

2016 ORDINANCES AND RESOLUTIONS

Ordinance Date

Number	Passed	Description
2016-001	2/22/2016	Removing the position of Town Manager
2016-002	2/22/2016	Amending compensation for appointed board members
2016-003	3/14/2016	Amending § 35.69 Responsibilities of department heads
2016-004	3/14/2016	Repealing the Economic Development Commission and §33.070-33.071
2016-005	3/14/2016	Amending the employee handbook regarding eligibility to the Town's medical insurance
2016-006	3/28/2016	Amending 2016 Salary Ordinance
2016-007	3/28/2016	Amending pre-approved payment of claims
2016-008	6/13/2016	Suspending median soliciations until the completion of construction on Interstate 65
2016-009	5/23/2016	Establishing Clerk Treasurer Attorney Fund/Appropriation
2016-010	6/27/2016	Establishing a "Promotion Fund" for the Parks and Recreation Board
2016-011	6/27/2016	Establishing the LOIT Special Distribution Fund 257
2016-012	6/27/2016	Regulating the use of legal fireworks within the Town limits
2016-013	7/11/2016	Establishing a special non-reverting capital fund for the Parks and Recreation Board
2016-014	7/25/2016	Adoption of minimum internal control standards and procedures
2016-015	8/22/2016	Amending the zoning map (1800 Jefferson Blvd.)
2016-016	9/16/2016	Additional Appropriations for Parks and Recreation fund
2016-017	9/26/2016	Additional Appropriations for CEDIT and LOIT Special Distribution
2016-018	9/26/2016	Transfer of Appropriations
2016-019	9/26/2016	Transfer of Appropriations
2016-020	10/10/2016	Issuance and use of Town secured credit cards
2016-021	10/14/2016	2017 Approriations and tax rates (2017 Budget)
2016-021	10/14/2016	Transfer of Appropriations
2016-022	11/14/2016	Transfer of Appropriations
2016-023	12/22/2016	2017 Salary Ordinance
2016-024	11/22/2016	Amending zoning map (MCO Properties, LLC)
2016-025	11/28/2016	Transfer of Appropriations
2016-026	11/28/2016	Interlocal agreement for planning study of County Road 311
2016-027	12/22/2016	Transfer of Appropriations
2016-028	12/22/2016	Amending Ordinance 2016-028 (HRA Ordinance)

Resolution Date

Number	Passed	Description
2016-R-001	1/25/2016	Ratifying final action establishing the US Highway 31 Economic Revitaliztion Area
2016-R-002	3/14/2016	Authroizing Silver Creek Water Corporation to service the development of Traditions of Traditions of Hunter Station
2016-R-003	3/14/2016	Tax abatement for Clarion Partners dba LIT Industrial Limited Partnership 7615 Hwy 31 E
2016-R-004	3/14/2016	Tax abatement for Clarion Partners dba LIT Industrial Limited Partnership 7615 Hwy 31 E
2016-R-005	3/14/2016	Tax abatement for Clarion Partners dba LIT Industrial Limited Partnership 7615 Hwy 31 E
2016-R-006	3/14/2016	Waiver of ser tap-in fees for 7615 Hwy 31 E
2016-R-007	3/14/2016	Multi-Hazard mitigation plan
2016-R-008	5/23/2016	Transfer of appropriations
2016-R-009	6/13/2016	Disposal of two police vehicles
2016-R-010	6/27/2016	Transfer of appropriations
2016-R-011		was not passed
2016-R-012	8/22/2016	Establishing guidelines for public meetings

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2016 – R – 001

**A RESOLUTION RATIFYING FINAL ACTION ESTABLISHING THE U.S. HIGHWAY 31 ECONOMIC REVITALIZATION AREA OF THE TOWN OF SELLERSBURG, INDIANA**

**WHEREAS**, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative and fiscal bodies of the town and the President of the town council is the town executive pursuant to Ind. Code § 35-5-2; and,

**WHEREAS**, this Council has previously adopted Resolution No. 2015-R-004, *A Resolution Establishing The U.S. Highway 31 Economic Revitalization Area of the Town of Sellersburg*, and filed said resolution with the Clark County Clerk and Clark County Assessor; and,

**WHEREAS**, on the 11<sup>th</sup> day of January, 2016, after proper legal notice, this Council conducted a public hearing allowing for public comment on Resolution No. 2015-R-004; and,

**WHEREAS**, on the 11<sup>th</sup> day of January, 2016, during its regularly scheduled public meeting, this Council took final action on Resolution No. 2015-R-004 approving said Resolution by a vote of 4 ayes to 1 nay.


