



*Meeting  
of the  
Vigo County Council  
April 10, 2018*

**VIGO COUNTY COUNCIL**

**APRIL 10, 2018**

**6:00 P.M.**

**Table of Contents**

Agenda.....	2
Notice to Taxpayers .....	3
Additional Appropriation 2018-08 .....	4
Third Amendment to Vigo County Police Retirement Plan .....	5
Correspondence:	
Vigo County Police Retirement Plan.....	8
Saturn Pet Care .....	10

**VIGO COUNTY COUNCIL**  
**Agenda**  
**Tuesday, April 10, 2018 at 6:00 P.M.**  
**City Courtroom, City Hall**

1. Pledge of Allegiance
2. Calling of the roll
3. Correcting the journal of the preceding meeting if needed
  - a. *February 13, 2018 – (As amended on March 13, 2018)*
  - b. *March 13, 2018*
4. Public comment
5. Communications from elected officials, other officials, or agencies of the County
6. Reports from standing committees
7. Reports from select committees
8. Ordinances relating to appropriations
  - a. *Budget Adjustment Committee*
    - i. *Additional Appropriation 2018-08 EDIT/Saturn Pet Care*
    - ii. *Third Amendment to Vigo County Police Retirement Plan*
9. First reading by summary reference of proposed ordinances and resolutions
10. Appointments
11. Adjournment

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

Notice is hereby given the Taxpayers of Vigo County, Indiana, that the Vigo County Council will meet at the City Hall Court Room, 17 Harding Avenue, Terre Haute, Indiana at 6:00 pm on April 10, 2018 to consider the following appropriations in excess of the budget of the current year.

**EDIT/1112**

Saturn Pet Care

\$ 500,000

**TOTAL EDIT/1112**

**\$ 500,000**

JAMES W. BRAMBLE  
VIGO COUNTY AUDITOR

TO BE PUBLISHED: Friday, March 30, 2018  
TRIBUNE-STAR

**ADDITIONAL APPROPRIATION ORDINANCE 2018-08**

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget, now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of Vigo County EDIT Fund the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

	<u>ADVERTISED</u>	<u>APPROPRIATED</u>
<b><u>EDIT/1112</u></b>		
33347 Saturn Pet Care	\$500,000	
<b>TOTAL EDIT FUND</b>	<b>\$500,000</b>	<b>\$500,000</b>

*Approved on this 10th day of April, 2018.*

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	James R. Mann II _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Mike Morris _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Bill Thomas _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Tim P. Curley _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Brendan R. Kearns _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Aaron Loudermilk, President _____

*Attest:*

\_\_\_\_\_  
James W. Bramble  
Vigo County Auditor

**THIRD AMENDMENT  
TO  
VIGO COUNTY POLICE RETIREMENT PLAN**

WHEREAS, Vigo County Police Retirement Plan (hereinafter referred to as "Plan") was established by Vigo County Sheriff's Department, Terre Haute, Indiana (hereinafter referred to as "Employer"), effective as of January 1, 1984; as amended by a completed restatement effective January 1, 2013, and as last amended by a Second Amendment effective as November 1, 2014; and

WHEREAS, by Section 11.01 of the Plan, the Employer reserved the right to amend the Plan with the approval of the Merit Board and the county fiscal body; and

WHEREAS, the Employer desires to amend the Plan in certain respects heretofore considered and discussed to change the definition of Actuarial Equivalent for the sole purpose of converting the DROP Benefit Accumulation to a monthly annuity;

NOW, THEREFORE, BE IT RESOLVED, that the Plan is hereby amended by this Third Amendment, effective January 1, 2018, to read as follows:

1. Section 2.01(a) is hereby amended in its entirety to read as follows:

"(a) 'Actuarial Equivalent' or 'Actuarially Equivalent' means a benefit of equivalent value. For all benefits, except in the conversion of the 'DROP Benefit Accumulation' to a monthly annuity for Participants whose DROP Entry Date is on or after January 1, 2018, such 'Actuarial Equivalent' or 'Actuarially Equivalent' benefits shall be computed based on an interest rate of six percent (6%) per annum, compounded annually, and mortality determined as follows:

(1) For Participants, the Unisex Pension 1984 Mortality Table (UP-1984 Table) with ages set forward one-half (1/2) year. This age adjustment is determined by interpolating (straight line) between mortality rates with no age adjustment and mortality rates with ages set forward one (1) year.

(2) For Beneficiaries, the Unisex Pension 1984 Mortality Table (UP-1984 Table) with ages set back three and one-half (3-1/2) years. This setback is determined by interpolating (straight line) between mortality rates with a three (3) year age setback and mortality rates with a four (4) year age setback.

"It is noted that the above mortality assumptions are commonly referred to as a '90-10 male/female mix.'

