

REGULAR MEETING OF THE JASPER COUNTY COUNCIL

DECEMBER 19, 2023

PAGE 323

The Jasper County Council met this date at 7:00 P.M. C.S.T. at 910 S Sparling, Rensselaer, Indiana, with the following members present: Stephen R. Jordan, Gary Fritts, Brian Moore, Eric Kidwell, Jason Arnold, Paul Norwine, and Jacob Misch. Also present were Auditor, Donya G. Jordan, and Deputy Auditor, Treasure Gilbert. Those present stood and recited the Pledge of Allegiance led by Mr. Jordan.

Mr. Jordan welcomed the newest Council member, Jacob Misch, who replaced Brett Risner. Mr. Jordan asked Mr. Misch if he wanted to introduce himself. Mr. Misch said he is from Wheatfield and has lived in Jasper County his whole life. He said he is a full-time farmer and he is looking forward to being a part of the Council and to see what they can do for Jasper County. The other Council members welcomed him. Mr. Jordan said Mr. Misch will finish up the term and he will have to run next year if he wants to pursue it.

MINUTES: Mr. Moore motioned to approve the minutes from the joint session with the Commissioners on November 21, 2023, Mr. Kidwell seconded, and the motion carried.

Mr. Fritts said there were some corrections to the minutes from the regular meeting on November 21, 2023. He said the corrections were amounts that were put in four times as 2.67 million and they should have been 2.267 million. Mr. Jordan asked if there were any other corrections. Mr. Norwine motioned to approve the minutes as amended, Mr. Arnold seconded, and the motion carried.

Mr. Jordan said there was minutes from August 21, 2023 that were amended. He said this is when they approved a loan from the Rainy-Day Fund for \$350,000.00 to put into the Cumulative Capital Development Fund. He said this did not get put in the minutes previously. Mr. Fritts asked how this was missed the first time. Auditor, Donya Jordan, said this was during budget cuts and the meeting was not recorded so, it got missed. Mr. Fritts made a motion to approve the amended minutes, Mr. Arnold seconded, and the motion carried.

2024 SALARY ORDINANCE: Mr. Jordan said there has been a lot of work done on the 2024 Salary Ordinance to try to get it correct the first time. He said last year with the longevity change, they had several changes they had to make during the year. He said Ms. Gilbert worked hard on this and Mr. Fritts has been in to help her with the Sheriff's salaries. He said they also worked closely on the Highway's and if anything got missed, they will get it corrected. Ms. Jordan added that Ms. Gilbert worked really hard on this even though there might be some changes that need to be made. Mr. Jordan said that in talking with Ms. Gilbert, when they did salary amendments last year, the salary ordinance, itself, did not get updated. Ms. Jordan said there's more amendments to be presented at this meeting. Ms. Gilbert said if the salary ordinance gets amended, they should update it so that when someone pulls it up, they are seeing the most updated version. Mr. Fritts said that Ms. Gilbert put a lot of time and energy into this and it might not be perfect but, it is much better than it was last year. Mr. Fritts motioned to approve the 2024 Salary Ordinance, as presented, Mr. Moore seconded, and the motion carried.

Mr. Jordan said he likes how they do the salary ordinance; it has the longevity and salaries listed separately as well as the base salaries. He said if they give raises, it is based off of the base salary and not the overall amount with longevity added to it. Ms. Jordan said it shouldn't be hard next year because, they can give everyone a salary ordinance during budget time. Mr. Jordan said last year was a major change but, he thinks they are getting there. **Ordinance No. 12-19-23C**

AMENDED 2023 SALARY ORDINANCE: Mr. Jordan said they have some final amendments to make to the 2023 salary ordinance. The amendment is for the Prosecutor's Stipend, Part-Time Deputies in the Auditor's Office and Public Safety Deputies. Ms. Jordan said they already approved the changes but, they didn't do a salary amendment. Mr. Kidwell motioned to approve the 2023 salary ordinance amendment, Mr. Arnold seconded, and the motion carried.

Ordinance No. 12-19-23D

REGULAR MEETING OF THE JASPER COUNTY COUNCIL

DECEMBER 19, 2023

PAGE 324

ADDITIONAL APPROPRIATIONS

COUNTY GENERAL

The first additional appropriation was for Courthouse utilities for \$15,000.00 in the County General Fund. Ms. Jordan said that the City of Rensselaer raised the utility rates at the beginning of last year. Mr. Norwine motioned to approve, Mr. Fritts seconded, and the motion carried.

Mr. Norwine asked Ms. Gilbert and Ms. Jordan if things have been more comfortable in the Courthouse with the new windows and new heating and cooling system. Ms. Jordan said it is better but, there is still a draft because of the floor.

