

**Shelby County Redevelopment Commission
Meeting Minutes**

Date: **08/02/2021**
Location: County Commissioners Meeting Room
Annex (Second Floor)
25 West Polk St
Shelbyville IN

Committee Members Present: Chris Goul, Greg Gerline, Tim Barrick

Committee Members Present Via Zoom: Paul Nolting

Committee Members Absent: Kyle Baker

School Advisor Present: Chris Hoke

Call to Order:

Tim Barrick called the meeting to order at 6pm, August 2, 2021.

Confirmation of Quorum:

3 of 5 Member present

1 Member present via Zoom

Confirmation of Minutes:

June 22,2021 Minutes had been distributed. Motion to discuss minutes. No discussion of prior minutes. Motion approved and seconded. 3-0 Approve minutes by present members. Minutes also approved by Paul Nolting via Zoom.

New Business: Resolution No: 2021-3: RESOLUTION OF THE SHELBY COUNTY REDEVELOPMENT COMMISSION CONFIRMING RESOLUTION DESIGNATING TAXPAYERS TO CAPTURE PERSONAL PROPERTY TAX INCREMENT

Bruce Donaldson, Partner, Barnes & Thornburg LLP, presented Resolution No: 2021-3: RESOLUTION OF THE SHELBY COUNTY REDEVELOPMENT COMMISSION CONFIRMING RESOLUTION DESIGNATING TAXPAYERS TO CAPTURE PERSONAL PROPERTY TAX INCREMENT

The purpose of this resolution is to capture tax increment on Personal Property for designated taxpayers. Resolution 2021-2 was approved by the Redevelopment Commission on June 22, 2021, to capture the tax increment on Personal Property for Five Below, Inc. and Blue Star Redi Mix Corp. It later went on to be approved by the Plan Commission and Board of Commissioners. Per statute, a public hearing is required upon approvals. This meeting to is confirm Five Below, Inc. and Blue Star Redi Mix Corp as designated taxpayers. The meeting is not to discuss any specific projects or financing of specific projects. Future meetings may address those issues as they arise.

Public Hearing:

Tim Barrick opened the public hearing pertaining to Resolution No: 2021-3: RESOLUTION OF THE SHELBY COUNTY REDEVELOPMENT COMMISSION CONFIRMING RESOLUTION DESIGNATING TAXPAYERS TO CAPTURE PERSONAL PROPERTY TAX INCREMENT

Lisa Wojihoski-Schaler, attorney, lives in area addressed and understands we are here to discuss the two projects at this point but has concerns. She is concerned about little public notice regarding the plans for the area and what is going on. She has not seen postings. The public has not been advised or asked about concerns for development. Lisa feels this has been done somewhat surreptitiously. She says they hear stories about future development, but do not know what is true. Lisa says she has heard stories of an active sewer plant and Aqua Indiana has purchased 40 acres in the flood plain and is concerned about how that will affect flooding, water tables, waterways, drinking water, downstream, etc. Have studies been done? She has concerns over property values, standard of living, noise, roadways and how things affect quality of life. Shelby County has been primarily an agricultural county and people came to Shelby County for quality of life. Development was restricted. Overall, she is concerned about the lack of information and community input and will be campaigning hard for candidates willing to listen to the citizens.

Tim Barrick asked for counsel regarding if this is the proper forum for these issues or what body would address these concerns?

Bruce Donaldson advised the use of the property would be a Plan Commission function, not Redevelopment Commission. The issue for the Redevelopment Committee is whether to capture the TIF from these two projects which would have already gone through a zoning process. The zoning of property is not in our authority.

Tim Barrick advised the public the issue we are here for is separate from the issue she was here for. It's not that we do not care about your concerns; they are things we can not address or have authority to address.

Lisa Wojihoski-Schaler asked how will this TIF affect our property taxes?

Bruce Donaldson advised they would not affect existing property taxes.

Tim Barrick asked if it would be appropriate if public comment would be closed unless somebody has questions or comments regarding the resolution to capture the personal property tax increment of 5 Below and Blue Star Redi Mix. Bruce Donaldson advised public comment should be invited if people are addressing the designation of these taxpayers.

Jeremy Miller, President, NW Regional Sewer District of Shelby County addressed the Committee. Will tax money still flow back to NW Consolidated Schools and what is the intent or specific uses of money generated from the TIF?

Bruce Donaldson advised the current taxes will still go to the school. It is the new taxing units that will be used to provide infrastructure improvements. Specific uses have not been planned at this time. No final plan exists for spending the money at this point.

Chris Hoke advised existing property is grandfathered into the school. Any new property has no net impact on the school and goes into the TIF district to address infrastructure. Uses of funds generated through the TIF have not been outlined.

Jeremy Miller asked who will decide how the TIF funds get spent.

Bruce Donaldson advised it would be a combination of the Redevelopment Committee, County Counsel, and County Commissioners. All three would be involved to approve financing.

Jeremy Miler asked if this counsel would be comfortable taking money out of this county and sending it to Marion County to give to a public utility to build a water sewage treatment plant with TIF money?

Tim Barrick advised that is not something we can address. That has not been brought to us for review. It is a hypothetical question.

Paul Short is a property owner downstream. He was wondering if there have been studies with these projects to determine what the consequences downstream would be. How will water go into Buck Creek? How will it affect the water levels (up or down), has the DNR been involved, and why wasn't he given notice of what was going on upstream?

Tim Barrick advised we are not the Plan Commission. We have no authority over any of that planning. We cannot address his issues. This is a financing committee.

Paul Short asked if we are going to give them the money to flood him.