**NOW, THEREFORE BE IT RESOLVED AND RATIFIED** by this Town Council of Sellersburg, Indiana as follows:

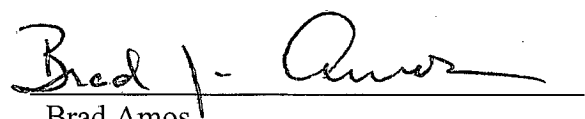
1. That the final action taken by this Council, by a vote of 4 ayes to 1 nay, on Resolution No. 2015-R-004 on the 11<sup>th</sup> day of January, 2016 is hereby ratified.

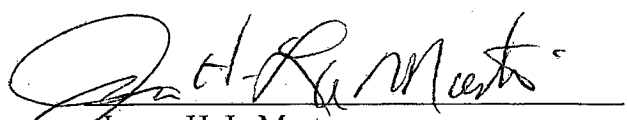
This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.


*(Signature page to follow)*

So Resolved this 25 day of January, 2016.

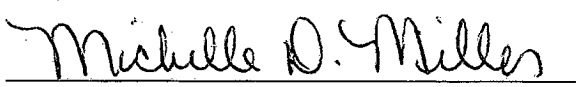
  
Paul J. Rhodes  
Council President

  
Brad Amos  
Council Vice President

  
James H. LaMaster  
Council Member

  
Martina Webster  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member

  
Attest: Michelle Miller  
Clerk-Treasurer

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2016 – R – 002

**A RESOLUTION AUTHORIZING SILVER CREEK WATER CORPORATION TO SERVICE THE DEVELOPMENT OF TRADITIONS OF HUNTER STATION**

**WHEREAS**, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

**WHEREAS**, Silver Creek Water Corporation (“Silver Creek Water”) has requested a revision of their water system boundary line to allow Silver Creek Water to serve only the project known as Traditions of Hunter Station. (*See Exhibit “A”*); and,

**WHEREAS**, the Town’s Public Works Director has approved Silver Creek Water’s requests in that the Town’s current system does not meet the 1,000 gallon per minute at 20 psi requirement for fire flow for said development.

**NOW, THEREFORE BE IT RESOLVED** by this Town Council of Sellersburg, Indiana as follows:

1. That Silver Creek Water shall be authorized to service only the project known as Traditions of Hunter Station as indicated in Exhibit A.

This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.

*[Signature page to follow]*

4141.1.dwg

<b>Owner &amp; Type</b> CUSD Location SCWC Fire 4140157 90-0701620	<b>Address</b> Use Desc Coach Business 5328 PLUM VALLEY DR 5328 PLUM VALLEY DR 0001	<b>Brand</b> Year 2012 TOL WATERCROSS 1992	<b>Paint</b> Date Needs Paint Verif. Checked Color Green 2015-08-10	<b>Flush, Fertil &amp; Report</b> Date Order Manufacturer 2016-01-25	<b>GPM AT 150 GAL/ONS</b> Res. Size P-1 Value 1364.7 (74%) 47.84 Discharge Rate Report	<b>Main Water &amp; Manual</b> Overhaul Date Wrepping, Wrepped, Winterized, Had Water Not 10/2015 07/01	<b>OPNCT</b> Operated Wrepping, Wrepped, Winterized, Had Water Not Operated Nozzle Connected Yes Yes Yes
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**PROPOSED NEW BOUNDARY LINE BETWEEN SELLERSBURG & SILVER CREEK WATER  
AROUND TRADITIONS OF HUNTER STATION**

Auto-Refreshing

Buffer Tools

Queries

Choose the Query

Graphic Layers

System Alias

Choose an Available Site to View

Tracing

Layers

- Structures
- Parks
- Waterways
- Water Features
- Water
- Top
- High Detail on Cont
- Base Layer
- Appraisal
- 2012 Land Use
- 2011 Playable
- 2010

Properties

Station: 422.715

Station: 2667.1270951140

Station: 33.3754607122144

Station: 11.758741550275

Station: 11.9211220700000

Measure

Measure Type

Distance Area

Distance / Radius

Units: Feet

Segment Length

237.9334

Total Distance

1027.6560

Total Area

0

Measure Clear

8:30 AM  
2/17/2016



## SILVER CREEK WATER CORPORATION

P O BOX 102 \* 8104 COUNTY LINE ROAD  
SELLERSBURG IN 47172-0102  
812-246-2889 \* FAX 812-246-6503

February 17, 2016

Paul Rhodes, President  
Sellersburg Town Board  
316 E. Utica Street  
Sellersburg, IN 47172

RE: Traditions of Hunter Station

Dear Mr. Rhodes and Town Board,

We are requesting to revise our water system boundary line, to allow Silver Creek Water Corporation to serve only the project known as Traditions of Hunter Station. This is due to fire flow requirements for the development.

The existing boundary line between Silver Creek Water Corporation and the Town of Sellersburg Water Department, is considered to be the line between Plum Run and Hunter Station. Attached is a drawing of the area.

We have the required fire flow capacity to serve this development and would request immediate approval of adjusting our boundary line, so that we could begin the design process for them to connect to our system at Plum Run and Hunter Station.

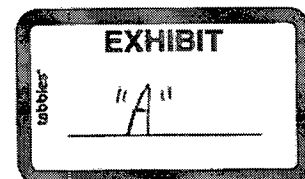
Recent fire flow tests were conducted at Hunter Station, and your system at this location does not meet the 1,000 gallons per minute at 20 psi requirement for fire flow. Our system capacity tested at 1,664 gallons per minute at 20 psi.

Please call me at 812-246-2889 or email [scott@silvercreekwater.org](mailto:scott@silvercreekwater.org) if you have any questions pertaining to this matter.

Sincerely,

  
Scott A. Ham  
Manager


attachment




So Resolved this 14 day of March, 2016.

“Aye”

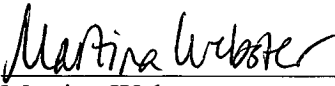
“Nay”

  
\_\_\_\_\_  
Paul J. Rhodes  
Council President


\_\_\_\_\_  
Paul J. Rhodes  
Council President

  
\_\_\_\_\_  
Brad Amos  
Council Vice President


\_\_\_\_\_  
Brad Amos  
Council Vice President

  
\_\_\_\_\_  
Martina Webster  
Council Member

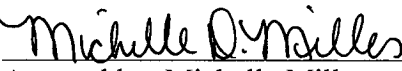
\_\_\_\_\_  
Martina Webster  
Council Member

  
\_\_\_\_\_  
Jim LaMaster  
Council Member

\_\_\_\_\_  
Jim LaMaster  
Council Member

  
\_\_\_\_\_  
William Conlin  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member

  
\_\_\_\_\_  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2016 - R - 003

**A RESOLUTION APPROVING STATEMENT OF BENEFITS FOR REAL PROPERTY  
AND GRANTING OF TAX ABATEMENT**

**WHEREAS**, this Town Council of Sellersburg, Indiana ("Council") is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

**WHEREAS**, Clarion Partners d/b/a LIT Industrial Limited Partnership ("Owner") has petitioned this Council for a tax abatement in real property taxes to be assessed on property located at 7615 Hwy 31 East, Sellersburg, IN 47172; and,

**WHEREAS**, the Owner has submitted a Statement of Benefits on the form prescribed by the Department of Local Government Finance for such purpose, which includes a description and estimate of cost for Phase I of the real property improvements, a description of the total project, and an estimated start and completion date of Phase I; and,

**WHEREAS**, this Council has previously determined that the area of 7615 Hwy 31 East, Sellersburg, IN 47172 qualifies as an economic revitalization area pursuant to Ind. Code § 6-1.1-12.1-5 *et seq.* (Resolution No. 2016-R-001); and,

**WHEREAS**, this Council has previously reviewed the Statement of Benefits for Phase I and incorporates it herein (*See Exhibit "A"*); and,

**WHEREAS**, the Sellersburg Redevelopment Commission has adopted a resolution in support of this Council granting said tax abatement (*See Exhibit "B"*).



**NOW, THEREFORE BE IT RESOLVED** by the Town Council as follows:

1. That all information and all required forms have been filed by Clarion Partners d/b/a LIT Industrial Limited Partnership and the benefits described in such information can be reasonably expected to result.
2. That the totality of benefits for said expansion is sufficient to justify the deduction.
3. That the Town Council hereby approves the application for deduction presented in the Statement of Benefits filed by Clarion Partners d/b/a LIT Industrial Limited Partnership and said company shall be entitled to deductions for a period of ten (10) years for improvements to real property as set forth in Exhibit "C" and pursuant to Ind. Code § 6-1.1-12.1 *et seq.*, with the timely filing and perfection thereof with the Clark County Auditor's Office.

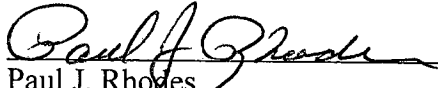
This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.

*[Signature page to follow]*


So Resolved this 14 day of March, 2016

“Aye”

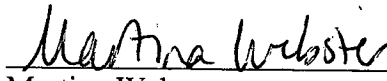
“Nay”

  
\_\_\_\_\_  
Paul J. Rhodes  
Council President

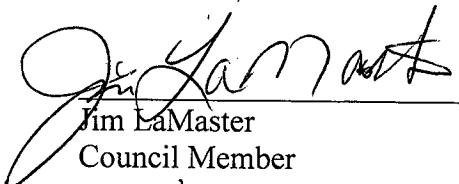
\_\_\_\_\_  
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Council President

  
\_\_\_\_\_  
Brad Amos  
Council Vice President


\_\_\_\_\_  
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Council Member

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Jim LaMaster  
Council Member

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Jim LaMaster  
Council Member

  
\_\_\_\_\_  
William Conlin  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member

  
\_\_\_\_\_  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer



**STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS**

State Form SB-1/RE (R6 / 10-14)  
Prescribed by the Department of Local Government Finance

20__ PAY 20__
<b>FORM SB-1 / Real Property</b>
<b>PRIVACY NOTICE</b>
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

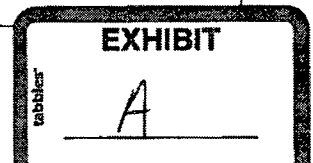
This statement is being completed for real property that qualifies under the following Indiana Code (check one box)

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Residentially distressed area (IC 6-1.1-12.1-4.1)

**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** the redevelopment or rehabilitation of real property 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 initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- 3 To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- 4 A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- 5 For a Form SB-1/Real Property 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/Real Property 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 <b>LIT Industrial Limited Partnership</b>					
Address of taxpayer (number and street, city, state, and ZIP code) <b>c/o Clarion Partners 1717 McKinney Ave. Suite 1900, Dallas, TX 75202</b>					
Name of contact person <b>Mr. Andy Sitzer, Senior Vice President</b>			Telephone number <b>( 214 ) 647-4929</b>	E-mail address <b>andy.sitzer@clarionpartners.com</b>	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body <b>Sellersburg Town Board</b>				Resolution number	
Location of property <b>7615 Highway 31E</b>			County <b>Clark</b>	DLGF taxing district number <b>017 031</b>	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) <b>Construction of Phase I of a two-building, Class A warehouse/distribution project, consisting of approximately 415,480 square feet out of a total project of approximately 1,075,360 square feet.</b>				Estimated start date (month, day, year) <b>March 15, 2017</b>	
				Estimated completion date (month, day, year) <b>December 31, 2017</b>	
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number <b>0.00</b>	Salaries <b>\$0.00</b>	Number retained <b>0.00</b>	Salaries <b>\$0.00</b>	Number additional <b>0.00</b>	Salaries
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
			REAL ESTATE IMPROVEMENTS		
			COST	ASSESSED VALUE	
Current values				0.00	
Plus estimated values of proposed project				16,600,000.00	
Less values of any property being replaced				0.00	
Net estimated values upon completion of project				16,600,000.00	
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) <b>Feb. 25 2016</b>	
Printed name of authorized representative <b>Jon Seiz, Fortis Group, LLC Authorized Agent</b>			Title <b>President</b>		



**FOR USE OF THE DESIGNATING BODY**

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed \_\_\_\_\_ 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. Redevelopment or rehabilitation of real estate improvements  Yes  No  
 2. Residentially distressed areas  Yes  No
- C. The amount of the deduction applicable is limited to \$ 16,600,000.00.
- D. Other limitations or conditions: (specify) \_\_\_\_\_
- E. Number of years allowed:  Year 1  Year 2  Year 3  Year 4  Year 5 (\* see below)  
 Year 6  Year 7  Year 8  Year 9  Year 10
- F. 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.

We have also 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 (signature and title of authorized member of designating body)	Telephone number ( )	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

\* 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.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

**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.

Resolution No: 16-001

RESOLUTION OF THE  
REDEVELOPMENT COMMISSION  
OF THE  
TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town of Sellersburg Redevelopment Commission (the "Commission") as the governing body for the Town of Sellersburg Redevelopment Department, pursuant to Indiana Code § 36-7-14, as amended (the "Act") previously adopted a resolution designating an area as an economic development area.

WHEREAS, LIT Industrial Limited partnership, a real estate entity managed by Clarion Partners, (collectively "Purchaser") has contracted to purchase 77.9 acres of land located within the economic development area and identified by the common address of 7615 Hwy 31 East, Sellersburg, IN 47172 (the "Real Estate") as shown on the attached Exhibit A.

