

AUDITOR'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MADISON)

I, Kathy Stoops-Wright, duly elected, qualified and acting Auditor of aforesaid County and State do hereby certify that the attached record is a true and complete copy of the minutes of the special meeting of the Madison County Council held on June 14, 2011.

Dated at Anderson Indiana this 14th day of June, 2011.

S/Kathy Stoops-Wright
Madison County Auditor

**MINUTES OF THE MADISON
COUNTY COUNCIL**

The Madison County Council met in special session on June 14, 2011 with the following members present:

John Bostic, Jr.
Larry Crenshaw
Rick Gardner
Larry Higgins
David McCartney
Buddy Patterson
Mike Phipps

Also present was first deputy Auditor Patty Mauck.

The Auditor presented to the County Council an Ordinance entitled "An Ordinance Appropriating Money in Planned Unit Development Fund, CJC/DOC, CJC/Project Income, Community Transition Program, CJC/Juvenile and General Fund.

COUNTY EMERGENCY APPROPRIATION NUMBER 6A

WHEREAS, certain conditions have developed since the adoption of the existing annual budget that is necessary to appropriate more money than was appropriated in the annual budget for the various functions of the County Government to meet such extraordinary emergencies.

SECTION I. Be it ordained by the Madison County Council of Madison County, Indiana for the expenses of the County Government and its institutions for the year ending December 2011, the following sums of money are hereby appropriated and set out of the several funds herein specified, subject to the laws governing the same, such sums appropriated shall be held to include all expenditures to be made during the year.

SECTION II. That for the fiscal period there is appropriated out of the various funds thereafter named; the following specified amount to be transferred or new money to meet such extraordinary emergencies, which are declared to exist.

June 14, 2011

NEW MONEY

	<u>Amount Requested</u>	<u>Amount Allowed</u>
<u>PLANNED UNIT DEVELOPMENT FUND</u>		
390-02A Summerlake, Sec I	\$217.50	217.50
390-02B Summerlake, Sec II	\$1,943.24	1943.24
390-02C Summerlake, Sec III	\$1,510.83	1510.83
390-02D Summerlake, Sec IV	\$1,203.39	1203.39
390-02E Summerlake, Sec V	\$93.92	93.92
390-02F Summerlake, Sec VI	\$4,197.09	4197.09
390-02G Summerlake, Sec VII	\$997.07	997.07
390-02H Summerlake, Sec VIII	\$3,676.80	3676.80
390-06A Harvest Hills at Rafert Farms, Sec I	\$29,802.00	29802.00

CJC/DOC

111-000 Executive Director	\$46,308.00	46308.00
118-000 Assistant Director	\$39,713.00	39713.00
119-000 Case Manager	\$25,318.00	25318.00
117-000 Community Supervision Coord.	\$30,000.00	30000.00
120-000 Case Manager Supervisor	\$29,995.00	29995.00
121-000 Business Manager	\$21,506.00	21506.00
113-000 Work Release Supervisor	\$33,595.00	33595.00
116-000 Officer in Charge	\$28,718.00	28718.00
150-000 Part time	\$32,830.00	32830.00
163-000 Longevity	\$8,700.00	8700.00
160-161 FICA	\$21,838.00	21838.00
160-162 PERF	\$27,833.00	27833.00
160-163 Group Insurance	\$76,232.00	76232.00
160-164 Unemployment	\$5,099.00	5099.00
160-166 Workman's Comp	\$1,989.00	1989.00

CJC/PROJECT INCOME

125-000 Coordinator of Court Services	\$34,910.00	34910.00
116-000 Corrections Officer	\$169,761.00	169761.00
113-000 Community Supervision Assistant	\$11,300.00	11300.00
116-000 Officer in Charge	\$28,718.00	28718.00

June 14, 2011

NEW MONEY cont.

