VIGO COUNTY COUNCIL
Sunshine Meeting Minutes
Tuesday, June 6, 2023 at 5:00 P.M.
Council Chambers – Vigo County Government Center

Pledge of Allegiance

President Todd Thacker called the meeting to order at 5:00.

Calling of the roll

Aaron Loudermilk – present, Nancy Allsup – present; Vicki Weger – present; Todd Thacker – present; Marie Theisz – present; Travis Norris – present; and David Thompson – absent.

Communications from elected officials, other officials or agencies of the County

Jada Kent of Baker Tilly gave a presentation concerning the classification and compensation study prepared for Vigo County. She gave a brief overview of the project. Baker Tilly prepared 4 new pay structures which will define a full pay range for each position based on the following groups: General (189 positions), Public Safety (18 positions), Sheriff (13 positions), and Elected Officials (12 positions). She briefly reviewed each pay plan and noted that the Elected Officials group had been created because of concern about keeping the pay range in line with the current difference between chief deputies and the elected official. She had prepared a table showing options of increases by minimum, midpoint and maximum. The numbers reflect base pay only. She urged the County to adopt the new pay plans and grade assignments; to pick an implementation that would be sustainable; and continue to update and maintain the classification system. President Thacker asked Council Attorney Michael Wright if a motion would be needed to bring it up for consideration and a vote or would it need to be advertised. Mr. Wright said that any request for new money would have to go through the normal process and be advertised. Travis Norris asked about the process of making the motion and that was briefly discussed. President Thacker gave a brief review of the whole process and said that the numbers presented had been "aged out" and were in line with current pay scales. He said that with regard to the section pertaining to elected officials, he would not feel comfortable voting on that because the Council is a part of that group. Auditor Bramble pointed out that pay for elected officials cannot be changed during the year, only in the budget process. Discussion continued regarding new hires going forward and how often studies such as this should be done. It was also noted that several departments had already requested increases and had been advertised and those could potentially be addressed before the advertisement of the new monies for the rest of the employees. There had not been enough time to calculate the financial impact using the different scenarios of pay increases.

Prosecutor Terry Modesitt asked the Council to consider bringing back his prior requests for salary increases for the deputy prosecutors that had been previously tabled waiting on the Baker Tilly study. The employment situation was becoming urgent with losing people due to salary issues. They have positions that remain unfilled and current employees looking for other jobs for better pay. It was noted that these requests had been previously made and salary ordinances submitted and then tabled, all of which would make it possible to go ahead and bring these matters back for current discussion upon a majority vote of the Council. After some additional discussion, Travis Norris made a motion to bring back Salary Ordinances 2023-11 and 2023-12 to the full Council so that they could be voted on next Tuesday. Nancy Allsup seconded the motion. Upon a voice vote of 6-0, the motion unanimously passed. Those Salary Ordinances will be on the agenda for next Tuesday.

First reading by summary reference of proposed ordinances and resolutions

i. Resolution 2023-07: Entek Lithium Separator LLC – 10 year personal property tax abatement
ii. Resolution 2023-08: Entek Lithium Separator LLC – 10 year real property tax abatement
iii. Resolution 2023-09: Wabash Valley Resources, Inc. – 10 year personal property tax abatement
iv. Resolution 2023-10: Wabash Valley Resources, Inc. – 10 year real property tax abatement
v. Additional Appropriation 2023-28: Drug Free Community – Operating Expenses
vi. Additional Appropriation 2023-29: Juvenile Court – contractual services
vii. Additional Appropriation 2023-30: Courts – Legal Services
viii. Additional Appropriation 2023-31: Vigo County Health Department – vehicles
ix. Additional Appropriation 2023-32: Vigo County Health Department – new equipment
x. Additional Appropriation 2023-33: EDIT (Commissioners) – Special Events
xi. Additional Appropriation 2023-34: ARP Grant Fund – Professional Services
xii. Additional Appropriation 2023-35: ARP Grant Fund – Indiana State University Project
xiii. Additional Appropriation 2023-36: ARP Grant Fund – Reimburse Hospital Benefits
xiv. Additional Appropriation 2023-37: Prosecutor – Office Supplies, Contractual Services, Trials & Investigations, Office Furniture
xv. Additional Appropriation 2023-38: Infraction Deferral – Law Enforcement Grants
xvi. Resolution of Reallocation 2023-11: Clerk – Out of Series Transfer
xvii. Annual tax abatement compliance reviews

Reports from committees

There were none.

