of Gibson County. Ms. Cheek also pointed out the Economic Development payments that might be made by the solar company. This Economic Development money is very flexible; it would be new money and setup in a new fund, governed by local policy through an Ordinance for any lawful purpose. This money will be paid over 3 or 4-payments, after commencement of project operations, which is the day the power goes on the grid, probably the end of 2023. Councilman Pflug feels there are a lot of components that need addressed in the agreement with the Company, such as roads and drainage. The meeting was opened for public comment. Economic Development Coalition submitted a letter in favor of the project, while James Wilson, East Gibson School Corporation Superintendent spoke in favor of the project, stating the school system does have a declining enrollment, but they are not closing, and the kids deserve a good education. He is in favor of boosting the East Gibson economy. He feels this project has an opportunity to help the area. Connie Neining of Hoosiers for Renewables spoke in favor of the project. Ms. Neining spoke of the experience in White County with the Economic Development Agreement, a Decommissioning Plan, as well as a Road Usage Agreement. She talked of another county with renewable energy

that received over 100 miles of paving to county roads. She then spoke of how the Economic Development Agreement helped save Indiana Beach from closure. She stated it is not always about jobs, it is about infrastructure, tax benefits, projects that increase the property tax base. She invited the Council or Commissioners to contact White County with questions, as they have worked with renewable energy. There were others, on hand at the meeting, in favor of the project, but due to the meeting length, they had to leave before this public comment sector. Attorney McDonald explained that in the past when abatements have been considered, it was probably based on the number of jobs it would produce. This project will only produce 9-11 jobs, but there are several leases being signed to help supplement landowners. He encouraged the County to diligently continue working with the Renewable Energy Company on the agreement to address roads, ditches, drainage issues, and the Economic Development package. The Economic Revitalization Area has already been approved; thus, no action must be taken today. However, the Renewable Energy Company would like to know the direction the Council is thinking about moving regarding the Options presented today on abatement. Councilman Overton reviewed the options; the difference in the 5-year full abatement versus 5-year declining abatement would cost a taxpayer with an average \$150,000 home, less than \$200 over a 10-year period and agricultural land comes in around \$4 over a 10-year period. Based on what Baker Tilly has presented, he tends to lean toward the 5-year full abatement with an \$800,000 Economic Development Agreement. It is believed there will also be "Good Neighbor Agreements" that might pay about \$1,000 each. Councilman McGraw motioned to close the public comment, seconded by Councilman Beard. With no further discussion, the Motion passed 7-0.

Councilman Overton stated he looks forward to a new partnership with the Tenaska and Capital Dynamics. Attorney Mary Soliday asked the Council to please put them on the agenda for the December 15, 2020 meeting to review the 5-year, 100% Abatement.

- IV-D Office and Part-time Employee for 2021 – Prosecutor Cochran and April Graper were present to request a part-time position replacement re-instatement; the 2021 budget removed all part-time and over time. They feel they have been good stewards of the County and they use incentive funds to pay for most items. This position has been in place since 2006 and allows this office to be more efficient; they receive incentives/reimbursement for being efficient. The Council explained the reason for the part-time/overtime cuts and told them each department is entitled to request this reinstatement. The Council will put this department on the January Agenda for an Additional Appropriation advertisement.

New Business

- Jail Project Attorney McDonald started this conversation by asking permission to use the Cumulative Building Fund to execute some land options and do soil borings for the jail

project. He does not want to enter into a purchase agreement for land until well vetted. He would like \$100,000 to execute options at this time. Cumulative Building Fund currently, has no appropriations. The Council moved to create a new line in the Fund 1233 LIT Correctional Facilities for land acquisition. Councilman Overton motioned to move \$5,000 from the Professional Services line into Land Acquisitions line, seconded by Councilman McGraw. With no further discussion, this Motion passed 7-0.