**"To convert the 'DROP Benefit Accumulation' to a monthly annuity as provided for under Section 5.04(f) for Participants whose DROP Entry Date is on or after January 1, 2018, the 'Actuarial Equivalent' or 'Actuarially Equivalent' benefits shall be computed based on the Applicable Interest Rate for the month of November immediately preceding the Plan Year in which the conversion to a monthly annuity is made and the Applicable Mortality Table. For purposes hereof, the 'Applicable Interest Rate' is the rate described in Section 417(e) of the Internal Revenue Code. Determination of the segmented rates shall be based on rules similar to**

the rules on segmented rates under Section 430(h)(2)(C) of the Internal Revenue Code and shall comply with Internal Revenue Service Notice 2007-81 and any future guidance provided by the Internal Revenue Service. The 'Applicable Mortality Table' is prescribed by the Secretary of the Treasury pursuant to Section 417(e)(3) of the Internal Revenue Code, Revenue Ruling 2007-67, and any other guidance provided by the Internal Revenue Service.

"For purposes of applying any limitations applicable under Section 6.05 of the Plan, which incorporates the provisions of Section 415(b) of the Internal Revenue Code, any specific rules on determining Actuarial Equivalence or applying any actuarial increase or reduction for purposes of such limitation shall take precedence over any provisions of this Section 2.01(a) that may imply a contrary result."

In witness of its adoption of the foregoing amendment to the Plan, the Employer has caused this amendment to be executed as of the 9 day of March, 2018.

VIGO COUNTY SHERIFF'S DEPARTMENT

By \_\_\_\_\_

  
Sheriff of Vigo County

Approved and ratified at a meeting of the Vigo County Sheriff's Merit Board on the 9 day of March, 2018.

VIGO COUNTY SHERIFF'S MERIT BOARD

  
\_\_\_\_\_

Approved and ratified at a meeting of the County Council of Vigo County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

COUNTY COUNCIL OF VIGO COUNTY

\_\_\_\_\_

**THIRD AMENDMENT**  
**TO VIGO COUNTY POLICE RETIREMENT PLAN**  
**April 10, 2018**

*Presented to the Vigo County Council, read in full and adopted as written this 10th day of April, 2018.*

Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	James R. Mann II _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Mike Morris _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Bill Thomas _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Tim P. Curley _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Brendan Kearns _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Aaron Loudermilk, President _____

*Attest:*

\_\_\_\_\_  
 James W. Bramble  
 Vigo Auditor



**Paige, Jackee**

---

**From:** Miller, Kylissa  
**Sent:** Friday, March 09, 2018 11:40 AM  
**To:** Bramble, James; Loudermilk, Cheryl; Paige, Jackee  
**Subject:** Fwd: Ratification by County Council  
**Attachments:** Third Amendment - VCPRP.pdf; Third Amendment - VCPRP.pdf

Kylissa Miller  
Council Administrator  
Vigo County Council  
127 Oak Street  
Terre Haute, IN 47807  
812.231.5638

----- Forwarded message -----

**From:** "Ewing, Greg T." <[Greg.Ewing@vigosheriff.in.gov](mailto:Greg.Ewing@vigosheriff.in.gov)>  
**Date:** Fri, Mar 9, 2018 at 10:23 AM -0500  
**Subject:** Ratification by County Council  
**To:** "Miller, Kylissa" <[Kylissa.Miller@VigoCounty.IN.Gov](mailto:Kylissa.Miller@VigoCounty.IN.Gov)>

Kylissa,

Attached to this email is an amendment to the Vigo County Police Retirement Plan. Specifically, this amendment clarifies the DROP distribution as either one lump sum or to a monthly distribution and how the monthly distribution is formulated per IRS rules. This is revenue neutral and has already been approved by the Merit Board and now needs ratified by the council.

Thanks,  
Greg

*Greg Ewing, Sheriff  
Vigo County, Indiana*

In order to comply with the federal criminal justice systems security policies the email addresses for all Vigo County Sheriff, Vigo County 911, Central Dispatch and Vigo County Emergency Management staff has changed from [@vigocounty.in.gov](mailto:@vigocounty.in.gov) to [@vigosheriff.in.gov](mailto:@vigosheriff.in.gov). The name of the sender prior to the @ sign has not changed. Please ensure your contact information for this sender has been updated.

This message including any attachments is intended for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you have received this communication in error, please notify the Vigo County Sheriff's Office immediately, and destroy the original message and all copies thereof (including electronic media).

Kylissa,

Attached to this email is an amendment to the Vigo County Police Retirement Plan. Specifically, this amendment clarifies the DROP distribution as either one lump sum or to a monthly distribution and how the monthly distribution is formulated per IRS rules. This is revenue neutral and has already been approved by the Merit Board and now needs ratified by the council.