John Deprez, County Attorney for the Shelby County Commissioners, indicated notices have been made and statutory requirements have been met.

Tim Barrick stressed we cannot act on Paul's issues, and he should contact the Planning Commission and Commissioners.

Paul stressed the lack of information and notices. Ground is being broken before anybody knows what is going on.

Lisa Wojihoski-Schaler asked where should notices be found. Bruce Donaldson said he could not speak on behalf of the Planning Commission but advised the Redevelopment Committee public notices would be in the Shelbyville News. Another person spoke up about notices to Marion County. It is not applicable to us.

Jeremy Miller asked we reconsider this resolution tonight because everybody in this room wants to stop it. The committee needs to be table it until the community knows more about what is going on.

Arthur Benjamin addressed the committee regarding taxes. He asked if we are deciding the rate, how we will be taxing the businesses, and what's being done with the taxes? Are these big businesses going to receive tax abatements similar to other big companies in this county and never pay taxes and shut down when the abatements stop? If not, do you have an estimate on what taxes will be collected and what will they go to. How much money will this generate for the county?

Tim Barrick's opinion was developed property, tax abatement or not, will generate more taxes than empty land. We do not decide on tax incentives for these businesses and those concerns would need addressed elsewhere.

Arthur Benjamin asked if Knauf has ever paid property taxes because they have abatements. This issue is not applicable to this committee.

Jeremy Miller asked how much money will be generated and asked again for this to be tabled.

Bruce Donaldson again stressed the reason for this meeting is to put in place the means to capture personal property tax increment. Future financing projects, budgets, etc. would go through multiple committees for approval.

Wayne Blye says there is an order and sequence issue. If you don't have the information to make the decision, then defer. People that live in the area don't get a chance to respond before the next decision has been made. There is a lack of public input. Some examples are Poet and the casino. Paperwork is in place and signed the next day before public input. He wants the decision tonight to be deferred because once you dig the ditch you can't get out of it. It sets things up for the area to be commercial. People chose the community to get away from Marion County or Shelbyville. We chose rural America and to not live next door to commercial space.

Another gentleman addressed the committee. His name was not stated. He asked if Marion County had anything to do with it at all? No water, no sewage, no nothing? Did Marion County have anything to do with the casino? What about the housing development? What about tax abatements?

This is Shelby County only. We are not addressing anything regarding Marion County.

Bruce Donaldson did pull out some estimates from FSG reflecting a projected \$42,000,000 assessed value for personal property to help answer a prior question. The appropriate tax rate would be applied to that figure.

Bill Stout lives in Pleasant View. His concerns date back to a housing development on the other side in Marion County that didn't happen for multiple reasons. The issue then was flooding of Buck Creek. They couldn't get drainage, etc. If you have noticed, 5 Below has raised that building 30 ft and built retention ponds. Bill does not believe those retention ponds are big enough to hold runoff. There will be diesel trucks. They will drip oil. Toxic waste will go into Buck Creek and go down stream. Franklin is already battling issues. The retention ponds have not been lined and could overflow.

Tim Barrick stressed we cannot act on Bill's issues, and he should contact the Planning Commission and Commissioners

Stephanie Alford had a question regarding finance. Is this project going to finance the repair of roads and bridges affected by the development of the area? What will be done with the TIF?

Bruce Donaldson again stressed the reason for this meeting is to put in place the means to capture personal property tax increment for 5 Below and Blue Star Redi Mix. Eligible projects would be infrastructure. It would be a future decision involving the combination of the Redevelopment Committee, County Counsel, and County Commissioners.

Lisa Wojihoski-Schaler asked what would happen if you did not approve the resolution tonight. There is already a project going on.

Chris Goul and Tim Barrick advised if the resolution is not signed, less money would be collected that could be used for TIF eligible projects.

There was question from the public regarding how many acres are in the TIF District.

Bruce Donaldson advised there are 835 acres in the TIF District. The TIF District is already in place. It represents 0.32% of the County Acreage. Shelby County is 264,000 acres.

A gentlemen asked if we could arrange for board members of other committees who know the answers to their question to contact the landowners directly.

We cannot arrange for the various boards to reach out to each homeowner to address their questions.

Brenda Blye asked about personal property. What is personal property? Will we take some of the concerns to these other committees?

Bruce Donaldson advised property can be assessed real property (example would be buildings) or personal property (example would be equipment). Manufacturing or distribution industries have equipment that would be taxed as personal property. This is a mechanism to include 5 Below and Blue Star Redi Mix's personal property in the TIF.

This meeting is a public record but will not take these individual questions to other boards.

This TIF also does not affect personal property of homeowners.

Tim Barrick Closed the Public Hearing

Tim Barrick motioned to move on Resolution No: 2021-3: RESOLUTION OF THE SHELBY COUNTY REDEVELOPMENT COMMISSION CONFIRMING RESOLUTION DESIGNATING TAXPAYERS TO CAPTURE PERSONAL PROPERTY TAX INCREMENT

Chris Goul made a motion to APPROVE Resolution No: 2021-3. Greg Gerline Seconded Motion. No additional comments from Commission.

Motion to Approve Carries 3-0. Paul Nolting Via Zoom also approved. Resolution No: 2021-3: RESOLUTION OF THE SHELBY COUNTY REDEVELOPMENT COMMISSION CONFIRMING RESOLUTION DESIGNATING TAXPAYERS TO CAPTURE PERSONAL PROPERTY TAX INCREMENT was signed by the Shelby County Redevelopment Commission present.

Adjournment:

Tim Barrick, Vice President

Date:

Chris Goul, Secretary

Date: