

Monday

July 12, 2004

Monday

216

WHEREAS, certain extraordinary emergencies have developed since the adoption of the existing annual budget, so that it is now necessary to appropriate more money than was appropriated in the annual budget. **NOW THEREFORE**, to meet such extraordinary emergencies:

Sec.1. BE IT ORDAINED (RESOLVED) by the County Council of DeKalb County, Indiana, that for the expense of said municipal corporation the following sums of money are hereby herein specified, subject to laws governing the same:

		AMOUNT REQUESTED	AMOUNT APPROVED	VOTE AYE NAY	
<u>ADDITIONALS</u>					
<u>COUNTY GENERAL</u>					
<u>(0100)</u>					
<u>CORONER (7)</u>					
Medical Fees (3280)	<i>Dy/SO Approved 9/21/04</i>	\$ 5,000.00	<u>5,000</u>	<u>6</u>	<u>0</u>
<u>SUPERIOR COURT (26)</u>					
Legal Fees (3282)	<i>So/KC</i>	\$ 6,000.00	<u>6,000</u>	<u>6</u>	<u>0</u>
<u>CUMULATIVE BRIDGE</u>					
<u>(2500)</u>					
Small Structure #20 CR 19 (99.35100)	<i>KC/DW</i>	\$ 20,000.00	<u>20,000</u>	<u>6</u>	<u>0</u>
Small Structure #28 CR 20 (99.35105)		\$ 25,000.00	<u>25,000</u>	<u>6</u>	<u>0</u>
Small Structure #23 CR 23 (99.35110)		\$ 85,000.00	<u>85,000</u>	<u>6</u>	<u>0</u>

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TRANSFERS

Monday

217

COUNTY GENERAL (0100)PLAN COMMISSION (13)From: Employee Wages
(1114)

To: Legal Fees (3282)

\$ 2,440.00

gm/so
2440.006 0From: Employee Wages
(1114)

To: Consultant Fees (3284)

\$ 1,000.00

1,0006 0COURTHOUSE (20)From: Building/Structure
Repair (3367)To: Furniture & Fixtures
(4441)

\$ 170.00

Drw/so
170.006 0LOCAL HEALTH
MAINTENANCE (0510)From: Office Supplies
(99.2211)To: Programming/Software
(99.3412)

\$ 672.00

KC/Lm
672.006 0AVIATION (0600)From: Runway Repairs
(99.3369)To: Petroleum Products &
Supplies (99.2221)

\$ 950.00

Drw/Dy
950.006 0

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ADOPTED THIS 12TH DAY OF JULY, 2004

218

NAY

AYE

	<i>Robert W. Seldin</i>
	<i>David M. Mide</i>
	<i>Donald G. Van Wazer</i>
	<i>Janet Ordway</i>
	<i>Larry Moughlin</i>
	<i>Keith A. Crow</i>

ATTEST:

Sharon G. Hayes

Sharon G. Hayes
Secretary of Appropriating Body

COUNCIL MINUTES - JULY 12, 2004**Absent: Ben Smaltz****MATTER OF MINUTES**

A motion by Don Van Wye to approve the minutes of June 7th was seconded by Larry Moughler and carried

MATTER OF ADDITIONAL APPROPRIATIONS

A motion by David Yarde to approve the appropriation for \$5000 for coroner's medical fees was seconded by Janet Ordway and carried.

A motion by Janet Ordway to approve the appropriation for \$6000 for superior court legal fees was seconded by Keith Crow and carried.

MATTER OF EMPLOYEE - KAY McCANN

Recorder Burtie Rynearson requested the council approval for Kay McCann to become a fulltime employee. Kay has worked for more than one year on contract. Burtie proposed to employ Kay full time and pay both salary and benefits from the recorder's perpetuation fund through the remainder of 2004. The salary for 2005 would still be paid from the perpetuation fund, but the benefits would be paid from the commissioners' budget as are other full time employees. A motion by Keith Crow to approve Kay McCann to become a full time employee was seconded by David Yarde and carried.

MATTER OF WATERLOO GRANT PUBLIC LIBRARY - CAPITAL PROJECTS FUND

The Waterloo Library Board had requested and received approval at the June council meeting for a capital projects plan for 2005. The hearing did not receive proper newspaper advertising, and although approved by the county council could not be approved by the Department of Local Government Finance. New advertising was done by the county auditor. A motion by Janet Ordway to again approve the Waterloo Grant Public Library Capital Projects Fund for 2005 was seconded by Larry Moughler and carried unanimously.

MATTER OF ADDITIONAL APPROPRIATIONS - BRIDGES

A motion by Keith Crow to approve requests for three small bridge structures in conjunction with maintenance of the H. Scheuster Drain and reconstruction of the roadside ditch and highway was seconded by Don VanWye and carried. The structures to be repaired and /or replaced are numbers 20, 23, and 28 for a total of \$130,000.

MATTER OF TRANSFERS

Zoning Administrator Sally Rowe requested the transfer of \$2,440 from employee wages to legal fees and \$1,000 from employee wages to consultant fees for the plan commission. A motion by Larry Moughler to approve the transfers was seconded by Janet Ordway and carried.

A motion by Don VanWye to approve the transfer of \$170 from courthouse building repairs to furniture and fixtures was seconded by Janet Ordway and carried.

