

**HENDRICKS COUNTY COUNCIL REGULAR MEETING  
NOVEMBER 8, 2023**

The regular meeting of the Hendricks County Council was called to order by President Eric Wathen on Wednesday, November 8, 2023 with the following in attendance: Councilmen Caleb Brown, David Cox, Larry Hesson, Larry Scott, Eric Wathen, Brad Whicker, David Wyeth, Auditor Nancy Marsh, Financial Administrator Tami Mitchell, and Legal Counsel Rhonda Cook. Councilman Larry Scott led the assembly in the Pledge of Allegiance.

**IN THE MATTER OF THE SEPTEMBER 12, 2023  
JOINT COMMISSIONER AND COUNCIL MEETING MINUTES**

It was moved by David Wyeth and seconded by Larry Scott to approve the minutes of the September 12, 2023 Joint Commissioner and Council Meeting minutes as presented. Motion carried 5-0-2 (LH/CB).

**IN THE MATTER OF THE OCTOBER 3, 2023 REGULAR COUNCIL MEETING  
AND THE OCTOBER 17, 2023 SPECIAL BUDGET ADOPTION COUNCIL MEETING MINUTES**

It was moved by Caleb Brown and seconded by David Cox to approve the minutes of the October 3, 2023 Regular Council Meeting and the October 17, 2023 Special Budget Adoption Council Meeting as presented. Motion carried 7-0.

**IN THE MATTER OF PUBLIC COMMENT**

Anne Englehart, candidate for Indiana Senate District 24, introduced herself and stated she was attending meetings to learn the challenges different units of government face.

**IN THE MATTER OF THE WESTPOINT BUSINESS PARK**

Hendricks County Bond Counsel Adam Steuerwald and Hendricks County Financial Consultant Greg Guerrettaz discussed the proposed new TIF carved out of the undeveloped portion of the original Westpoint area to create a new TIF district. Mr. Guerrettaz presented two documents labeled Tax Increment Financing Analysis dated July 14, 2023; and Tax Increment Financing Analysis 2008 TIF Bonds and 2009 County Reimbursement Obligation (Revised TIF District – 4 Buildings Only) dated October 26, 2023 with assumptions being provided by the developer.

Mr. Guerrettaz stated that he has assumed that the new TIF Area would be carved out to provide a “fresh start” of the existing TIF and would contain the underdeveloped portion of the original Westpoint area with the assumption that the development will receive ten-year standard abatement on all buildings. Additionally, Mr. Guerrettaz assumed that TIF revenue will be captured on real property only (no personal property).

Mr. Guerrettaz stated that the Westpoint Business Park has four buildings completed and fully assessed beginning with taxes payable in 2024. The buildings identified as Building #1, #2, #3, and #4 are collectively considered to be pledged to the Outstanding Obligations. No other TIF is assumed to be pledged to the Outstanding Obligations which are the \$3,910,000 Tax Increment

Revenue Bonds of 2008 currently owed to the developer and the \$2,487,433 County Reimbursement Obligation of 2009.

Hendricks County Bond Counsel, Adam Steuerwald, stated there will be a \$600,000.00 developer contribution to the County for the purchase of fire equipment for Liberty Township and a \$600,000.00 developer contribution to Morgan County for the purchase of fire equipment.

Mr. Steuerwald presented Ordinance No. 2023-30 *An Ordinance of the Hendricks County Council Authorizing the Issuance of the Hendricks County, Indiana, Economic Development Tax Increment Revenue Bonds (Westpoint Project), and the Provision of the Proceeds Thereof to Raindrop, LLC or an Affiliate Thereof, and Authorizing and Approving other actions in Respect Thereto, which includes the Trust Indenture and Financing Agreement* for the Council's review and approval. It was moved by David Cox to approve Ordinance No. 2023-30 *An Ordinance of the Hendricks County Council Authorizing the Issuance of the Hendricks County, Indiana, Economic Development Tax Increment Revenue Bonds (Westpoint Project), and the Provision of the Proceeds Thereof to Raindrop, LLC or an Affiliate Thereof, and Authorizing and Approving other actions in Respect Thereto, which includes the Trust Indenture and the Financing Agreement* as presented. Motion carried 7-0.