WHEREAS, Fortis Group LLC dba: NAI Fortis Group ("Developer") is contemplating the development of the Real Estate on behalf of Purchaser for the purposes of developing Class A warehouse/distribution space of approximately 1,075,360 square feet in up to three phases.

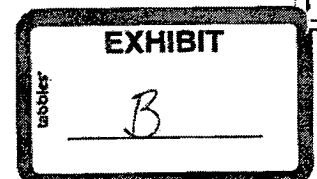
WHEREAS, the Commission believes that the redevelopment of the Real Estate will benefit the public health, safety, morals, and welfare of the Town, will increase the economic well-being of the Town and the state; and will serve to protect and increase property values in the Town and the state.

WHEREAS, the Commission has studied certain areas needing redevelopment and desires to promote the use of land in the manner that best serves the interests of the Town and Area and its inhabitants; and desires to cooperate with the Town in a manner that best serves the community in accordance with I.C. § 36-7-14.

WHEREAS, the Commission has approved a representative to discuss with Developer certain development requests, and having done so, the Commission recommends the Town and Commission cooperate in a manner that best serves the community as follows:

WHEREAS, the Town Council of Sellersburg has already rezoned the Real Estate from A&R-1 to I-1 by Ordinance No. 2015-0015 on December 28, 2015.

WHEREAS, the Commission supports, as part of the economic development incentives to be approved by the Town, that the Town grant Purchaser (Clarion



Partners dba: LIT Industrial Limited Partnership) certain real estate property tax abatements as described in SB-1 forms listed as Exhibit B.

WHEREAS, the Commission further supports that the Town waive certain sewer tap-in fees conditioned upon the Developer installing all sewer systems to Town's specifications and connecting all such systems to the Town's existing sewer system.

WHEREAS, contingent on the approval and acceptance of the above Town incentives and Developer obligations, then the Commission desires to enter into a Contract for the construction of local public improvements to specific portions of US 31 for certain areas needing redevelopment in an amount not to exceed \$250,000.00.

WHEREAS, Developer shall pay for the design of the public improvements to the roadway to INDOT specifications subject to the Commission's ultimate approval and shall maintain an irrevocable letter of credit in an amount that covers any costs that exceed the Commission's \$250,000 cost cap.

WHEREAS, as a condition precedent to Commission or Town entering into the above incentive agreements, the Commission requests that the Town require that Developer to grant to the Town a permanent easement adjacent to Butler Drive, which is currently used by certain residences and has not been dedicated to the Town as a public right-of way.

**NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE TOWN OF SELLERSBURG, INDIANA, THAT:**

1. The Commission intends to pursue and seek approval of the Town, where appropriate, certain economic development incentives for the redevelopment of the Real Estate as follows:
2. The Commission supports, as part of the economic development incentives to be approved by the Town, that the Town grant Taxpayer certain real estate property tax abatements as described in SB-1 forms listed as Exhibit B. The ten-year abatement program will commence upon the completion of the construction of each phase separately on the condition that the Purchaser and/or Developer agreeing not to appeal the property tax assessment to an amount lower than the amount presented within the SB-1 forms for each phase of development.
3. The Commission further supports that the Town waive certain sewer tap-in fees, estimated to be approximately One Hundred Ten Thousand and No/100 (\$110,000.00) Dollars, conditioned upon the Developer installing all sewer systems to Town's specifications and connecting all such systems to the Town's existing sewer system. The design and specifications for such improvements shall be mutually

agreed upon by the Town and Purchaser. The engineer's estimate of these Developer funded sewer system improvements is Four Hundred Eighty Thousand and No/100 (\$480,000) Dollars. Any pump station and force main constructed as part of this system shall be granted to the Town for long term operation and maintenance.

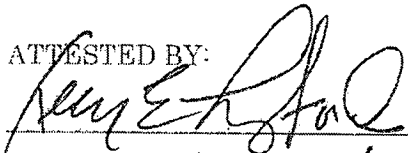
4. Contingent on the approval and acceptance of the above Town incentives and Developer obligations, then the Commission desires to enter into a Contract for the construction of local public improvements for certain areas needing redevelopment, specifically portions of U.S. Highway 31 near the Real Estate. The Commission intends to contribute up to a maximum of Two Hundred Fifty Thousand and No/100 (\$250,000.00) Dollars with the Developer responsible for any such costs the Commission incurs in the project that exceed such amount. Commission shall not advertise or offer the public improvements for bid until Developer has both closed on the Real Estate and paid for the design to INDOT specifications, subject to the Commission's ultimate approval. Prior to the publication for any bid documents by the Town or Commission, the Developer must maintain an irrevocable letter of credit in the amount of the engineered estimate that exceeds the Commission's \$250,000.00 construction cost cap, with such irrevocable letter being subject to amendment upward at the Commission's direction to cover any project costs above \$250,000 after actual bids are received. Such irrevocable letter of credit shall be in a form agreeable to the Town and Commission so that the Commission may draw upon such funds during the construction of the local public improvements. If the Developer progresses on site improvements to the Real Estate in a commercially reasonable manner, the Commission will complete the public improvements to US-31 within substantial completion of the shell building of Developer's first phase of construction. The "first phase of construction" shall include the construction of a 415,480 square foot Class A warehouse/distribution center and such phase shall be completed when the building is substantially complete so as to be marketable to potential tenants.