	<u>Amount Requested</u>	<u>Amount Allowed</u>
<u>CJC/PROJECT INCOME cont.</u>		
114-000 Security Supervisor	\$3,500.00	3500.00
120-000 Community Supervision Coordinator	\$7,095.00	7095.00
118-000 Juvenile Coordinator	\$4,954.00	4954.00
117-000 Case Manager Supervisor	\$7,100.00	7100.00
119-000 Case Manager	\$29,518.00	29518.00
122-000 Case Manager	\$31,901.00	31901.00
126-000 Case Manager	\$4,200.00	4200.00
150-000 Part time	\$15,809.00	15809.00
156-000 On-Call	\$5,200.00	5200.00
160-161 FICA	\$38,971.00	38971.00
160-162 PERF	\$34,035.00	34035.00
160-163 Group Insurance	\$49,124.00	49124.00
160-164 Unemployment	\$4,435.00	4435.00
160-166 Workman's Comp	\$4,419.00	4419.00
163-000 Longevity	\$2,304.00	2304.00

COMMUNITY TRANSITION PROGRAM

111-000CTP Coordinator	\$37,095.00	37095.00
112-000 Case Manager	\$29,518.00	29518.00
150-000 Part time	\$17,450.00	17450.00
156-000 On Call	\$2,550.00	2550.00
163-000 Longevity	\$900.00	900.00
160-161 FICA	\$6,700.00	6700.00
160-162 PERF	\$6,500.00	6500.00
160-163 Group Insurance	\$21,750.00	21750.00
160-164 Unemployment	\$631.00	631.00
160-166 Workman's Comp	\$631.00	631.00

CJC/JUVENILE

112-000 Executive Director	\$8,860.00	8860.00
119-000 Juvenile Work Service Coord	\$25,642.00	25642.00
121-000 Business Manager	\$9,794.00	9794.00
113-000 Assistant Director	\$7,200.00	7200.00
163-000 Longevity	\$500.00	500.00
160-166 Workman's Compensation	\$819.00	819.00
160-164 Unemployment	\$1,616.00	1616.00

June 14, 2011

NEW MONEY cont.

	<u>Amount Requested</u>	<u>Amount Allowed</u>
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CJC/JUVENILE cont.

160-161 FICA	\$4,300.00	4300.00
160-162 PERF	\$5,475.00	5475.00
160-163 Group Insurance	\$5,475.00	5475.00

GENERAL FUND

Commissioners

311-001 Arbitration Expenses (tabled from May)	\$80,000.00	withdraw
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Veterans Affairs

390-000 Other Services and Charges	\$1,000.00	withdraw
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County Council

310-000 Professional Services	\$450.00	450.00
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ORDINANCE NO 6A was presented to the Madison County Council and read in full this 14th day of June, 2011.

S/Larry Crenshaw
President County Council

ATTEST:

S/Kathy Stoops-Wright
Kathy Stoops-Wright
Madison County Auditor

ORDINANCE NO 6A was presented to the Madison County Council read and adopted this 14th day of June, 2011 by the following Aye or Nay vote:

	Aye	Nay	Abstained	Absent
<u>John Bostic, Jr.</u>	—	—	—	—
<u>Larry Crenshaw</u>	—	—	—	—
<u>Rick Gardner</u>	—	—	—	—
<u>Larry Higgins</u>	—	—	—	—
<u>David McCartney</u>	—	—	—	—
<u>Buddy Patterson</u>	—	—	—	—
<u>Mike Phipps</u>	—	—	—	—

ATTEST:

S/Kathy Stoops-Wright
Kathy Stoops-Wright
Madison County Auditor

The Auditor was directed to present the above emergency appropriations to the State Board of Tax Commissioners for approval as provided by law.

S/Larry Crenshaw
President County Council

AUDITOR'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MADISON)

I, Kathy Stoops-Wright, duly elected, qualified and acting Auditor of aforesaid County and State do hereby certify that the attached record is a true and complete copy of the minutes of the special meeting of the Madison County Council held on June 14, 2011.