LIT ECONOMIC DEVELOPMENT

The next additional appropriation was for Consultants Fees for \$137,500.00 in the LIT Economic Development Fund under the Commissioners' budget. Mr. Jordan said there was originally \$25,000.00 in this line. Ms. Jordan said they have had additional appropriations since then out of that fund. She said that fund is currently \$40,000.00 in the red and this is without the two invoices that they were presented. Mr. Fritts asked if some of this gets reimbursed. Ms. Jordan said she is hoping to have somebody go through the invoices with BF&S because, they are still getting billed from Dunns Bridge. She said some of that could be reimbursed but, it wouldn't do any good for this year. Mr. Jordan said they need to get the bills paid and then see if any money will be reimbursed from Dunns Bridge. Ms. Jordan said she still has money in her budget so, she was hoping to bring in a part-time person to go through all of the invoices.

Mr. Jordan said a big lump sum of this is going towards consultants for the Solarpack negotiations and the abatement process. He said if the abatement would have been approved, these would have passed along with that. He said since the abatement did not get approved, they hired them and they are responsible for taking care of these bills. Mr. Jordan asked if Commissioners' President, Rein Bontreger, had anything to add. Mr. Bontreger said typically these fees are covered when an agreement is passed. He said education is expensive and one thing they have learned from this process is that it was a strong agreement and going forward, he thinks they can negotiate from a point of strength.

Mr. Bontreger said what they want to do, as Commissioners, is to consult with the Council as to what kind of projects they would consider abatement-worthy or economic development agreement-worthy. He said then, as they work with Economic Development, they can help steer the right kind of projects to the Council. He said then they can have an idea of what the Council's role would be before they hire anyone to work up an agreement. He said they are at a point where they would like to see some things get finished and take a pause so they can refresh some of the ordinances and regulations next year. He said they want to try to get ahead of things.

Mr. Bontreger said they did accrue the expenses for Rick Hall with Barnes & Thornburg. He said this company has worked with the County since 2006 and they've worked with about fifty other counties as well. He said they are definitely top-tier consultants and they rely on their expertise.

Mr. Bontreger said while they are talking about education, years ago they had what is now called Baker Tilly, who did an analysis of the County's finances and gave them some forecasting tools. He said he would like to get refreshed on this and see if the Council would be willing to pay for some consultants to have these people come next year to work with the Council, Commissioners and Auditor's Office to give them an update on where they are at financially. He said at the Commissioners' Conference, he sat with Baker Tilly and they said they do this for a lot of counties. He said back when they did this years ago, the main goal was to try to make sure they had a 15% fund balance at the end of the year. He said this way they could avoid running out of funds and doing additional. Mr. Jordan said that bringing in Baker Tilly next year to look at things will give them a good floor plan to look at for the economic development payments that are coming in and see where they need to apply them.

REGULAR MEETING OF THE JASPER COUNTY COUNCIL

DECEMBER 19, 2023

PAGE 325

LIT ECONOMIC DEVELOPMENT CONTINUED: Mr. Fritts asked Mr. Bontreger if they increased this line in their budget for 2024 and what they are projecting for 2024. Mr. Bontreger said that is a good question but, he doesn't have an answer. He said things are kind of in a holding pattern at the moment, other than probably hiring Baker Tilly. He said he thought it costed around \$30,000.00 the last time and it would probably be around \$30,000.00 to \$50,000.00. Mr. Fritts said they could use some guidance. He said they do have some monies in their funds that seem to be doing nothing so, maybe they could help them direct those. Mr. Jordan referred to his budget book and said the consultant fees budget line for 2024 is \$10,000.00. Mr. Bontreger said they probably should've added a zero to the end of that.

Mr. Fritts said he likes the idea of the Commissioners engaging with the Council prior to any commitments. Mr. Bontreger said he asks the Council to have a conversation amongst themselves. He also said they are not out looking for projects, its just what comes their way that they have to best steer and guide. He said even though the Solarpack agreement didn't pass, they still stand in a position of strength and they aren't up against a cliff like they were with Nipsco. He said he thinks they can put themselves in a better position to not just take what people want to offer and counter a little more aggressively.

Mr. Jordan asked if Barnes & Thornburg is the main part of the additional appropriation request and if Attorney Beaver is a big chunk as well. Mr. Bontreger said Baker Tilly is as well. He said with the research and comparing other deals and county projects, all of that takes time. Referring to the invoices provided, Mr. Fritts asked who Biscayne Falls is. Mr. Bontreger said they are the corporation of Solarpack.