Mr. Steuerwald presented Resolution 2023-38 *A Resolution of the County Council of Hendricks County Indiana Regarding the Reimbursement of Certain Preliminary Expenditures from the Proceeds of Bonds* for the Council's review and approval. It was moved by David Cox and seconded by Brad Whicker to approve Resolution 2023-38 *A Resolution of the County Council of Hendricks County Indiana Regarding the Reimbursement of Certain Preliminary Expenditures from the Proceeds of Bonds* as presented. Motion carried 7-0.

Mr. Steuerwald presented the *Consent of the Hendricks County Council to Termination of Westpoint Allocation Area Number 1 and the Rescission of TIF Pledges to the 2008 Bonds, the 2009A BANS and the Sanitary Sewer TIF Obligation* for the Council's review and approval. Mr. Steuerwald stated attorneys on both sides have agreed to all items. It was moved by David Cox and seconded by Larry Scott to approve and execute the *Consent of the Hendricks County Council to Termination of Westpoint Allocation Area Number 1 and the Rescission of TIF Pledges to the 2008 Bonds, the 2009A BANS and the Sanitary Sewer TIF Obligation* as presented. Motion carried 7-0.

**IN THE MATTER OF THE COUNCIL APPROVAL OF THE  
INTERLOCAL COOPERATION AGREEMENT BETWEEN  
TOWN OF PLAINFIELD AND HENDRICKS COUNTY, INDIANA**

Hendricks County Council Legal Counsel, Rhonda Cook stated she had created Resolution 2023-40 *A Resolution of the County Council of Hendricks County, Indiana Approving the Interlocal Cooperation Agreement Between the Town of Plainfield, Indiana, and Hendricks County, Indiana* with the revised Agreement (section 10 changed to include Commissioner sign off on the modifications). It was moved by Larry Scott and seconded by Larry Hesson to execute Resolution 2023-40 *A Resolution of the County Council of Hendricks County, Indiana Approving the Interlocal Cooperation Agreement Between the Town of Plainfield, Indiana, and Hendricks County, Indiana* and execute the *Interlocal Cooperation Agreement Between Plainfield Indiana and Hendricks County, Indiana* and refer it back to the Board of Commissioners for signature on the revised agreement. Motion carried 7-0.

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS**

Council President Eric Wathen opened and closed the public hearing with no comments being heard from the assembly.

It was moved by David Cox and seconded by Larry to approve additional appropriation #1 as presented. Councilman David Cox stated he felt there needs to be better identification of supplies and account number 20200 Operating Supplies was too broad with such significant expenditures being made from 20200. Motion carried 7-0. It was moved by Caleb Brown and seconded by Larry Scott to approve additional appropriations #2 and #3 as presented. Motion carried 7-0.

**EMERGENCY APPROPRIATION RESOLUTION**

Whereas, certain extraordinary emergencies have developed since the adoption of the existing budget, so that it is necessary to appropriate more money than was appropriated in the annual budget; therefore, to meet such extraordinary emergencies;

Be it resolved by the County Council of Hendricks County, Indiana, that for the expense of said County the following additional sums of money are hereby appropriated and ordered set apart out of the several funds as herein and for the purpose herein specified, subject to the laws governing the same.

	DEPARTMENT	ACCOUNT	DESCRIPTION	AMOUNT	APPROVED
1	Community Corrections PI	4909.20200.000.0154	Operating Supplies	\$100,000.00	\$100,000.00
2	American Rescue Plan	8950.30005.000.0102	2023 Competitive NFP Grant Recipients	\$576,085.00	\$576,085.00
3	Pre-Trial Diversion	2501.30500.000.0108	Education/Travel	\$2,007.76	\$2,007.76

Approved this 8<sup>th</sup> day of November, 2023.

