

President Jay Puckett called the regular monthly meeting of the Hendricks County Council to order at 2:00 p.m. on Thursday, November 12, 2015 with the following in attendance: Caleb Brown, Larry Hesson, Jay Puckett, Dick Thompson, Michael Rogers, Eric Wathen, Brad Whicker, Auditor Cinda Kattau and Financial Administrator Tamela Mitchell. President Jay Puckett led the assembly in the Pledge of Allegiance.

IN THE MATTER OF THE AGENDA

Brad Whicker moved to adopt the amended agenda. Dick Thompson seconded the motion. Motion passed 7-0.

IN THE MATTER OF PERSONAL PROPERTY TAX ABATEMENT

Jeff Pipkin, Director of Business Development HCEDP and Stephanie Riffle, representing Chewy.Com.LLC were present to explain and answer questions regarding the request for a personal property tax abatement. The request presented was for \$5,600,000 in logistic/distribution equipment and \$640,000 in IT equipment but they requested an increase to over \$7,000,000. After discussion, Ms. Kattau suggested to continue with the public hearing on the adoption of the original request and submit an amendment to the original request for consideration at the December meeting. The public hearing was opened for comments. After hearing no comments, President Puckett closed the public hearing. Larry Hesson moved to approve Resolution 2015-38. Brad Whicker seconded the motion. Motion passed 7-0.

IN THE MATTER OF THE MINUTES

Eric Wathen moved to approve the minutes from the October meeting. Larry Hesson seconded and the motion passed 6-0-1, with Michael Rogers abstaining.

IN THE MATTER OF THE MINUTES

Eric Wathen moved to approve the minutes from the budget workshops. Larry Hesson seconded and the motion passed 7-0.

IN THE MATTER OF MUSEUM FUNDING

Deanna Hindsley, President of County Museum Board, reported that Pat Baldwin was still working with the Commissioners. Michael Rogers moved to put on the December agenda. Brad Whicker seconded. Motion passed 7-0.

**IN THE MATTER OF THE UPDATE
ON THE HEARTLAND TIF BOND REFUNDING**

Greg Guerrettaz, Financial Solutions Group, gave the background on the refinance of the bond. He stated the first payment would be due on January 1, 2016. He also stated the principal was lowered, and it would be paid off in 2023. He said the final documents should come from Bruce Donaldson, Barnes & Thornburg and debt payments would be payable to Huntington Bank.

IN THE MATTER OF HUMAN RESOURCES

Erin McIntyre, Human Resources Administrator, provided a job description (same job description as other Public Health Nurses) for a full time Public Health Nurse, PAT3, exempt position for approval. Tammy Brinkman reported the Health Department was awarded a grant for 2016 and the appropriations, to include the requested Public Health Nurse, would be presented for approval at the January Council meeting. She stated she was aware the position would be eliminated if funding ceased and the employee hired would sign a document stating they were aware of this. Larry Hesson moved to approve the creation of the position effective January 1, 2016. Brad Whicker seconded and the motion passed 7-0. Ms. McIntyre also provided a job description for a part time Drainage Inspector for approval. Eric Wathen moved to approve the job description for the OSS2, nonexempt, part time Drainage Inspector. Caleb Brown seconded the motion. Motion passed 7-0.

IN THE MATTER OF THE 2016 WAGE SCALE

Ms. Kattau provided a draft copy of the 2016 Wage Scale for review. Larry Hesson moved to table discussion until the December meeting. Dick Thompson seconded the motion. Motion passed 7-0.

IN THE MATTER OF THE STATUS OF FUNDS

Council reviewed the Status of Funds Report.

IN THE MATTER OF ADDITIONALS

Eric Wathen moved to approve items # 1 and # 3 thru # 5. Larry Hesson seconded the motion. Motion passed 7-0.

Bridgette Collins, Director of Work Release, reported she had been awarded a \$57,000 grant. She asked for approval for a new Correctional Officer. She explained that about \$40,000 would be used for the employee and the remaining for food service from Aramark. She also asked for the fringe benefits

to be funded by the county. Eric Wathen moved to approve the request. Larry Hesson seconded the motion. Motion passed 7-0.

Caleb Brown moved to approve item # 2 for \$309,000 from the Cumulative Capital Fund. Eric Wathen seconded the motion. Motion passed 7-0.

IN THE MATTER OF REALLOCATIONS

Eric Wathen moved to approve items # 1 thru # 4. Larry Hesson seconded the motion. Motion passed 7-0. Larry Hesson moved to approve item # 5. Brad Whicker seconded the motion. Motion passed 5-2, with Eric Wathen and Caleb Brown dissenting.