Thanks,  
Greg

*Greg Ewing, Sheriff  
Vigo County, Indiana*

In order to comply with the federal criminal justice systems security policies the email addresses for all Vigo County Sheriff, Vigo County 911, Central Dispatch and Vigo County Emergency Management staff has changed from @vigocounty.in.gov to @vigosheriff.in.gov. The name of the sender prior to the @ sign has not changed. Please ensure your contact information for this sender has been updated.

This message including any attachments is intended for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you have received this communication in error, please notify the Vigo County Sheriff's Office immediately, and destroy the original message and all copies thereof (including electronic media).

## Paige, Jackee

---

**From:** Loudermilk, Cheryl  
**Sent:** Monday, March 05, 2018 2:02 PM  
**To:** Paige, Jackee  
**Subject:** FW: Project Steelers/Saturn Pet Care EDIT Funds Request  
**Attachments:** project horizon - steelers (saturn pet care) - infrastructure appropriation request.docx

Please add to log sheet

---

**From:** Steve Witt [mailto:switt@terrehauteedc.com]  
**Sent:** Monday, March 05, 2018 11:48 AM  
**To:** Loudermilk, Cheryl <Cheryl.Loudermilk@VigoCounty.IN.Gov>; Miller, Kylissa <Kylissa.Miller@VigoCounty.IN.Gov>  
**Cc:** Claudia Tanoos <ctanoos@terrehauteedc.com>  
**Subject:** Project Steelers/Saturn Pet Care EDIT Funds Request

Hi, Cheryl and Kylissa:

Please find attached a letter to be placed on the County Council's April 10<sup>th</sup> agenda in regard to the proposed Saturn Pet Care project in Seelyville. I have spoken to each of the Council members, individually, in regard to this proposed project/item. All are enthusiastic about this opportunity.

Please let me know if there are any questions or if you require any additional information. I just realized that I will be out of the country on April 10<sup>th</sup>, so Claudia will represent us before the Council on the 10<sup>th</sup>.

Thank you

Steve Witt



March 5, 2018

Mr. Aaron Loudermilk, President  
Vigo County Council  
131 Oak Street  
Terre Haute, IN 47804

**TERRE HAUTE  
ECONOMIC  
DEVELOPMENT  
CORPORATION**

630 Wabash Avenue, Suite 101  
Terre Haute, IN 47807

Phone: 812.234.2524  
Fax: 812.232.6054

[www.terrehauteedc.com](http://www.terrehauteedc.com)

Dear Aaron:

As you know, we have been working with the Town of Seelyville and the Indiana Economic Development Corporation in an effort to attract a major new manufacturing opportunity to the former Pillsbury/IndyBake/Kellogg facility in Seelyville. Saturn Pet Care is a Bremen, Germany based manufacturer of very high-quality wet and dry foods for both dogs and cats. We first talked with Saturn in mid-2015. Saturn Pet Care is contemplating (should it select the Seelyville facility) a total investment of approximately \$37 million by the end of 2024 consisting of approximately \$12 million in real property and approximately \$25 million in personal property. In regard to job creation, Saturn is contemplating new job creation of 200 by the end of 2024 at an average hourly wage (excluding benefits) of approximately \$18.60 per hour.

At its February 13<sup>th</sup> meeting, the Seelyville Town Board provided preliminary approval of ten year real and personal property tax abatements for Saturn Pet Care that will total approximately \$2.7 million in savings to Saturn over ten years. (A total of approximately \$2.3 million in real and personal property will be paid in local property taxes even with the abatement.) The Town Board will consider final approval of the tax abatements at its March 13<sup>th</sup> meeting.

One issue that the company must consider in conjunction with moving forward with its project at the Seelyville facility is in regard to wastewater "pretreatment". The nature of Saturn's production is such that the company will need to provide some pretreatment of its sanitary sewer waste stream before discharging to the municipal treatment system. It is estimated that the cost of this sanitary sewer wastewater pretreatment will be approximately \$1 million.

For Saturn Pet Care to move forward with is project in Seelyville, the company is seeking assistance with the cost of its required wastewater pretreatment infrastructure. In order to encourage Saturn Pet Care to bring the proposed \$37 million of new investment and 200 new jobs to the Town of Seelyville and Vigo County, please consider this letter as a request of \$500,000 from EDIT to assist Saturn Pet Care with this vital piece of infrastructure.

As always, please do not hesitate to contact me at (812) 234-2524 ext. 13 or at [switt@terrehauteedc.com](mailto:switt@terrehauteedc.com) if you have questions or require additional information. Additional information on Saturn Pet Care can be found at <https://www.saturn-petcare.de>.

Sincerely,

*Steve Witt*

Steve Witt  
President



cc: Mr. Sharvil Sheth - PricewaterhouseCoopers, LLC  
Mr. Wesley Brown – Indiana Economic Development Corp.  
Mr. Lou Britton – Cox, Zwerner, Gambill & Sullivan  
Mr. Richard Shagley - Seelyville Town Attorney