RESOLUTION NO. R-CC-14-8

A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING AN ECONOMIC REVITALIZATION AREA ON APPLICATION OF INDIANA MUNICIPAL POWER AGENCY

WHEREAS, the Perry County Council ("County Council") has been requested by the Indiana Municipal Power Agency ("Applicant") to find, pursuant to I.C. § 6-1.1-12.1, that the real estate described in the attached Exhibit "A" ("Real Estate") is an Economic Revitalization Area; and

WHEREAS, on November 20, 2014, the County Council did adopt Resolution No. R-CC-14-6 ("Declaratory Resolution") for the designation of the Real Estate described above as an Economic Revitalization Area; and

WHEREAS, notice of the adoption and substance of the Declaratory Resolution was published in accordance with I.C. § 6-1.1-12.1-2.5 and I.C. § 5-3-1 ("Public Notice"); and

WHEREAS, Applicant's application for designation, description of the affected area, a map of the affected area, Statement of Benefits and all pertinent supporting data (collectively, the "Application") were available for inspection in the County Auditor's office of Perry County, Indiana (the "County") and at the office of the County Assessor; and

WHEREAS, Applicant filed a copy of the Public Notice and Application with each taxing unit that has authority to levy property taxes in the geographic area where the Economic Revitalization Area is located at least ten days in advance of the public hearing; and

WHEREAS, the County bases the length of new manufacturing abatement periods upon such factors as the type of project, investment, and effect on the tax rate, and

WHEREAS, the County Council, after conducting a public hearing on this matter on December 18, 2014, has given careful consideration of all public comments and views expressed and written evidence presented regarding the designation of the Real Estate as an "Economic Revitalization Area";

NOW, THEREFORE, BE IT RESOLVED, that the County Council enters its Findings of Fact and Order and adopts this Resolution under I.C. § 6-1.1-12.1, finding as follows:

1. The Real Estate is located within the jurisdiction of the County Council for purposes set forth in I.C. § 6-1.1-12.1.

2. The County Council has determined, based upon the Application and other information provided by the Applicant, that the Real Estate has become undesirable for or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property.

3. The Real Estate complies with the general standards established by the County Council for determining "Economic Revitalization Areas" within the jurisdiction of the County Council, as evidenced by the information provided by the Application.

4. The improvement of said Real Estate and installation of new manufacturing equipment used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property would be to the benefit and welfare of all citizens and taxpayers of the County.

5. The estimate of the value of the redevelopment or rehabilitation is reasonable for projects of the nature proposed by the Applicant.

6. The County Council does not reasonably expect the Applicant's proposed described redevelopment or rehabilitation to result in any individuals who will be employed or whose employment will be retained from the proposed described redevelopment or rehabilitation, as the Applicant has submitted that no additional individuals will be retained or employed for the described redevelopment or rehabilitation. No annual salaries of individuals to be employed or retained are expected, and, thus, a variance from this expectation is unlikely.

7. There are other benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation, which include enabling the County's residents to utilize renewable solar energy more fully in ways they cannot otherwise obtain without such development and the solar park will add to and enhance the diversification of the Applicant's and the County's renewable energy portfolio.

8. The Applicant, as a political subdivision of the State of Indiana, is exempt from property taxes, but Applicant is assessed and must make payments in lieu of taxes on real property and personal property used for generation facilities (the "PILOTs"), which are equal in amount to the property taxes that would otherwise be assessed, and which, pursuant to I.C § 8-1-2.2-22, are treated in the same manner as taxes for purposes of all procedural and substantive provisions of law.

9. The Applicant is seeking a tax abatement with regard to the PILOTs related to the proposed redevelopment or rehabilitation the Applicant proposed.

10. The totality of the benefits is sufficient to justify the requested deductions.

11. That therefore the Application is hereby approved.

BE IT ALSO RESOLVED, that the deduction allowed under I.C. § 6-1.1-12.1-4.5 pertaining to new manufacturing equipment shall be for ten (10) years, upon the filing of the required deduction application in compliance with the provisions of I.C. § 6-1.1-12.1-1 *et seq.*, in accordance with the following schedule:

Year of Deduction (Tax Year Assessed)	Amount of Deduction
1st (2016)	100%
2nd (2017)	90%
3rd (2018)	80%
4th (2019)	70%
5th (2020)	60%
6th (2021)	50%
7th (2022)	40%
8th (2023)	30%
9th (2024)	20%
10th (2025)	10%

BE IT ALSO RESOLVED, that if any part, parts, clause or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any other part, clause or portion of this Resolution.