OTHER COUNCIL BUSINESS

A tort claim was received and reviewed by Council. .

Larry Hesson reported AIC is currently working on a handbook for Council members. He believes it should be available around the first of the year.

Michael Rogers and Eric Wathen reported they would meet with the HCEDP to review and discuss possible changes to the abatement process. They would discuss any changes with Council.

With no further business, Eric Wathen moved to adjourn at 3:17 p.m. Caleb Brown seconded the motion. Motion passed 7-0.

HENDRICKS COUNTY COUNCIL

RESOLUTION NO. 2015-38

RESOLUTION SETTING FORTH FINAL ACTION IN GRANTING A
PERSONAL PROPERTY TAX ABATEMENT FOR CHEWY.COM

WHEREAS, the Hendricks County Council of Hendricks County, Indiana adopted a Tax Abatement Procedures Ordinance on October 7, 1997; and

WHEREAS, pursuant to said Tax Abatement Procedures Ordinance, Chewy.com, LLC has filed with the Hendricks County Auditor an "Application for Designation of Economic Revitalization" on September 21, 2015; and

WHEREAS, at a duly constituted meeting of the Hendricks County Council held on May 9, 2013 said County Council declared certain real estate within Hendricks County, Indiana, to be an "Economic Revitalization Area" pursuant to the specifications of Resolution No. 97-37 adopted and approved that date; and

WHEREAS, said application has been reviewed by the Tax Abatement Committee and the Hendricks County Council, and has received from the applicant the requisite filing fee; and

WHEREAS, pursuant to I.C.6-1,1-12,1-1 et seq. the County Council of Hendricks County, Indiana has properly published "Notice of Public Hearing Regarding Personal Property Tax Abatement" and the application has been considered at a duly held public meeting of said County Council; and

WHEREAS, no remonstrances, written or oral, have been filed with regard to the proposed tax abatement stating opposition, of any type or character, to said Resolution, or the designation of the real estate described therein as an "Economic Revitalization Area"; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF
HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

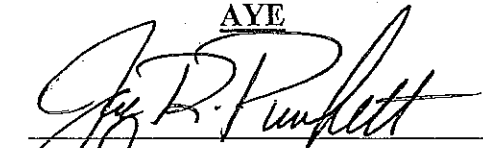
1. Personal Property. The County Council of Hendricks County, Indiana hereby declares that any and all eligible personal property placed upon the real estate

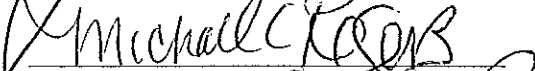
described in Exhibit A attached hereto, after the date of the adoption of the Resolution by the County Council, shall, be eligible for the property tax abatement pursuant to the provisions of I.C.6-1.1-12.1-1 et seq.


2. Compliance with Applicable Resolution and Statutes. It is hereby declared by the County Council of Hendricks County, Indiana that the Application of Chewy.com, LLC heretofore filed complies in all respects with the Tax Abatement Procedure Ordinance No. 97-37 adopted October 7, 1997 and all governing Indiana statutes, and that said Application, in all respects, is hereby granted and approved.
3. No Limitation or Restrictions. It is hereby declared by the County Council of Hendricks County, Indiana that based on Hendricks County's Tax Abatement Procedure Ordinance No. 97-37 adopted October 7, 1997, an allowance for a five (5) year Abatement Duration as requested by the applicant meets the requirements of the Tax Abatement Procedures Ordinance.
4. Final Action. After legally required public notice, and after public hearing pursuant to such notice the County Council of Hendricks County, Indiana hereby takes "final action" as that phrase is defined in I.C. 6-1,1-12,1-1 et.seq. with regard to the aforestated Application of Chewy.com, LLC.
5. Confirmation of Resolution No. 13-5 It is hereby declared by County Council of Hendricks County, Indiana that Resolution No. 13-5, adopted on May 9, 2013 is in all respects hereby confirmed, and it is hereby stated that the qualifications for an economic revitalization area have been met by Chewy.com, LLC as to the personal property described in Exhibit A of Resolution No. 13-5.
6. Effective Date. This Resolution shall be effective immediately upon its passage, subject to any right of appeal as provided by State Law.


Adopted by the County Council of Hendricks County, Indiana this 12th day of November, 2015.