Resolutions and Ordinances other than appropriations.

i. **Resolution 2023-07: Entek Lithium Separator LLC – 10 year personal property tax abatement**

Attorney Richard Shagley was present on behalf of Entek Lithium Separator LLC for this request. Kim Medford, President, and Larry Keith, CEO, were present via telephone. They are requesting a 10-year 100% abatement for both personal and real property for an undertaking in excess of $1.2 billion for personal property and $224 million for real property. This will generate over 600 construction jobs over a 3-year period. Once construction is complete, they anticipate employment of about 640 people with a $38 million annual payroll along with about a $14 million per year benefits package. Mr. Shagley interjected that he had four abatements to present this evening but he would also be asking for a special call meeting for July since no meetings were regularly scheduled for July. Doing so will allow these two companies, if the abatements are granted, to move forward sooner with the projects. Mr. Shagley said Entek had engaged Clayco, a large national company, and also met with local union representatives. Steve Witt, President of Terre Haute Economic Development, talked about some of the incentives Entek would be receiving for this project. Mr. Witt indicated they would be located at the east end the former Pfizer property, which is referred to as Industrial Park II. They have been offered approximately 340 acres at $1.00 per acre of that property, 10-year tax abatements on both real and personal property, subject to Council approval, and $2 million that the Economic Development District has on hand for infrastructure. He believed they were in the $8 million range for State incentives, and $200 million in federal grant money through the Inflation Reduction Act. Aaron Loudermilk ask what the intent was as far as using local labor and contractors. Mr. Shagley indicated that they planned to use a majority of local union labor. They have already met with many of the local companies. Their thinking is to give back to the community and make full use of the expertise already here. However, it is such a gigantic project that it can't be done using local companies exclusively and that's where Clayco comes into play.

ii. **Resolution 2023-08: Entek Lithium Separator LLC – 10 year real property tax abatement**

See prior paragraph regarding this abatement request.

iii. **Resolution 2023-09: Wabash Valley Resources, Inc. – 10 year personal property tax abatement**

Attorney Richard Shagley was also present on behalf of Wabash Valley Resources, Inc. and their abatement request for 10-year 100% real and personal property tax abatements. The personal property investment is about $700 million for Phase I and the real property investment is about $67 million. They are anticipating about 360 construction jobs over about 30 months and about 107 full time jobs upon completion with a payroll of about $13.5 million. There is also maintenance of the facility along with the 107 full time jobs. They have been working on this for several years and will be doing something that is done nowhere else in the country. They are now at the point where they are getting their funding package together, thus this abatement request. President Thacker indicated he was aware that the company had met with the building trades and signed an agreement for utilization of local labor. Commissioner Mike Morris asked to make some comments. He said he believed this business started in 2016 and at some point after that came to the County Council for a special bonding capability which was adopted by the Council. They promised back on 2016 several hundred jobs. He believed the Council should review their financials before considering this abatement and have a drop dead date as to when this plant would be in operation with a clawback agreement if the deadline was not met. Mr. Shagley agreed that the project had been going on for a long time but said what they were doing had never been done before and the company was dealing with numerous state and federal agencies which was a slow process. There was a short discussion about concerns and funding and readiness of the project to go once the funding is obtained.

iv. Resolution 2023-10: Wabash Valley Resources, Inc. – 10 year real property tax abatement

See prior paragraph regarding this abatement request. The presentation for this

v. Resolution of Reallocation 2023-11: Election Board – Out of Series Transfer

Chief Deputy Clerk Leanna Moore said they are asking to move money from one fund to another in order to be able to purchase some equipment for storage of their election equipment to replace what they currently have that is old and presents some danger with continued use. A picture of the proposed new cart was provided with the request and they need to purchase eight carts. The cost is about $1,400 each.

vi. Public Safety LIT: Options for Distribution to Units for Distribution in 2024