Mr. Arnold said his concern with the \$48,000.00 invoice from Barnes & Thornburg, is that it has no itemization. He said its generic and says "For fees and expenses..." Mr. Jordan said its in respect to the decommissioning agreement and road use agreement, along with the economic development agreement. Mr. Bontreger said it was for the whole package that was done. He said he doesn't have a break down of all the hours they put in but, he has a list of what the invoice included. He said it includes: reviewing solar projects in other jurisdictions to determine the market for economic development payments, reviewing multiple financial analyses prepared by Baker Tilly, consideration for tax-impact abatement and other financial matters related to the project, multiple meetings with County Commissioners, County Commissioners' legal counsel, Ms. Sara DeYoung with JCEDO and Baker Tilly to explain and receive feedback on major terms of the agreements with the developer, multiple meetings with the developer to negotiate the terms of the EDA, preparing numerous drafts of the EDA, participating in meetings of the Commissioners and the Council of which agreements were considered for approval, reviewing terms of the proposed road use agreement and decommissioning agreement, terms of prior agreements entered into by the County, and review of the County's solar ordinance and compliance therewith.

Mr. Jordan asked if there was any way to get anything covered for the decommissioning or road use expenses since those are agreed upon and they are probably going to go forward. Mr. Bontreger said he hasn't heard whether its going to go forward or not since they haven't had anything put before them as to whether those will come into play. He said if and when that comes, they will engage in the conversation then. Mr. Misch said he agrees with Mr. Jordan and they will need to know how much of it was for the EDA versus the other agreements. Mr. Moore said they should be getting details on this stuff anyways. He said it is no different than anything else; you want details on what you're getting billed for.

Mr. Bontreger said he doesn't have any concerns about whether they are genuine or not, referring to Barnes & Thornburg. He said they have done work for them off and on since 2006. Mr. Arnold said looking at Attorney Beaver's invoices, he has them broken down per hour on what he did and he would expect that from a \$48,000.00 invoice. Mr. Bontreger said he would appeal to them if they would approve the appropriation so they can get the bills paid, he will see

REGULAR MEETING OF THE JASPER COUNTY COUNCIL

DECEMBER 19, 2023

PAGE 326

LIT ECONOMIC DEVELOPMENT CONTINUED: if he can get a detailed bill. Mr. Jordan said they definitely need to decide on something since the fund is in the red. Mr. Bontreger said they don't want to lose their ability to secure these types of vendors for these types of negotiations. He said he appreciates their point and he will reach out to see if he can get detailed invoices.

Mr. Moore said they've been talking about changing some ordinances and he thinks things like this should be in them; the consultants fees should be paid by the company since they are the ones coming forward for an abatement. He said they should also police projects whether it be a consultant, contractor, or somebody that works for the County. He said he thinks these projects need to pay the bill for it. He also said the County should hire the person, not the company. Mr. Bontreger said these are the kinds of ideas they would like the Council to present to them. He said it would be better to communicate the types of projects they aren't interested in so that they don't incur costs on an agreement that they won't consider. He asked if they did want to hire someone, who would essentially be a floater, where they would fund this person from. He said even though they would want the companies or projects to pay for this employee, they would still have to appropriate money. Mr. Arnold said it is important to have someone from the County's perspective that would be for the County and police these projects to make sure they are adhering to the terms.

Mr. Bontreger said part of their goal in the first quarter of 2024 is to review their solar ordinance and take into consideration battery projects that could be coming, as well as carbon projects. He said the Commissioners and the City of Rensselaer are one step closer to allocating their ARPA money to help Rensselaer get utilities to the west side of I-65. He said this is County property so, they want to partner with the City to get County property up and developed. He said they will have Economic Development money to target towards the other communities such as, Wheatfield, DeMotte and Remington. He said they want to make decisions that are going to benefit the people in those areas. Mr. Arnold asked if there have been any interests out by 114 and 65. Mr. Bontreger said there won't be anything happening until they have water and sewer out there. Mr. Arnold asked if there was any interest so far with the prospect. Mr. Bontreger said they have had several reach out but, they have all said that as soon as there is water and sewer, then they can talk. He said what they are wanting to put in will get them a capacity of about 1,000. He said down the line, they would probably need another sewer plant to provide sewer for Sherwood Forest, Kelly Greens and the housing around the golf course. He said this would probably be a five-year or more project. He said they will be getting bids in January and construction could theoretically start in June and be done around October or November 2024.

Mr. Norwine asked if there would be something in the agreement to protect the County's interest in terms of the financial cost they put in to it and that it cannot be annexed within a certain period of time. Mr. Bontreger said they have made that point clear. He said he doesn't think the City has any desire to do that right now.

Mr. Bontreger said EMS will be moving into the new building this week or next. He said at some point they will have an open house. He said he had taken the initiative to put up some temporary signage because, the Animal Shelter customers were going to the EMS building. He said once the ambulances are stationed there, he would hate for someone to get in the way of the ambulances trying to get out of there. He said the signs aren't temporary, they are there to help direct traffic and they will get it all straightened out in the spring.