Dated at Anderson, Indiana this 14th day of June, 2011.

 S/Kathy Stoops-Wright
Kathy Stoops-Wright
Madison County Auditor

**MINUTES OF THE MADISON
COUNTY COUNCIL**

The Madison County Council met in special session on June 14, 2011 with the following members present:

John Bostic, Jr.
Larry Crenshaw
Rick Gardner
Larry Higgins
David McCartney
Buddy Patterson
Mike Phipps

Also present was first deputy Auditor Patty Mauck.

The Auditor presented to the County Council an Ordinance entitled "An Ordinance Transferring Money in the Highway Fund and the General Fund.

COUNTY EMERGENCY APPROPRIATION NUMBER 6B

WHEREAS, certain conditions have developed since the adoption of the existing annual budget that is necessary to transfer more money than was appropriated.

SECTION I. Be it ordained by the Madison County Council of Madison County, Indiana for the expenses of the County Government and its institutions for the year ending December 2011, the following sums of money are hereby transferred.

June 14, 2011

TRANSFERS

Amount Amount
Requested Allowed

GENERAL FUND

Veterans Affairs

390-000 Other Services and Charges	\$1,000.00	1000.00
Transfer from 230-000 Repair and Maintenance Supplies	(1,000.00	0 (1000.00)

Commissioners

160-164 Unemployment Insurance	\$92,000.00	92000.00
330-000 Printing and Advertising	\$20,000.00	20000.00
340-001 Attorney Fee & Bonds	\$50,000.00	50000.00
390-199 Drainage Assessment	\$17,602.82	17602.82
Transfer from 160-163 Group Insurance	(179,602.82)	(179602.82)

ORDINANCE NO. 6B was presented to the Madison County Council and read in full this 14th day of June, 2011.

S/Larry Crenshaw
President County Council

ATTEST:

S/Kathy Stoops-Wright
Kathy Stoops-Wright
Madison County Auditor

ORDINANCE NO 6B was presented to the Madison County Council read and adopted this 14th day of June, 2011 by the following Aye or Nay vote:

	Aye	Nay	Abstained	Absent
<u>John Bostic, Jr.</u>	—	—	—	—
<u>Larry Crenshaw</u>	—	—	—	—
<u>Rick Gardner</u>	—	—	—	—
<u>Larry Higgins</u>	—	—	—	—
<u>David McCartney</u>	—	—	—	—
<u>Buddy Patterson</u>	—	—	—	—
<u>Mike Phipps</u>	—	—	—	—

ATTEST:

S/Kathy Stoops-Wright
Kathy Stoops-Wright
Madison County Auditor

The Auditor was directed to present the above emergency appropriations to the State Board of Tax Commissioners for approval as provided by law.

S/Larry Crenshaw
President County Council

MADISON COUNTY COUNCIL MINUTES

June 14, 2011

The Madison County Council was called to order by President Larry Crenshaw. The following Council Members were present:

John Bostic, Jr.
Larry Crenshaw
Rick Gardner
Larry Higgins (absent)
David McCartney
Buddy Patterson
Mike Phipps

Minutes for May 10, 2011 were tabled until the next meeting upon motions made by Mike Phipps and seconded by David McCartney.

6 Ayes 0 Nays 1 Absent (Higgins) Motion carried.

Jay Randolph, Veterans Affairs Officer, requested a transfer in the amount of \$1,000.00 from 230-000 Repair and Maint Supplies into 390-000 Other Services and Charges. Motion to approve transfer made by John Bostic and seconded by Buddy Patterson.

6 Ayes 0 Nays 1 Absent Motion carried.

Commissioner John Richwine withdrew the new money request of \$80,000.00 into 311-001 Arbitration Expenses that was tabled from the May meeting.