AYE



Jay R. Puckett, Council President, Dist. 2

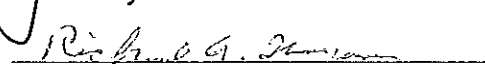

Mike Rogers, Dist. 1


Brad Whicker, Dist. 3

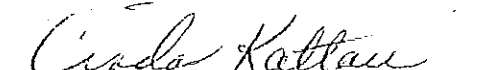

Eric Wathen, Dist. 4


Caleb Brown, At-large


Larry Hesson, At-large


Richard Thompson, At-large

Attest:


Cinda Kattau, Auditor

NAY

Jay R. Puckett, Council President, Dist. 2

Mike Rogers, Dist. 1

Brad Whicker, Dist. 3

Eric Wathen, Dist. 4

Caleb Brown, At-large

Larry Hesson, At-large

Richard Thompson, At-large



STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51764 (R3 / 12-13)

Prescribed by the Department of Local Government Finance

FORM SB-1/PP

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1

INSTRUCTIONS

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
3. To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
5. For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1		TAXPAYER INFORMATION				
Name of taxpayer	Name of contact person					
Chewy.com, LLC	Jennifer Hoberman					
Address of taxpayer (number and street, city, state, and ZIP code)		Telephone number				
1855 Griffin Road, Suite B-428, Dania Beach, FL 33004		(954) 334-3395				
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT				
Name of designating body		Resolution number (s)				
Hendricks County Council						
Location of property		County	DLGF taxing district number			
1974 Innovation Boulevard, Clayton, IN 46118		Hendricks	Liberty Township 013			
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.)		ESTIMATED				
		START DATE	COMPLETION DATE			
		Manufacturing Equipment				
		R & D Equipment				
		Logist Dist Equipment	11/15/2015			
		IT Equipment	11/15/2015			
			12/15/2015			
SECTION 3						
ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT						
Current number	Salaries	Number retained	Salaries			
0		n/a				
		392	11,854,720			
SECTION 4						
ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT						
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	MANUFACTURING EQUIPMENT		R & D EQUIPMENT	LOGIST DIST EQUIPMENT	IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values						
Plus estimated values of proposed project					5,650,000	640,000
Less values of any property being replaced						
Net estimated values upon completion of project					5,650,000	640,000
SECTION 5						
WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER						
Estimated solid waste converted (pounds)		Estimated hazardous waste converted (pounds)				
0		0				
Other benefits:						
SECTION 6						
TAXPAYER CERTIFICATION						
I hereby certify that the representations in this statement are true.						
Signature of authorized representative		Date signed (month, day, year)				
		08.28.2015				
Printed name of authorized representative		Title				
Ryan Cohen		CEO				

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed _____ calendar years * (see below). The date this designation expires is _____.

B. The type of deduction that is allowed in the designated area is limited to:

- | | |
|--|---|
| 1. Installation of new manufacturing equipment; | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2. Installation of new research and development equipment; | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 3. Installation of new logistical distribution equipment. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Installation of new information technology equipment; | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

C. The amount of deduction applicable to new manufacturing equipment is limited to \$ _____ cost with an assessed value of \$ _____.

D. The amount of deduction applicable to new research and development equipment is limited to \$ _____ cost with an assessed value of \$ _____.

E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ 5,650,000 cost with an assessed value of \$ 5,650,000.

F. The amount of deduction applicable to new information technology equipment is limited to \$ 640,000 cost with an assessed value of \$ 640,000.

G. Other limitations or conditions (specify) _____

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

- | | | | | |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|--|
| <input type="checkbox"/> Year 1 | <input type="checkbox"/> Year 2 | <input type="checkbox"/> Year 3 | <input type="checkbox"/> Year 4 | <input checked="" type="checkbox"/> Year 5 (see below *) |
| <input type="checkbox"/> Year 6 | <input type="checkbox"/> Year 7 | <input type="checkbox"/> Year 8 | <input type="checkbox"/> Year 9 | <input type="checkbox"/> Year 10 |

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☒ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: (signature and title of authorized member of designating body) <u>Jay R. Puckett</u> President	Telephone number <u>317.745-9315</u>	Date signed (month, day, year) <u>11/12/15</u>
Printed name of authorized member of designating body <u>Jay R. Puckett</u>	Name of designating body <u>Hendricks County Council</u>	
Attested by: (signature and title of attester) <u>Cinda Kattau</u>	Printed name of attester <u>CINDA KATTAU</u>	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

ABATEMENT SCHEDULE FOR CHEWY.COM, LLC

5 YEARS

YEAR 1 100%

YEAR 2 80%

YEAR 3 60%

YEAR 4 40%

YEAR 5 20%

11/12/15

clk

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;

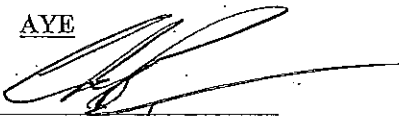
Be it resolved by the County Council of Hendricks County, Indiana, that for the expense of said County the following additional sums of money are hereby appropriated and ordered set apart out of the several funds as herein and for the purpose herein specified, subject to the laws governing the same.