5. As an additional condition precedent to Commission or Town entering into the above incentive agreements, the Commission requests that the Town further require that Purchaser and/or Developer grant to the Town an approximately 15 foot by 1,500 foot permanent access easement contiguous to the Real Estate's north property line as shown as Exhibit A. The easement is intended to assist the Town in its efforts to enhance traffic access on Butler Drive and to provide for adequate right-of-way for future expansion of Butler Drive as a public right-of-way. Purchaser and/or Developer and Town will enter into a mutually agreeable shared easement agreement regarding the construction, maintenance and repair of the right-of-way.

Dated this 7<sup>th</sup> day of March, 2016.

Town of Sellersburg Redevelopment  
Commission

By:   
Michael J. Hostetler, President

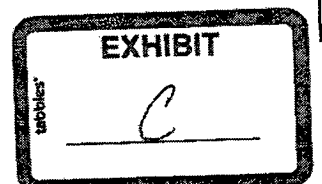
ATTESTED BY:  
  
Terry E Langford  
Printed Name/Secretary



Town of Sellersburg, Indiana

Tax Abatement Schedule for Real Property

Year	Percent Deduction
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%



STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2016 – R – 004

**A RESOLUTION APPROVING STATEMENT OF BENEFITS FOR REAL PROPERTY  
AND GRANTING OF TAX ABATEMENT**

**WHEREAS**, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

**WHEREAS**, Clarion Partners d/b/a LIT Industrial Limited Partnership (“Owner”) has petitioned this Council for a tax abatement in real property taxes to be assessed on property located at 7615 Hwy 31 East, Sellersburg, IN 47172; and,

**WHEREAS**, the Owner has submitted a Statement of Benefits on the form prescribed by the Department of Local Government Finance for such purpose, which includes a description and estimate of cost for Phase II of the real property improvements, a description of the total project, and an estimated start and completion date of Phase II; and,

**WHEREAS**, this Council has previously determined that the area of 7615 Hwy 31 East, Sellersburg, IN 47172 qualifies as an economic revitalization area pursuant to Ind. Code § 6-1.1-12.1-5 *et seq.* (Resolution No. 2016-R-001); and,

**WHEREAS**, this Council has previously reviewed the Statement of Benefits for Phase II and incorporates it herein (*See Exhibit “A”*); and,

**WHEREAS**, the Sellersburg Redevelopment Commission has adopted a resolution in support of this Council granting said tax abatement (*See Exhibit “B”*).

**NOW, THEREFORE BE IT RESOLVED** by the Town Council as follows:

1. That all information and all required forms have been filed by Clarion Partners d/b/a LIT Industrial Limited Partnership and the benefits described in such information can be reasonably expected to result.
2. That the totality of benefits for said expansion is sufficient to justify the deduction.
3. That the Town Council hereby approves the application for deduction presented in the Statement of Benefits filed by Clarion Partners d/b/a LIT Industrial Limited Partnership and said company shall be entitled to deductions for a period of ten (10) years for improvements to real property as set forth in Exhibit "C" and pursuant to Ind. Code § 6-1.1-12.1 *et seq.*, with the timely filing and perfection thereof with the Clark County Auditor's Office.

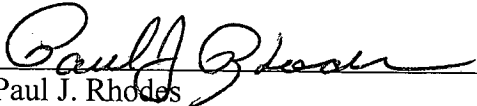
This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.