Commissioner John Richwine, requested transfers within the Commissioners budget \$119,602.82 from 160-163 Group Insurance into the following appropriations:

160-164 Unemployment Insurance	\$32,000.00
330-000 Printing and Advertising	\$20,000.00
340-001 Attorney Fee and Bonds	\$50,000.00
390-199 Drainage Assessment	\$17,602.82

Motion to approve transfer made by John Bostic and seconded by Mike Phipps.

6 Ayes 0 Nays 1 Absent Motion carried.

Commissioner Richwine also requested new money in the Planned Unit Development Fund into the following appropriations:

390-02A Summerlake, Sec I	\$217.50
390-02B Summerlake, Sec II	\$1,943.24
390-02C Summerlake, Sec III	\$1,510.83
390-02D Summerlake, Sec IV	\$1,203.39
390-02E Summerlake, Sec V	\$93.92
390-02F Summerlake, Sec VI	\$4,197.09
390-02G Summerlake, Sec VII	\$997.07

June 14, 2011

390-02H Summerlake, Sec VIII	\$3,676.80
390-06A Harvest Hills at Rafert Farms, Sec I	\$29,802.00

Motion to approve requests made by John Bostic and seconded by Buddy Patterson.
6 Ayes 0 Nays 1 Absent Motion carried.

Ann Roberts, CJC Director, requested the following:

CJC/DOC

111-000 Executive Director	\$46,308.00
118-000 Assistant Director	\$39,713.00
119-000 Case Manager	\$25,318.00
117-000 Community Supervision Coord.	\$30,000.00
120-000 Case Manager Supervisor	\$29,995.00
121-000 Business Manager	\$21,506.00
113-000 Work Release Supervisor	\$33,595.00
116-000 Officer in Charge	\$28,718.00
150-000 Part time	\$32,830.00

Motion to approve made by John Bostic and seconded by David McCartney.
6 Ayes 0 Nays 1 Absent Motion carried.

CJC/PROJECT INCOME

125-000 Coordinator of Court Services	\$34,910.00
116-000 Corrections Officer	\$169,761.00
113-000 Community Supervision Assistant	\$11,300.00
116-000 Officer in Charge	\$28,718.00
114-000 Security Supervisor	\$3,500.00
120-000 Community Supervision Coordinator	\$7,095.00
118-000 Juvenile Coordinator	\$4,954.00
117-000 Case Manager Supervisor	\$7,100.00
119-000 Case Manager	\$29,518.00
122-000 Case Manager	\$31,901.00
126-000 Case Manager	\$4,200.00
150-000 Part time	\$15,809.00

Motion to approve made by John Bostic and seconded by Buddy Patterson.
6 Ayes 0 Nays 1 Absent Motion carried.

June 14, 2011

COMMUNITY TRANSITION PROGRAM

111-000CTP Coordinator	\$37,095.00
112-000 Case Manager	\$29,518.00
150-000 Part time	\$17,450.00

Motion to approve made by John Bostic and seconded by Buddy Patterson.
6 Ayes 0 Nays 1 Absent Motion carried.

CJC/JUVENILE

112-000 Executive Director	\$8,860.00
119-000 Juvenile Work Service Coord	\$25,642.00
121-000 Business Manager	\$9,794.00
113-000 Assistant Director	\$7,200.00

Motion to approve made by John Bostic and seconded by Buddy Patterson.
6 Ayes 0 Nays 1 Absent Motion carried.

County Council requested new money into the County Council budget of \$450.00 into 310-000 Professional Services. Motion to approve request made by John Bostic and seconded by Buddy Patterson.
6 Ayes 0 Nays 1 Absent Motion carried.

Shawn Swindell, Human Resources Director, gave a brief overview of the NACo RX Card Discount Program the County offers to all citizens in Madison County. The County distributes discount cards to most medical facilities in the County to give out to all citizens who doesn't have insurance for prescriptions or who's insurance doesn't cover certain prescriptions.