Chief Deputy Auditor Cheryl Loudermilk explained this is the annual request that is required by DLGF if the Council chooses to include any of the township fire departments to receive distributions from Public Safety/LIT for the following year. Determining the allocation rate to give is the first process and then it will be brought back to modify the actual resolution in August for 2024. 65% runs/35% levy distribution percentages has been used for the last several years but she has provided options for the Council to look at. The total amount comes to about $294,907. Aaron Loudermilk asked if she had looked at the past years to see if the percentages had been consistent. Ms. Loudermilk confirmed that she had.

vii. Annual Tax Abatement Compliance Reviews

These were provided by separate packet. These are the CF-1's that have been provided currently. Council should look these over and then next week take a vote on whether they are in substantial compliance or not. If it is felt they are not in substantial compliance, Council has 45 days to issue a letter to the company asking them to come in and explain why they are not in compliance. Aaron Loudermilk asked if they could get a list of any company that has not submitted a CF-1 and Ms. Loudermilk said she would get that to them.

Ordinances relating to appropriations.

i. Additional Appropriation 2023-28: Drug Free Community – operating expenses

Marie Theisz indicated Brandon Halleck had sent her an email apologizing for not being able to be at the meeting this evening due to being out of town but will be at next week's meeting should there be any questions. This request is for the annual fees that are collected by the courts via a state statute and administered by the Indiana Criminal Justice Institute. These fees consist of rollover dollars from 2021 and fees collected in 2022. The fees collected in 2023 will be applied to programming in 2024. These are not taxpayer dollars but money from individuals who were in court on drug or alcohol charges. These funds are distributed between four categories: prevention, treatment, law enforcement, and administration.

ii. Additional Appropriation 2023-29: Juvenile Court – contractual services

Hon. Dan Kelly, Juvenile Magistrate, talked about the mediation program they use to mediate some of their cases and the help it was providing in assisting with settling many of their cases which helps tremendously with their docket. The mediator is settling approximately 75% of the cases being sent to mediation. Continuing to fund this is crucially important.

iii. Additional Appropriation 2023-30: Courts – legal services

Hon. Chris Newton explained the need for an interpreter for defendants appearing in Court for whom English is not their first language or who are hearing impaired and the importance for them to understand the process. They have already used nearly all of the money appropriated for this year and need some additional funding to get through the year. It was also noted that federal regulations required that an interpreter be provided.

iv. Additional Appropriation 2023-2023-31: Vigo County Health Department - vehicles

Joni Wise, Health Department Administrator, and Mike Grayless of the Health Department, appeared for this request. Ms. Wise noted that with regard to the prior appropriation request regarding an interpreter for the Courts, the Health Department does have pocket translators available for use by all departments. She then talked about the reimbursement received by the Vigo County Health Department for administering the Covid vaccine ($671,790). Out of those monies, $300,000 was given to the local fire districts; $137,000 to the Parks Department for their trail program; and last year the Health Department replaced a couple of their older vehicles. She explained how and for what their vehicles are used. They are asking to replace two more vehicles in their aging fleet. This does meet the requirements for the use of the Covid reimbursement funds.

v. Additional Appropriation 2023-32: Vigo County Health Department – new equipment

Mike Grayless, Health Department, said this request was for money for a forklift for Vector Control. They get a delivery of approximately 45 55-gallon drums that have to be moved off pallets. Each drum weighs about 550 pounds creating a dangerous process. A forklift would alleviate that danger and assist in the process. It could also be used in the tire amnesty program. This money would also qualify to come out of the Covid reimbursement money received by the Health Department.

vi. Additional Appropriation 2023-33: EDIT (Commissioners) – Special Events

Commissioner Mike Morris said this was a request to participate in the Terre Haute Air Show next year. The City is contributing $50,000 and the rest is being raised by sponsorship. There was a brief discussion.