Mr. Moore asked Mr. Bontreger about the Commissioners talking about coming up with a resolution for carbon storage, similar to White County's, and if they have made any progress with that. Mr. Bontreger said they are in discussions and their attorney is talking with the White County attorney, as well as other local counties' attorneys. He said they sat through a meeting with other counties and this topic is on everyone's radar. He said once you get closer to Indianapolis, there is the water district issue. He said that he's not sure how they could do it but, Hamilton County spent their ARPA money developing a way to monitor the aquifer in real-time.

REGULAR MEETING OF THE JASPER COUNTY COUNCIL

DECEMBER 19,2023

PAGE 327

LIT ECONOMIC DEVELOPMENT CONTINUED: He said they were able to determine their water resource as well as how much they can pump without affecting the resource. He said they had talked to a geologist and they said we are in good shape up here. He said it would be good to see what our water sources look like in Jasper County.

Mr. Norwine said he understands they that have just dealt with a lot of costs but, the co2 project is a concern for many. He said he e-mailed all of the geologists at Purdue and they pointed him to their top expert who has been tied to this. He said his name is Doug Schmitt. Mr. Bontreger said this expert spoke at the Commissioners' Conference. Mr. Norwine said they should be as informed as they can be from these experts and they should decide if they want to do this, cost-wise. Mr. Bontreger said Mr. Schmitt was a very knowledgeable guy. He said another researcher from Purdue asked what the perception was in the counties on the carbon project and everyone said "no dice". He said she was surprised. He said according to Mr. Schmitt's maps, Lake County would actually be compatible to inject up there if they needed to. Mr. Norwine said he attended BP's meeting at Fair Oaks. He said someone told him that "the painter paints with the color and brush they choose." He said the BP representative told people in Lake County that the shell there is too shallow for them. Mr. Norwine asked if BP had their results from their testing. Mr. Bontreger said they are going to have to share the data with them. He said they suggested to BP to put it under Lake Michigan so they wouldn't have to run a big pipeline. He said he will keep them in the loop on this topic but, it has been quiet from BP. He said BP is out trying to sell and secure land and property. He said they've had some success in this but, he doesn't know to what extent. Mr. Moore said they have been talking to the Union about contracting out to build their pipeline.

Mr. Bontreger referred back to the consultant's fees and thanked the Council for considering the additional appropriations. He said he would be happy to secure the itemized invoices for them. He said with what they know now, he doesn't expect them to have a similar request like this going forward. He said the Commissioners would appreciate the Council's thoughts on projects they would rally behind. He said they don't want crazy developments but, they do want reasonable, thought-out development that's appropriate for Jasper County.

Mr. Norwine motioned to approve the additional appropriation for \$137,500.00, Mr. Fritts seconded, and the motion carried.

TRANSFERS

There was a transfer request from the IT Department for \$10,000.00 from their Llow account to equipment. This request is to help pay for ARCEM invoices for wiring at the EMS building. Mr. Fritts motioned to approve, Mr. Misch seconded, and the motion carried.

The next transfer was out of County General for \$2,000.00 from the part-time line to utilities. Mr. Moore motioned to approve, Mr. Arnold seconded, and the motion carried.

The last transfer was for \$50,000.00 in the LIT Economic Development Fund from the equipment line to consultants. Ms. Jordan said that if all of the money isn't spent, it will go back into the bucket for that fund. Mr. Fritts asked if they needed to approve this much after doing an additional appropriation for \$137,500.00. Ms. Jordan said they don't need to do \$50,000.00 and they should do \$20,000.00 to be on the safe side. She said this fund is already around \$46,000.00 in the red. Mr. Fritts motioned to approve \$20,000.00, Mr. Arnold seconded, and the motion carried.

OTHER BUSINESS

JASPER COUNTY COMMUNITY SERVICES TRANSPORTATION: Mr. Norwine said someone mentioned at the last meeting that there wasn't transportation for veterans. He said that Jasper County Community Services has a transportation bus for a small fee. He said they will

REGULAR MEETING OF THE JASPER COUNTY COUNCIL

DECEMBER 19, 2023

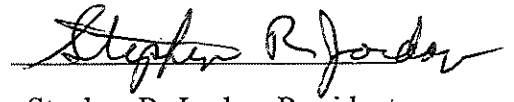
PAGE 328

JASPER COUNTY COMMUNITY SERVICES TRANSPORTATION CONTINUED: even drive people to doctors' appointments out of the county. He said the phone number is 800-826-0305. He said they even have lifts for wheelchairs.

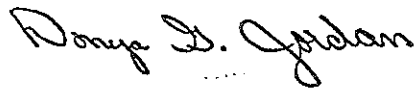
PUBLIC COMMENT

There was no public comment.

There being no further business, Mr. Moore motioned to adjourn, Mr. Kidwell seconded, and the motion carried.


Stephen R, Jordan, President

ATTEST:



Donya Jordan, Auditor of Jasper County