Council considered the CF-1/PP for Owens-Brockway Glass Container, Inc. in Lapel, which gives them abatement on the Personal Property. Mike Phipps gave an overview for Owens. John Bostic stated he would rather wait to approve said abatement until someone that represents Owens is here to present it. A motion was made by Mike Phipps to approve CF-1 and Rick Gardner seconded the motion.
5 Ayes 1 Nay (Bostic) 1 Absent Motion carried.

June 14, 2011

Representatives from EON, Inc presented Resolution No. 2011-R-02, Final Economic Revitalization Area Resolution Confirming the Designation of an Economic Revitalization Area and Granting Real and Personal Property Tax Abatement for the Wildcat Wind Farm Project. Several citizens spoke against the abatement and several spoke for the abatement. After a lengthy discussion, a motion was made by John Bostic and seconded by Larry Crenshaw to approve the Resolution for the abatement. David McCartney amended that motion with a motion to table the Resolution and Rick Gardner seconded the motion. A vote was taken on the seconded motion:

2 Ayes (Gardner,McCartney) 4 Nays(Bostic,Patterson,Crenshaw,Phipps) 1 Absent
Motion fails.

A vote was taken on the first motion:

3 Ayes (Bostic, Patterson, Crenshaw) 3 Nays (Phipps, Gardner,McCartney) 1 Absent
Motion fails.

RESOLUTION NO. 2011-R-02

COUNTY COUNCIL OF MADISON COUNTY, INDIANA

FINAL ECONOMIC REVITALIZATION AREA RESOLUTION CONFIRMING THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA AND GRANTING REAL AND PERSONAL PROPERTY TAX ABATEMENT

Wildcat Wind Farm Project

WHEREAS, I.C. 6-1.1-12.1 allows an abatement of real and personal property taxes attributable to “redevelopment or rehabilitation” activities in “Economic Revitalization Areas”; and

WHEREAS, I.C. 6-1.1-12.1 empowers the Madison County Council (“Council”) to designate an economic revitalization area (“ERA”) by following a procedure involving the adoption of a preliminary resolution, provision of public notice, conducting of a public hearing and adoption of a final resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

WHEREAS, Wildcat Wind Farm I, LLC, the applicant (“Wildcat”), has an ownership interest (as long-term lessee) in the geographical area consisting of Sections 1, 2, 4, 9, 10, 13, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36 in Duck Creek Township, Sections 18, 19, 30, 31, and 32 in Boone Township and Sections 6, 13, and 15 in Pipe Creek Township, Madison County, Indiana (collectively, the “Subject Real Estate”) to be

developed for a potential wind energy farm to generate electricity to be sold at wholesale (the “Project”); and

WHEREAS, Wildcat requested that the Subject Real Estate be designated as an ERA for the purpose of achieving real and personal property tax abatements; and

WHEREAS, Wildcat submitted a Statement of Benefits, Form SB-1/UD (Utility Distributable Property) and the project map, to the Council in connection with the Subject Real Estate and provided all information and documentation necessary for the Council to make an informed decision (the “Statement”); and

WHEREAS, during a preliminary hearing at 7:00 p.m. on Tuesday, May 10, 2011, the Council received evidence about whether the Subject Real Estate should be designated as an ERA, and, after making the findings required by I.C. 6-1.1-12.1, the Council adopted Resolution No. 2011 R-01 (hereinafter the “Preliminary Resolution”) designating the Subject Real Estate as an ERA in which the Subject Real Estate is allowed abatement of real and personal property taxes as further described herein subject to the adoption of a final resolution by the Council; and

WHEREAS, the Council fixed 7:00 p.m. on Tuesday, June 14, 2011, for a final public hearing for the receiving of remonstrances and objections from persons interested in whether the Subject Real Estate should be designated as an ERA and be allowed abatement; and

WHEREAS, a copy of the Preliminary Resolution was properly filed with the Madison County Assessor and proper legal notices were published indicating the adoption and substance of such Preliminary Resolution and stating when and where such final hearing would be held; and

WHEREAS, at such final public hearing, evidence and testimony (along with any written remonstrances and objections previously filed) were considered by the Council; and

WHEREAS, Wildcat and the Council intend and understand that in the event that the Subject Property is designated an ERA, pursuant to I.C. 6-1.1-12.1-2(i)(6), any real and personal property tax abatement received by Wildcat would be subject to conditions more particularly described in an Economic Development Agreement entered into by the County Commissioners and Wildcat (the “EDA”).