vii. Additional Appropriation 2023-34: ARPA Grant Fund – Professional Services

Commissioner Chris Switzer explained that this request should cover a majority of fees to be expended for Baker Tilly and RJL Solutions for services in administering the ARPA Fund. They have finalized a contract with RJL Solutions for $309,000. Mr. Switzer will provide a copy of that contract and the contract with Baker Tilly to Council members after the meeting. They are hopeful this will cover not only fees for RJL Solutions and Baker Tilly but also any fees incurred in working with the United Way and THRIVE. There was a short discussion about what any fees to United Way would be for. It was also noted that the $309,000 is the total amount that will be paid to RJL. It was noted, too, that ARPA monies are allowed to be used to pay these expenses rather than tax dollars.

viii. Additional Appropriation 2023-35: ARPA Grant Fund – Indiana State University Project

Deborah Curtis, Indiana State University President, gave a presentation on plans to expand their child care program to help fill the need for child care in the community. This type of program does qualify for the use of ARPA funds. Their current program is at capacity and has no room to grow. This plan covers not only facility improvement but also developing a community based strategic plan. The University's commitment is a building having a value of $9.3 million. Originally designed as a college academic building, it will require extensive renovation. The cost of renovating the first two floors is estimated at $6.5 million. Future plans will be to renovate the additional four floors. They will continue to pursue different funding sources. They are asking for $3 million from County ARPA funds. Additional funding was being sought as follows: $1 million from the City of Terre Haute, $1.5 from the Lilly Endowment, and $1 million READI grant. She discussed their goals and plans for the future and how it will benefit the community. Their goal is to be able to begin operations in the new building in 2025. There was lengthy discussion, including who would be able to use the child care services. There was also discussion about why the County was being asked to provide funding so much in excess of everyone else. Many concerns were discussed.

ix. Additional Appropriation 2023-36: ARPA Grant Fund – Reimburse Hospital Benefits

Auditor James Bramble said that through March 31 of this year, the Hospital Employee Benefit Funds had paid out $693,028 for Covid-related illnesses for County employees. He would like to see that reimbursed in the interest of keeping the County's insurance costs down. This is a proper expenditure of the ARPA Funds.

x. Additional Appropriation 2023-37: Prosecutor – Office Supplies, Contractual Services Trials & Investigations, Office Furniture

Chief Deputy Prosecutor Rob Roberts explained that due to some moving things around, they need to replace some office furniture that has exceeded its life span. Additionally, their office supplies budget had been cut for this year and they have now spent over half of the entire budget and have six months left to the year and believe that they will need additional funds due to increased costs for office supplies. It was also necessary to obtain licenses for office staff and attorneys (which had previously been provided by other departments) to be able to access law enforcement reports and records. They have several high level trials scheduled yet this year and they need to have sufficient funds to get them through the year. Additionally, this line item is also used for extradition purposes. Fees for extraditions of fugitives has also increased.

xi. Additional Appropriation 2023-38: Infraction Deferral – Law Enforcement Grants

Chief Deputy Prosecutor Rob Roberts said infraction deferral income has been down from previous years. Income is now about $60,000 per year. One salary is supported through that line item. When requests are received from law enforcement for additional equipment or support services, this is where it is taken from. These are infraction deferral dollars generated by law enforcement efforts and are not taxpayer dollars. The current request is from the Indiana State Police to provide LIDAR units to local troopers.

<u>Public Comments</u>

Kevin Southwood of Terre Haute made several comments about matters on tonight's agenda.

With all business concluded, President Thacker adjourned the meeting at 7:25 p.m.

MINUTES OF THE VIGO COUNTY COUNCIL
SUNSHINE MEETING
JUNE 6, 2023

Presented to the Vigo County Council, read in full and adopted as written this 8th *day of* August *, 2023.*

Aye ☑ Nay ☐	Absent ☐ Abstain ☐	David Thompson		
Aye ☑ Nay ☐	Absent ☐ Abstain ☐	Travis Norris		
Aye ☑ Nay ☐	Absent ☐ Abstain ☐	Marie Theisz		
Aye ☑ Nay ☐	Absent ☐ Abstain ☐	R. Todd Thacker, President		
Aye ☑ Nay ☐	Absent ☐ Abstain ☐	Vicki Weger		
Aye ☑ Nay ☐	Absent ☐ Abstain ☐	Nancy Allsup		
Aye ☑ Nay ☐	Absent ☐ Abstain ☐	Aaron Loudermilk		

Attest:

James W. Bramble
Vigo Auditor