

## MONDAY, APRIL 17, 2017

Pursuant to adjournment comes now the Starke County Council and meet in a regular session at 5:30PM in the Annex Building Meeting Room, Knox, Indiana, with Freddie Baker, Dave Pearman, Bryan Cavender, Brad Hazelton, Pam Stalbaum and Nancy Dembowski present, and the following proceedings were held to wit:

The meeting was called to order by Council President, Freddie Baker. Absent from the meeting was Councilman Robert Sims. Councilman Hazelton made a motion to approve the minutes of the March 20<sup>th</sup>, 2017 meeting. Councilman Cavender seconded the motion and it passed with all ayes.

### **REQUEUST TO TRANSFER FROM RAINY DAY FUND TO THE COUNTY GENERAL FUND**

President Freddie Baker read aloud the proposed Resolution 2017-4-17, A Resolution Authorizing the Transfer of Funds from the Starke County Rainy Day Fund to the County General Fund. It stated the County General Fund had a cash balance of \$649,112.22 on 12/31/16; but on 4-6-17 it had a cash balance of negative \$671,922.96 (-\$671,922.96). The Rainy Day Fund had a cash balance of \$1,421,188.14 on 4-6-17. The resolution calls for a transfer of \$750,000.00 from the Rainy Day Fund into County General. The money will be paid back to the Rainy Day Fund prior to 12/31/2017. Councilman Pearman asked if the Council could let that go this year and let County General stay in the red. Auditor Chaffins advised the SBOA states they are allowed to let a Fund run into the red as long as you are expecting revenue to raise it back up. But, she stated, with County General the amount would be a lot greater than an average Fund. She advised she would like to see it receive some relief from its negative balance. Councilwoman Stalbaum made a motion to approve the transfer request. Councilwoman Dembowski seconded the motion and it passed with all ayes.

### **STARKE COUNTY YOUTH CLUB PRESENTATION**

The Executive Director of the Starke County Youth Club, Irene Szakonyi, appeared before the Board. She stated the Youth Club has six locations in Starke County, at the Knox Elementary School, the Knox Middle School, the North Judson-San Pierre Elementary School, the North Judson-San Pierre Jr. High/Sr. High School; the Oregon Davis Elementary School, and the Oregon Davis Jr. High/Sr. High School. She advised the Youth Club creates better work habits for the children and better grades. It also helps with building self confidence in the students. She noted they have over 500 children attending the Club. Ms. Szakonyi advised they will be holding a RadioThon Fund Raiser on WKVI, on May 5<sup>th</sup>. President Baker commended Ms. Szakonyi on the good job she was doing with the Club.

### **GARY POPKINS REQUEST FOR ABATEMENT, PUBLIC HEARING AND ADOPTION**

President Freddie Baker advised the tax abatement for Gary Popkins was ready to hold a Public Hearing and then ready for Adoption. President Baker called the Public Hearing to order at 5:45PM. There were no comments from the public in attendance for the meeting. Attorneys Ed Volk and Anthony Nowak from Newby, Lewis, Kaminski & Jones appeared before the Board and advised there were three documents that would need to be approved at tonight's meeting: The Designation of an ERA, a seven year Personal Property tax abatement, and a ten year tax abatement to the Improvements made to the Real Estate. Mr. Nowak advised they had posted the Public Hearing notice in the newspaper. He also stated the company will honor the statement in the abatement forms that if they leave the area, close, and don't meet their established goals they will be paying back the County for the tax abatements they had received. County Attorney Marty Lucas, inquired as to the schedule of their tax abatements. Mr. Nowak advised that their abatement will be the older schedule beginning with 100% in year one; 95% in year two, etc.

Attorney Lucas then inquired as to where in the abatement forms it listed the claw back notice. Mr. Nowak stated that was in Section 4, Page 2. Attorney Lucas read aloud the claw back provision. Councilman Pearman advised he has heard several complaints about the abatements but he was open to other ideas of how to bring business into the County. Councilwoman Dembowski stated it isn't really a "tax abatement" but rather a "tax phase in". SCEDF Director Charlie Weaver stated the structure has been vacant for over ten years and this needs to be done. Councilman Hazelton made a motion to close the Public Hearing. Councilman Cavender seconded the motion and it passed with all ayes. The Public Hearing closed at 5:55PM.

Councilman Cavender made a motion to approve Resolution 2017-4C, a creation of an Economic Revitalization Area. Councilman Hazelton seconded the motion and it passed with all ayes.

Councilwoman Stalbaum made a motion to approve Resolution 2017-5C, approving a Statement of Benefits for a Tax Abatement for Personal Property, 7 years. Councilwoman Dembowski seconded the motion and it passed with all ayes.

Councilwoman Dembowski made a motion to approve the Resolution 2017-6C, approving a Statement of Benefits for Tax Abatement for Real Estate Improvements, 10 years. Councilman Cavender seconded the motion and it passed will all ayes.

The Board signed all three documents.

## **CVC BOARD REQUEST FOR EXPLANATION OF BOARD AND FINANCING**

Jerry Gurado brought up the subject of the Innkeeper's Tax. He advised he is wearing three hats: President of the Chamber of Commerce, Member of the CVC Board and Member of the Tourism Commission. He advised the Tourism Commission is a part of the Chamber and they decide on the disbursement of funds, and he asked the Council to become involved. Carolla Heilstedt, President of the CVC Board, stated they had read the state codes regarding the CVC and establishing a budget and having it approved by the Council. She advised once it is approved they can pay the expenditures per the budget. Attorney Lucas advised there is a claim pending. Councilwoman Dembowski stated there is an Indiana Code for the CVC Board that specifies which disbursements are to be expended. Attorney Lucas stated the existing contract between the CVC Board and the Chamber of Commerce isn't conventional. He noted it does not provide any rate or receivables or a term; it doesn't really tell much that would help in the evaluation of a claim. Mr. Gurado stated at the present time they are asking for \$7,500.00 but they owe the Chamber of Commerce \$13,000.00. He was asked to explain the \$13,000.00 debt. Attorney Lucas stated there is nothing in the contract; there is no basis for that numbering. Ms. Heilstedt stated she will be working on the establishment of a budget and will be appearing at the next couple of meetings to get this properly set up.

## **PUBLIC COMMENT**

Councilman Pearman stated he was concerned as to why there has not been a Quarterly Capital Asset Report given by the hospital since it has been taken over with new ownership. He asked Auditor Chaffins to write a letter to the hospital and ask when they will be presenting the quarterly report. He also advised he had met with a representative from the State in regard to the State Bi-Centennial Committee. He advised they will be leaving the State's Bi-Centennial website up for the next 50 years. He also noted he had shown him the County Courthouse and the Starke County Jail and he was very impressed.

Councilman Hazelton stated he is on the Committee in regard to the Ordinance for Heavy Vehicles. He stated there has been a misunderstanding or a miscommunication in regard to farmers and their equipment. He advised farmers are exempt from the ordinance. Commissioner Norem asked that a copy of the ordinance be posted on the County's website. (It is posted on the County's website on the Highway Department's page.)

With there being no public comments and no further business, Councilman Hazelton made a motion to adjourn the meeting, seconded by Councilman Pearman. The motion passed with all ayes and the meeting adjourned at 6:30PM.

**APRIL 17, 2017**

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Freddie Baker, President

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Dave Pearman, Vice-President

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Bryan Cavender

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Pam Stalbaum

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Nancy Dembowski

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ABSENT  
Robert Sims

\_\_\_\_\_  
Brad Hazelton

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Katherine Chaffins, Starke County Auditor and  
Secretary to the County Council