BE IT ALSO RESOLVED, that by adoption of this Resolution, the County Council does confirm its Declaratory Resolution R-CC-14-6 approved and adopted on November 20, 2014, which designated the Real Estate as an "Economic Development Revitalization Area".

BE IT ALSO RESOLVED, that the County Council approves the Applicant's Statement of Benefits and Application.

BE IT FINALLY RESOLVED, that this Resolution shall be in full force and effect from and after passage by the County Council.

ADOPTED, this 18th day of December, 2014, by the Perry County Council, Perry County, Indiana.

Stan Goffinet

James K. Adams

Ted Goodson

Jody French

Ron Crawford Sr.

EXHIBIT A

DESCRIPTION OF ECONOMIC REVITALIZATION AREA

The following real estate located at 7383 Old State Road 237, in Perry County, Indiana:

Part of the Northeast Quarter of the Southeast Quarter of Section 33, Township 6 South, Range 3 West, Troy Township, Perry County, Indiana being more particularly described as follows:

Beginning at 6" Hole in concrete w/4" concrete ring below 8" w/Perry County Surveyor's Carsonite Post located at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 33: Thence along the East line of the Northeast Quarter of the Southeast Quarter South 00 degrees 51 minutes 53 seconds West a distance of 401.87 feet to a 5/8" rebar with Yellow Cap stamped "O.K. Lynch LS#20100079" hereby referred to as "Lynch Cap" at Station 115+47.77, 40' Left on the West right of way of Old State Road 237; thence along said right of way with a curve turning to the left an arc length of 204.93 feet, a radius of 1472.39 feet, a chord bearing of South 08 degrees 03 minutes 23 seconds West with chord length of 204.76 feet to a "Lynch Cap"; thence North 85 degrees 29 minutes 13 seconds West a distance of 735.79 feet to a "Lynch Cap"; thence parallel with the East line of the Northeast Quarter of the Southeast Quarter North 00 degrees 51 minutes 53 seconds East a distance of 547.92 feet to a "Lynch Cap" on the North line of the Northeast Quarter of the Southeast Quarter; thence along the North line of the Northeast Quarter of the Southeast Quarter South 89 degrees 54 minutes 39 seconds East a distance of 760.00 feet to the point of beginning, containing 10.00 acres or 435587.08 square feet more or less.

(This is a part of the same real estate which was conveyed to Randall R. Aubrey and Leeta K. Aubrey by Warranty Deed dated September 26, 1987 and recorded in the office of the Recorder of Perry County, Indiana under Deed Record 90 at pages 251-252.)

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
Indiana Municipal Power Agency	Jack Alvey

Address of taxpayer (number and street, city, state, and ZIP code)	Telephone number
11610 N. College Avenue, Carmel, IN 46032	(317) 575-3876

SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body	Resolution number (s)
Perry County Council - Indiana	

Location of property	County	DLGF taxing district number
7383 Old State Road 237, Perry County	Perry	62 0006

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.)*

IMPA will install 1 MW photovoltaic solar generation panels and related equipment

	ESTIMATED START DATE	ESTIMATED COMPLETION DATE
Manufacturing Equipment	01/01/2015	06/30/2015
R & D Equipment		
Logist Dist Equipment		
IT Equipment		

SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
0	0	0	0	0	0

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	COST	ASSESSED VALUE
Current values	1,780,000	1,780,000						
Plus estimated values of proposed project								
Less values of any property being replaced								
Net estimated values upon completion of project	1,780,000	1,780,000						

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (*pounds*) _____ Estimated hazardous waste converted (*pounds*) _____

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)
Jack F. Alvey	11/18/14
Printed name of authorized representative	**Title**
Jack Alvey	Senior Vice President, Generation, IMPA

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 10 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; ☑ Yes ☐ No
2. Installation of new research and development equipment; ☐ Yes ☑ No
3. Installation of new logistical distribution equipment. ☐ Yes ☑ No
4. Installation of new information technology equipment; ☐ Yes ☑ No

C. The amount of deduction applicable to new manufacturing equipment is limited to $ 1,780,000 cost with an assessed value of $ 1,780,000.

D. The amount of deduction applicable to new research and development equipment is limited to $ 0 cost with an assessed value of $ 0.

E. The amount of deduction applicable to new logistical distribution equipment is limited to $ 0 cost with an assessed value of $ 0.

F. The amount of deduction applicable to new information technology equipment is limited to $ 0 cost with an assessed value of $ 0.