A motion by Keith Crow to approve a transfer of \$672 from office supplies to programming software for Local Health Maintenance was seconded by Larry Moughler and carried.

A motion by Don VanWye to approve the transfer of \$950 from runway repairs to petroleum products within the aviation budget was seconded by David Yarde and carried.

MATTER OF TAX ABATEMENT – MAGIC COIL

Attorney Henry Nadjeski presented a request for the confirmatory resolution for tax abatement for Magic Coil Products. Following a brief discussion the hearing for the request for 10-year abatement for real estate and 5-years for personal property for Magic Coil and MC Processing was opened to public comment. There was no comment from the public.

Councilman Wilder noted that this industry in Wilmington Township is not within the confines of the TIF district, and as such would add to the tax base for both the township and the DeKalb Eastern School District.

A motion by Janet Ordway to approve Council Resolution 2004-R5 a confirmatory resolution granting 10-year real estate tax abatement for Magic Coil and 5-year personal property tax abatement for MCP was seconded by Larry Moughler and carried.

DEKALB COUNTY COUNCIL RESOLUTION 2004 – R5 DEKALB COUNTY CODE SECTION 26-8-1-3 A CONFIRMATORY RESOLUTION AWARDED REAL AND PERSONAL PROPERTY TAX ABATEMENT

WHEREAS, there exist in DeKalb County, Indiana areas that are undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character or occupancy, age, obsolescence, substandard buildings, and other factors that have impaired the values and have prevented normal development of property or use of property in those areas; and

WHEREAS, the County Council of DeKalb County, Indiana is permitted, pursuant to I.C. § 6-1.1-12.1, et seq., to declare those portions of DeKalb County, Indiana experiencing said retarded growth as “Economic Revitalization Areas”; and

WHEREAS, once declared an Economic Revitalization Area, parties with real estate and/or manufacturing equipment in said areas may apply for Tax Abatement under I.C. § 6-1.1-12.1, et seq.; and

WHEREAS, MCP Investments, LLC and Magic Coil Products, LLC have jointly applied for Tax Abatement on real estate to be improved (see attached Exhibit “A”) and on new machinery and equipment (see attached Exhibit “B”); and

WHEREAS, the County Council of DeKalb County, Indiana previously determined that the real estate described in attached Exhibit “C” meets the definition of an Economic Revitalization Area by way of its Declaratory Resolution 2002-R13 dated effective December 2, 2002.

NOW, THEREFORE, BE IT RESOLVED, by the County Council of DeKalb County, Indiana, that:

1. The County Council of DeKalb County, Indiana has been advised by MCP Investments, LLC of a proposed revitalization program set out, in part, on attached Exhibit “A”, which includes: i) the construction of new improvements upon a portion of the real estate described in attached Exhibit “C”, the legal description being attached hereto as Exhibit “D”, which said portion of real estate is owned in fee by MCP Investments, LLC.
2. The County Council of DeKalb County, Indiana has also been advised by Magic Coil Products, LLC of a proposed revitalization program set out, in part, on attached Exhibit “B”, which includes the installation of new machinery and equipment in, on or upon the building improvements proposed to be constructed on the real estate described in attached Exhibit “D”. Magic Coil Products, LLC will be leasing the new building improvements to be constructed on the real estate described in attached Exhibit “D” from MCP Investments, LLC.

- 222
3. The County Council of DeKalb County, Indiana has reviewed the statement of benefits forms included here as attached Exhibits "A" and "B" and other information brought to its attention, and hereby determines that the deductions under I.C. § 6-1.1-12.1, et seq., should be allowed based on the following findings:
 - (a) The estimate of costs of the real estate and new machinery and equipment is reasonable.
 - (b) The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from new construction of real estate improvements and installation of the new equipment.
 - (c) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed construction of real estate improvements and installation of the new equipment.
 - (d) The number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, along with the value of the acquisition and construction of real and personal property improvements, create benefits of the type and quality anticipated by the County Council of DeKalb County, Indiana within the Economic Revitalization Area and can reasonably be expected to result from the proposed construction of real estate improvements and installation of the new equipment.
 - (e) The totality of benefits is sufficient to justify the deductions.
 4. The County Council of DeKalb County, Indiana hereby finds that the purposes of Tax Abatement are served by allowing the deductions provided by I.C. § 6-1.1-12.1-4.5 for a period of 5 years for new manufacturing equipment which is to be installed as contemplated by and reflected in attached Exhibit "B", and for a period of 10 years for the real estate described in attached Exhibit "D" which is to be improved as contemplated by and reflected in attached Exhibit "A".
 5. The statement of benefits submitted by MCP Investments, LLC and Magic Coil Products, LLC are hereby approved.

Voted effective the 12 day of July, 2004 by the County Council of DeKalb County, Indiana.

DEKALB COUNTY COUNCIL

By: Robert Wilder
Robert Wilder, President

By: David Yarde
David Yarde, Vice President

By: Janet Ordway
Janet Ordway

By: Donale E. VanWye
Donald E. VanWye

By: Larry Moughler
Larry Moughler

By: _____
Benjamin C. Smaltz

By: Keith A. Crow
Keith A. Crow

Attest:
Sharon G. Hayes
Sharon Hayes
DeKalb County Auditor

MATTER OF ADJOURNMENT

A motion by Keith Crow to adjourn the meeting was seconded by Larry Moughler and carried.