**AYE**

/s/ Caleb Brown  
/s/ David Cox  
/s/ Larry R. Hesson  
/s/ Larry R. Scott  
/s/ Eric Wathen  
/s/ Brad Whicker  
/s/ David Wyeth

**NAY**

ATTEST: /s/ Nancy L. Marsh

**IN THE MATTER OF REALLOCATION OF FUNDS**

It was moved by Larry Hesson and seconded by Caleb Brown to approve Reallocation of Funds #1 through #12 as presented. Motion 7-0. It was moved by Larry Hesson and seconded by Caleb Brown to rescind the motion. Motion carried 7-0.

It was moved by Caleb Brown and seconded by Larry Hesson to approve Reallocation #1 as presented. Motion carried 4-3 (LS/DW/DC). It was moved by David Wyeth and seconded by Larry Hesson to approve reallocation #2 through #12 as presented. Motion carried 7-0.

### **REALLOCATION OF FUNDS RESOLUTION**

Be it resolved by the County Council of Hendricks County, Indiana, that for the expenses of the unit of Government of Hendricks County, the following sums of money previously appropriated for expenditures from a detailed account within a major classification, are hereby reallocated to another detailed account within a different classification as originally appropriated, all as herein specified.

	DEPARTMENT	FROM	TO	AMOUNT	Y/N
1.	ARPA Facilities	8950.30005.000.0136	8950.40005.000.0136	\$300,000.00	Y
2.	General Fund/Council	1001.13592.000.0149	1001.13590.000.0149	\$100,000.00	Y
3.	Community Corrections Grant	1122.39911.000.0154	1122.20200.000.0154	\$4,000.00	Y
4.	Community Corrections Grant	1122.30203.000.0154	1122.20200.000.0154	\$513.00	Y
5.	CASA	1212.44000.000.0160	1212.30200.000.0160	\$3,500.00	Y
6.	Opioid Unrestricted	1238.10006.000.0108	1238.10857.000.0108	\$19,274.32	Y
7.	Opioid Unrestricted	1238.10006.000.0108	1238.10858.000.0108	\$19,274.32	Y
8.	Probation Community Correct.	9123.15113.000.0151	9123.15117.000.0151	\$19.45	Y
9.	Local Road & Street	1169.20401.002.0201	1169.36602.000.0201	\$50,000.00	Y
10.	Local Road & Street	1169.20401.002.0201	1169.31900.000.0201	\$30,000.00	Y
11.	Local Road & Street	1169.20401.002.0201	1169.37900.000.0201	\$40,000.00	Y
12.	70/39 Commerce Park	4406.44000.000.0102	4406.31900.000.0102	\$50,000.00	Y

Approved this 8<sup>th</sup> day of November , 2023.

**AYE**

/s/ Caleb Brown  
/s/ David Cox  
/s/ Larry R. Hesson  
/s/ Larry R. Scott  
/s/ Eric Wathen  
/s/ Brad Whicker  
/s/ David Wyeth

**NAY**

#1  
  
#1  
  
#1

ATTEST: /s/ Nancy L. Marsh

### **IN THE MATTER OF THE STATUS OF FUNDS**

The Status of Funds was reviewed and noted that the fund balances and surplus funds remaining are very strong.

### **IN THE MATTER OF THE 2023 HENDRICKS COUNTY JAIL INSPECTION**

The County Council acknowledged receipt and review of the 2023 Hendricks County Jail Inspection as provided by Sheriff Sadler.

**OTHER BUSINESS**

Auditor Nancy Marsh reported that after being under audit year round for the past three years, the State Board of Accounts completed the 2022 Audit, and we are officially caught up. Auditor Marsh reported that the Exit Conference was held on October 17, 2023 with Commissioner Dawes in attendance.

There being no further business to come before the Council, upon motion by David Wyeth and second by Larry Scott, the meeting was adjourned at 9:43 a.m. on Wednesday, November 8, 2023.

**HENDRICKS COUNTY COUNCIL**



Caleb Brown



David Cox



Larry R. Hesson



Larry R. Scott



Eric Wathen



Brad Whicker



David Wyeth

ATTEST:



Nancy L. Marsh, Auditor