*[Signature page to follow]*


So Resolved this 14 day of March, 2016

“Aye”

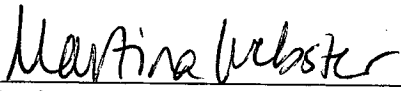
“Nay”

  
Paul J. Rhodes  
Council President


\_\_\_\_\_  
Paul J. Rhodes  
Council President

  
Brad Amos  
Council Vice President

\_\_\_\_\_  
Brad Amos  
Council Vice President

  
Martina Webster  
Council Member

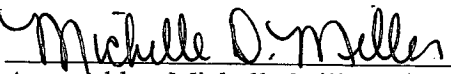
\_\_\_\_\_  
Martina Webster  
Council Member

  
Jim LaMaster  
Council Member

\_\_\_\_\_  
Jim LaMaster  
Council Member

  
William Conlin  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member

  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer



**STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R6) 10-14)  
Prescribed by the Department of Local Government Finance

20__ PAY 20__
<b>FORM SB-1 / Real Property</b>
<b>PRIVACY NOTICE</b>
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

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Residentially distressed area (IC 6-1.1-12.1-4.1)

**INSTRUCTIONS:**

- 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 the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property 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/Real Property 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 <b>LIT Industrial Limited Partnership</b>		
Address of taxpayer (number and street, city, state, and ZIP code) <b>c/o Clarion Partners 1717 McKinney Ave. Suite 1900, Dallas, TX 75202</b>		
Name of contact person <b>Mr. Andy Sitzer, Senior Vice President</b>	Telephone number <b>( 214 ) 647-4929</b>	E-mail address <b>andy.sitzer@clarionpartners.com</b>

**SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT**

Name of designating body <b>Sellersburg Town Board</b>		Resolution number
Location of property <b>7615 Highway 31E</b>	County <b>Clark</b>	DLGF taxing district number <b>017 031</b>
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) <b>Construction of Phase II of a two-building, Class A warehouse/distribution project, consisting of approximately 415,480 square feet out of a total project of approximately 1,075,360 square feet.</b>		Estimated start date (month, day, year) <b>March 15, 2019</b>
		Estimated completion date (month, day, year) <b>December 31, 2019</b>

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

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
<b>0.00</b>	<b>\$0.00</b>	<b>0.00</b>	<b>\$0.00</b>	<b>0.00</b>	

**SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT**

	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values		<b>0.00</b>
Plus estimated values of proposed project	<b>16,600,000.00</b>	
Less values of any property being replaced		<b>0.00</b>
Net estimated values upon completion of project	<b>16,600,000.00</b>	

**SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER**

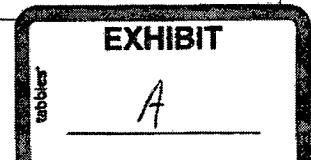
Estimated solid waste converted (pounds) _____	Estimated hazardous waste converted (pounds) _____
--	--

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) <b>Feb. 25 2016</b>
Printed name of authorized representative <b>Jon Seiz, Fortis Group, LLC Authorized Agent</b>	Title <b>President</b>



**FOR USE OF THE DESIGNATING BODY**

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations.

- A. The designated area has been limited to a period of time not to exceed \_\_\_\_\_ 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. Redevelopment or rehabilitation of real estate improvements  Yes  No
  2. Residentially distressed areas  Yes  No
- C. The amount of the deduction applicable is limited to \$ 16,600,000.00.
- D. Other limitations or conditions (specify) \_\_\_\_\_
- E. Number of years allowed:  Year 1  Year 2  Year 3  Year 4  Year 5 (\* see below)  
 Year 6  Year 7  Year 8  Year 9  Year 10
- F. 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.

We have also 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 (signature and title of authorized member of designating body)	Telephone number ( )	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

\* 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.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

**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.

Resolution No: 16-001

RESOLUTION OF THE  
REDEVELOPMENT COMMISSION  
OF THE  
TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town of Sellersburg Redevelopment Commission (the "Commission") as the governing body for the Town of Sellersburg Redevelopment Department, pursuant to Indiana Code § 36-7-14, as amended (the "Act") previously adopted a resolution designating an area as an economic development area.

WHEREAS, LIT Industrial Limited partnership, a real estate entity managed by Clarion Partners, (collectively "Purchaser") has contracted to purchase 77.9 acres of land located within the economic development area and identified by the common address of 7615 Hwy 31 East, Sellersburg, IN 47172 (the "Real Estate") as shown on the attached Exhibit A.

WHEREAS, Fortis Group LLC dba: NAI Fortis Group ("Developer") is contemplating the development of the Real Estate on behalf of Purchaser for the purposes of developing Class A warehouse/distribution space of approximately 1,075,360 square feet in up to three phases.

WHEREAS, the Commission believes that the redevelopment of the Real Estate will benefit the public health, safety, morals, and welfare of the Town, will increase the economic well-being of the Town and the state; and will serve to protect and increase property values in the Town and the state.