Attorney McDonald went on to say the Commissioner's had signed a contract for the design phase of the jail, which will need funding. He feels the County might need to look at a bond to bridge over into the construction bond in order to fund this contract. The Commissioners have also approved hiring Paul Green as Clerk of the Works; however, Attorney McDonald has not yet seen the contract. Councilman Overton warned the Commissioners not to sign a Clerk of the Works Contract before funding is approved or the contract will not be honored. Councilman Overton feels the County is wasting time and money trying to build a \$40,000,000 jail with a \$19,000,000 budget. Attorney McDonald understands but wonders if they should move forward with the pre-design with options for deducts; bid the projects and see where it comes in. If bids do not come in to meet the budget, you could at least show the Court's effort. Councilman Riley feels a better basis is needed to get this off the ground, because it is out of reach at this time and not feasible. Councilman Overton cannot vote to pay on Pre-Design Invoice or fund a Design Contract today; he would like to see the Design Contract before paying the Pre-Design Invoice. Commissioner Key feels the County needs a starting point; she feels the Council does not have a starting point. Council President Riley explained their starting point is \$19,000,000. Councilman McGraw explained that he had tried to make this clear to the Architect several times, always to fall on deaf ears. Now this project is 6-months along with the same design even though the Architect was informed numerous times it was no where near what the Council could afford. Commissioner Key wants to know the "new" point in order to get the project moving. She fears the County will face a Federal mandate, as Vigo County is currently experiencing. Council President Riley comments they are coming out with a bigger jail at a lesser cost. Councilman Overton does not feel a Judge would mandate a County build something they could not afford. The County is giving the Commissioners \$19,000,000 to build a jail and that is the starting point. The Council feels they have done their part by passing a jail tax and adding the Court Ordered number of Correctional Officers. They feel they have done everything required to make this happen; however, there is only \$19,000,000 to build a jail. Commissioner Key asked what the next step forward would be. Councilman Pflug informed her to let the Architect know there is a \$19,000,000 budget. Councilman Overton does not want to over-obligate the EDIT Fund with jail payments, as it does too many other things for the County. He feels it is very irresponsible to set out on a project with total disregard for a budget. The Council would be happy to participate in additional meetings if that is what the process requires. Future Commissioner Fleetwood informed the Council that he looks forward to

working with them and staying within the budget parameters. Commissioner Bottoms feels the County has more money to work with than just the \$19,000,000; Councilman Overton reminds Commissioners about soft costs; he does not feel the soft costs are included in these figures. The Council agrees to a joint special meeting with the Commissioners to further discuss this project on November 17, 2020 at 4:00 p.m. at the North Annex. Councilman Overton goes back to the Structurepoint Invoice and payment of this invoice. He asked if the invoice charges are for Pre-Design Services. A copy of the invoice was shown to the Council. Councilman Overton points out the Contract signed did not include a maximum, it is open ended. Thus, the reason the Council has asked to stop after the Pre-Design Phase. The Council needs better estimates. This invoice is tabled until the November 17, 2020 joint meeting.

- EMS Out of Series Transfer Jim Allen request an out of series transfer from 1000-47-03-15 Print Forms \$500; 47-04-22 Durable Equipment \$5,000; 47-03-12 Dues/Seminars \$800; 47-03-13 Travel \$400 into the Fuel line 1000-47-02-21 \$6,700. This will cover fuel expenditures for remainder of the year. Councilman Overton motioned to approve this transfer, seconded by Councilman McGraw. With no further discussion, the Motion passed 7-0.
- Health Dept Request Additional Hourly Rate for LPN/RN Diane Hornby requests additional funding for CMA position as the Department is unable to find applicants at the \$15 per hour rate. This testing site will be funded with a \$100,000 grant, which will run through June 2021. She would like to try getting an LPN and pay \$25 per hour; any nurse she might get would receive \$25 per hour, as they would have same duties, even if they are an RN. She would like to use this LPN at the office and the test site and pay them from the grant. There is some confusion on the testing site workers as to whether they are employees or contracted. If it is determined these workers are in fact employees, they will need to stay under 24 hours per week, in order to keep them part-time employees. Director Hornby has an EMT willing to workdays off from Gibson County EMS. Wendy tells Diane this is not allowed due to an overtime situation. Dubois County has a testing site; Wendy will call them to see how their testing site people are paid. Director Hornby would like 5-6 people hired to work at the testing site. The Council would like to table this until the November 17, 2020 Joint Special Session Meeting. The Salary Ordinance will be added to topics to discuss at this special meeting.
- Health Dept. Request Server/Phone System from CARES Act Money - Director Hornby requests approval to purchase a server and phone system from CARES Act funding because the IT Grant she was expecting to receive has been dropped by the State. They currently have 2 phone lines in the department; they need more lines and would like to add headsets. Director Hornby asks for approval to move forward on these items.

Councilman Overton says the CARES Act money has not been deposited yet; the money is for a general fund payroll reimbursement.