ADDITIONAL APPROPRIATIONS

<u>DEPARTMENT</u>	<u>ACCOUNT #</u>	<u>DESCRIPTION</u>	<u>REQUESTED</u>	<u>APPROVED</u>
1) Comm Corr Project Income	4909.10000.075.154	Incentive Bonus	\$ 6,250	<u>6,250</u>
2) EDFT, CAGIT or Food & Bev	<u>1138</u> 42003.000.146	Election Equipment	\$ 781,610	<u>309,000</u>
3) Economic Dev Income Tax	1112.10000.000.102	Stipend	\$ 118,000	<u>118,000</u>
4) Victim's Assistance Grant	8100.10804.000.108	Victim's Assistance Coordinator	\$ 28,405	<u>28,405</u>
5) Victim's Assistance Grant	8100.10856.000.108	VAC Assistant	\$ 31,595	<u>31,595</u>


Adopted this 12th day of November, 2015 by the following vote:

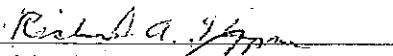
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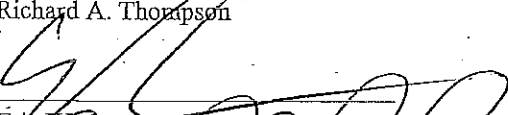

Caleb M. Brown

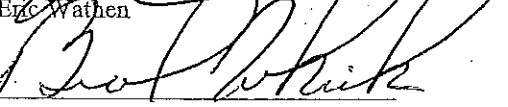

Larry R. Hesson


Jay R. Puckett



Michael C. Rogers


Richard A. Thompson


Eric Wathen


Brad Whicker

Attest:


Cinda Kattau, Auditor

NAY

Caleb M. Brown

Larry R. Hesson

Jay R. Puckett

Michael C. Rogers

Richard A. Thompson

Eric Wathen

Brad Whicker

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 hereinafter specified.

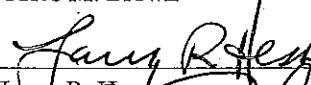
TRANSFERS

<u>DEPARTMENT</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>	<u>Y/N</u>
1) Local Road & Street	1169.44010.003.201	1169.204701.002.201	\$ 50,790	<u>Y</u>
2) General - Self Help Office	1001.34500.000.132	1001.20101.000.132	\$ 783	<u>Y</u>
3) General - Court Administration	1001.15305.000.160	1001.16006.000.160	\$ 500	<u>Y</u>
4) General - Court Administration	1001.15305.000.160	1001.16099.000.160	\$ 2,000	<u>Y</u>
5) General - Court Administration	1001.30703.000.160	1001.20101.000.160	\$ 4,000	<u>Y</u>

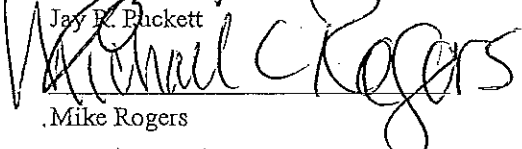
Adopted this 12th day of November, 2015 by the following vote:

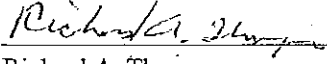
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Caleb M. Brown

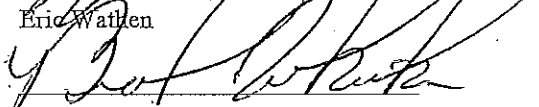

Larry R. Hesson


Jay R. Puckett

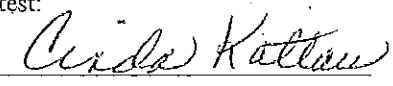

Mike Rogers


Richard A. Thompson



Eric Wathen


Bradley Whicker

Attest:


Cinda Kattau, Auditor

NAY

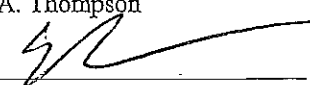
#5 
Caleb M. Brown

Larry R. Hesson



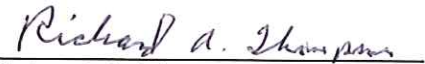
Jay R. Puckett

Mike Rogers

Richard A. Thompson

#5 
Eric Wathen

Bradley Whicker


Caleb Brown
Larry R. Hesson
Jay R. Puckett
Michael C. Rogers
Richard A. Thompson
Eric Wathen
Brad Whicker

Attest:


Cinda Kattau, Auditor