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:

☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (see below *)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☑ Year 10

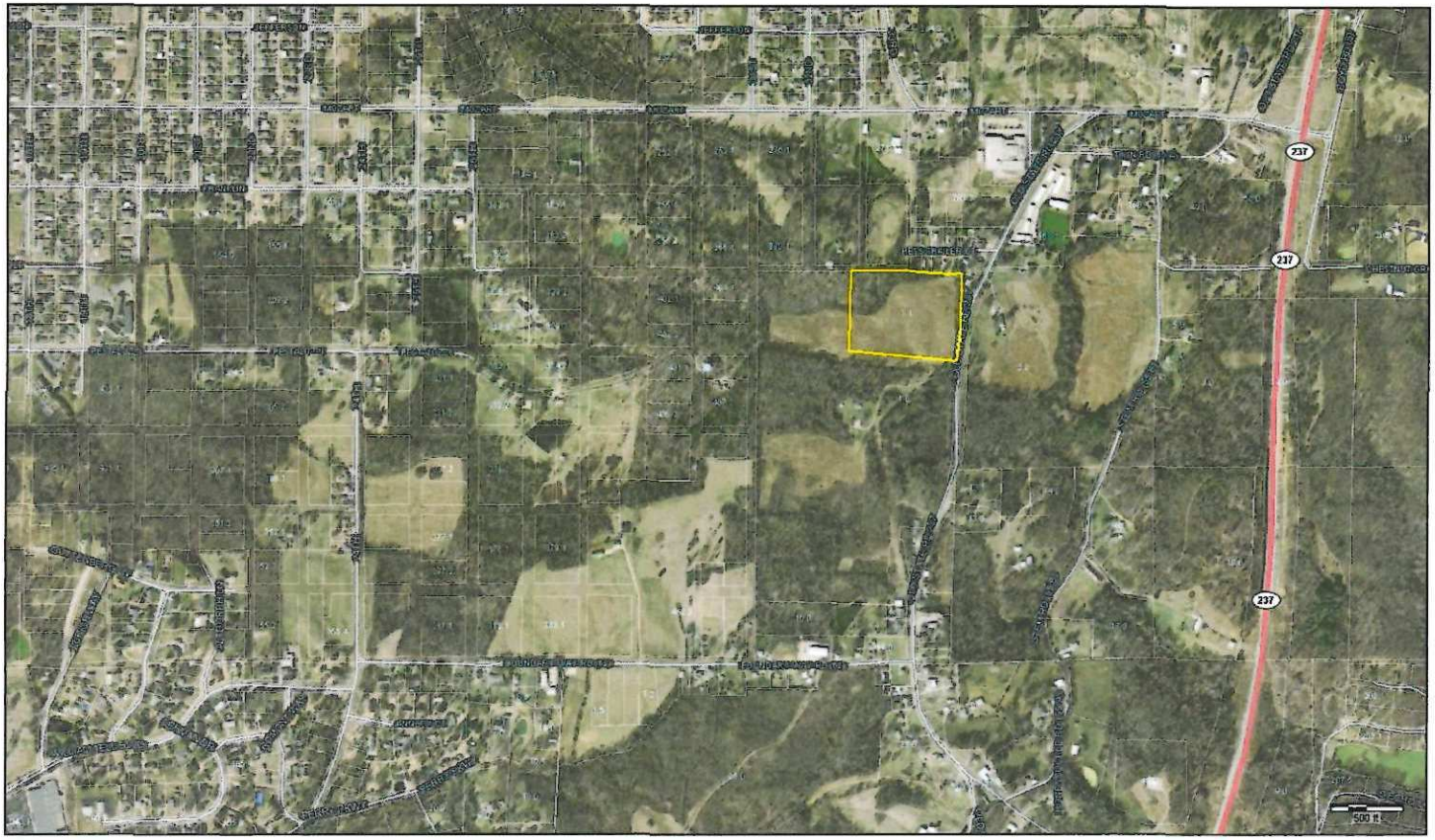
I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☐ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction 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)*	Telephone number	Date signed *(month, day, year)*
Stanley E Goffinet	(812) 547-6427	11-20-14
Printed name of authorized member of designating body	**Name of designating body**	
Stanley E Goffinet	Perry County Council	
Attested by: *(signature and title of attester)*	**Printed name of attester**	
Connie A Berger	Connie A Berger	

* 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.



Type notes here	Printed 11/12/2014	The purpose of this map is to display the geographic *location of a variety of data sources frequently updated from* local government and other agencies. Neither WTH Technology nor the agencies providing this data make any warranty concerning its accuracy or merchantability. And no part of it should be used as a legal description or document.

General
Payments
Bills
Deductions
Assessments

Owner and General Parcel Information

Property Card	Show Property Card