- Commissioners Transfer – Kay Vore requests a transfer into the Teamster Scholarship line 1000-30-01-27 from 1000-30-01-25 Severance for \$13,000. Councilman Pflug, with reluctance, and because this is part of a negotiated contract the Council did not agree with, motioned to approve this transfer, seconded by Councilman Beard. With no further discussion, this Motion passed 6-1, with Councilman McConnell voting nay.
- Sheriff Series 01 Transfer Sheriff Tim Bottoms requests series 01 Transfers for Personal Services from 1000-05-01-26 Patrol Officer \$13,756 and 05-01-36 Severance Pay \$5,700 into 1000 05-01-28 Overtime \$19,456; this will finish out the year. Councilman McGraw motioned to approve transfers, seconded by Councilman Stillwell. With no further discussion, this Motion passed 7-0.
- Jail Series 01 Transfer Sheriff Tim Bottoms requests series 01 Transfers for Personal Services from 1000-32-01-24 Correction Officer \$4,200 into 1000 32-01-19 Overtime \$4,200. This will finish year. Councilman McGraw motioned to transfer, seconded by Councilman Stillwell. With no further discussion, this Motion passed 7-0.
- EMS Series 01 Transfer - Jim Allen request funding for Part-time Clerk in the 2021 Budget. Wendy explained that Jim had enough in his budget to make a transfer for this position. Later in the 2021 year, if it appears more is needed, he can request an additional appropriation.
- EMA Director Hedges explained the CARES Act. He explained how the process worked prior to being reimbursed for payroll. In October IFA recommended the County submit First Responder's Payroll and receive the County's share of reimbursement in one lumpsum draw. The remainder of the funds should come into the County in the amount of \$632,793.25; it will deposit into the CARES Act Fund. A claim will be submitted for the First Responder Payroll, CARES Act will then reimburse the General Fund, taking the CARES Act Fund down to \$0. The County was originally allowed \$1,085,309; most of the first part of the draw was utilized for EMS and COVID supplies. Director Hedges asked permission to pay outstanding invoices of \$75,704.98 once the County receives payroll reimbursement. There has been discussion about using this money to build a facility for COVID storage. This building would also incorporate the Ambulance Base from the Hospital, eliminating the rent paid to the Hospital. EMS would rather see a building, instead of an ambulance; however, if the building is not feasible, he would like the Council to go ahead and consider using this money for an ambulance. Commissioner Key reminded everyone this money will be subject to a Federal Audit. Councilman Overton asked EMA Director Hedges to send out a memo to all departments so a "wish list" can be compiled by all. The Council will then evaluate the wish list and decide how

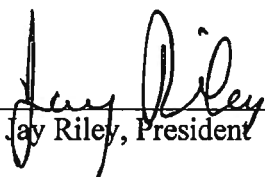
it will be spent. An additional appropriation in General Fund is requested to advertise in the amount of \$75,705. Councilman Overton motioned to advertise, seconded by Councilman McGraw. With no further discussion, this Motion passed 7-0.

- Commissioners request an additional appropriation from EDIT to pay zoning invoices. The Council did not move on this item. Kay passed out copies to the Council. Councilman Overton feels there is still an open ticket without an end total. No one advised the Council there would be more invoices to pay. Councilman Overton motioned to table this item, seconded by Councilman McGraw. With no further discussion, this Motion passed 7-0.
- Extension Office Out of Series Transfer – Transfer out of series from 1000-23-03-13 Auto Travel into Part-time 1000-23-01-17 for \$1120. This money will be used for part-time employee to provide coverage for vacation time being used & work on projects. Councilman McGraw motioned to approve this transfer, seconded by Councilman Stillwell. With no further discussion, this Motion passed 7-0.

Councilman McConnell discussed the census; these numbers might be compiled by February 2021.

The meeting was adjourned at 12:40 p.m. by a motion from Councilman Pflug.

Minutes from the November 10th, 2020 Regular Council Meeting.



Jay Riley, President



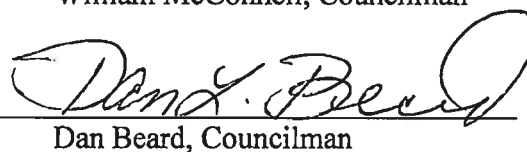
Craig Pflug, Vice-President

Jeremy Overton, Councilman

William McConnell, Councilman




Derek McGraw, Councilman



Dan Beard, Councilman

Michael Stilwell, Councilman

Attest:



Sherri Smith, Gibson County Auditor