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED:

1. That the estimate of the value of the redevelopment or rehabilitation of the Subject Real Estate is reasonable for projects of that nature and the estimate of the cost of the new manufacturing equipment to be installed in connection with the proposed Project is reasonable for equipment of that type.

2. That the estimate of the number of individuals who will be employed or whose employment will be retained as a result of the proposed redevelopment or rehabilitation of the Subject Real Estate and the installation of the new manufacturing equipment can be reasonably expected to result from the proposed redevelopment or rehabilitation of the Subject Real Estate and the proposed installation of new manufacturing equipment.

3. That the estimate of annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed redevelopment or rehabilitation of the Subject Real Estate and the proposed installation of new manufacturing equipment.

4. That the totality of benefits from the proposed redevelopment or rehabilitation of the Subject Real Estate and the proposed installation of new manufacturing equipment is sufficient to justify a ten-year real property tax deduction period and a ten-year personal property tax deduction schedule for the Project.

NOW, THEREFORE, based on the foregoing, the Council, taking final action, further RESOLVES, FINDS AND DETERMINES:

1. That all of the conditions for the designation of the ERA and all of the requirements for the tax abatement to be granted hereby have been met, and the foregoing findings are true and all information required to be submitted has been submitted in proper form.

2. That the Statement submitted by Wildcat is hereby approved.

3. That the Council has held a final public hearing for the purpose of receiving remonstrances and objections after public notice thereof, as required by law.

4. That the Subject Real Estate is hereby designated as an ERA pursuant to I.C. 6-1.1-12.1-1 *et seq.* and such designation shall expire as of the commencement of the 2023 tax year.

5. That Wildcat (including its successors and assigns with respect to the Project or any given phase thereof) is hereby granted a ten (10) year real property tax abatement period for the proposed redevelopment and rehabilitation of the Subject Real Estate and a ten (10) year personal property tax abatement period for the proposed installation of manufacturing equipment as set out in Form SB-1/UD.

6. That upon notice to the Council, Wildcat may assign its rights and obligations under this Final Resolution, to the extent related to a given phase or phases of the Project, to a legal entity or entities owning such phase(s) of the Project, including, but not limited

to, the right to claim deductions and any other rights or obligations contained under I.C. 6-1.1-12.1.

7. That this Final Resolution shall be effective immediately upon its passage.
8. That the Council shall cause this Final Resolution to be filed with the Madison County Assessor.
9. That this Resolution is supplementary to and in addition to any prior resolutions and, to the extent any prior resolutions are inconsistent herewith, they are hereby modified.
10. That, notwithstanding anything contained herein to the contrary, the granting of the tax abatement described herein is conditioned on and subject to the terms of the EDA.

This Final Resolution is adopted by the Council this _____ day of June, 2011.

COUNTY COUNCIL OF MADISON COUNTY,
INDIANA

Larry Crenshaw, President

John Bostic

Rick Gardner

Larry Higgins

David McCartney

Buddy Patterson

Mike Phipps

Presenters ask to bring Resolution to the July meeting for approval.

Jim Janes, citizens, spoke to the Council concerning arbitration and lay off costs to the County.

Council set the non-binding reviews for other taxing units budgets, for the September 13, 2011 Council meeting.

The next regular meeting was set for July 12, 2011 at 7:00 p.m.

There being no further business the meeting was adjourned.