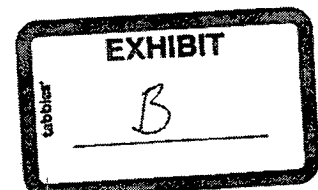
WHEREAS, the Commission has studied certain areas needing redevelopment and desires to promote the use of land in the manner that best serves the interests of the Town and Area and its inhabitants; and desires to cooperate with the Town in a manner that best serves the community in accordance with I.C. § 36-7-14.

WHEREAS, the Commission has approved a representative to discuss with Developer certain development requests, and having done so, the Commission recommends the Town and Commission cooperate in a manner that best serves the community as follows:

WHEREAS, the Town Council of Sellersburg has already rezoned the Real Estate from A&R-1 to I-1 by Ordinance No. 2015-0015 on December 28, 2015.

WHEREAS, the Commission supports, as part of the economic development incentives to be approved by the Town, that the Town grant Purchaser (Clarion

1 | Page



Partners dba: LIT Industrial Limited Partnership) certain real estate property tax abatements as described in SB-1 forms listed as Exhibit B.

WHEREAS, the Commission further supports that the Town waive certain sewer tap-in fees conditioned upon the Developer installing all sewer systems to Town's specifications and connecting all such systems to the Town's existing sewer system.

WHEREAS, contingent on the approval and acceptance of the above Town incentives and Developer obligations, then the Commission desires to enter into a Contract for the construction of local public improvements to specific portions of US 31 for certain areas needing redevelopment in an amount not to exceed \$250,000.00.

WHEREAS, Developer shall pay for the design of the public improvements to the roadway to INDOT specifications subject to the Commission's ultimate approval and shall maintain an irrevocable letter of credit in an amount that covers any costs that exceed the Commission's \$250,000 cost cap.

WHEREAS, as a condition precedent to Commission or Town entering into the above incentive agreements, the Commission requests that the Town require that Developer to grant to the Town a permanent easement adjacent to Butler Drive, which is currently used by certain residences and has not been dedicated to the Town as a public right-of way.

**NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE TOWN OF SELLERSBURG, INDIANA, THAT:**

1. The Commission intends to pursue and seek approval of the Town, where appropriate, certain economic development incentives for the redevelopment of the Real Estate as follows:

2. The Commission supports, as part of the economic development incentives to be approved by the Town, that the Town grant Taxpayer certain real estate property tax abatements as described in SB-1 forms listed as Exhibit B. The ten-year abatement program will commence upon the completion of the construction of each phase separately on the condition that the Purchaser and/or Developer agreeing not to appeal the property tax assessment to an amount lower than the amount presented within the SB-1 forms for each phase of development.

3. The Commission further supports that the Town waive certain sewer tap-in fees, estimated to be approximately One Hundred Ten Thousand and No/100 (\$110,000.00) Dollars, conditioned upon the Developer installing all sewer systems to Town's specifications and connecting all such systems to the Town's existing sewer system. The design and specifications for such improvements shall be mutually



agreed upon by the Town and Purchaser. The engineer's estimate of these Developer funded sewer system improvements is Four Hundred Eighty Thousand and No/100 (\$480,000) Dollars. Any pump station and force main constructed as part of this system shall be granted to the Town for long term operation and maintenance.

4. Contingent on the approval and acceptance of the above Town incentives and Developer obligations, then the Commission desires to enter into a Contract for the construction of local public improvements for certain areas needing redevelopment, specifically portions of U.S. Highway 31 near the Real Estate. The Commission intends to contribute up to a maximum of Two Hundred Fifty Thousand and No/100 (\$250,000.00) Dollars with the Developer responsible for any such costs the Commission incurs in the project that exceed such amount. Commission shall not advertise or offer the public improvements for bid until Developer has both closed on the Real Estate and paid for the design to INDOT specifications, subject to the Commission's ultimate approval. Prior to the publication for any bid documents by the Town or Commission, the Developer must maintain an irrevocable letter of credit in the amount of the engineered estimate that exceeds the Commissions' \$250,000.00 construction cost cap, with such irrevocable letter being subject to amendment upward at the Commission's direction to cover any project costs above \$250,000 after actual bids are received. Such irrevocable letter of credit shall be in a form agreeable to the Town and Commission so that the Commission may draw upon such funds during the construction of the local public improvements. If the Developer progresses on site improvements to the Real Estate in a commercially reasonable manner, the Commission will complete the public improvements to US-31 within substantial completion of the shell building of Developer's first phase of construction. The "first phase of construction" shall include the construction of a 415,480 square foot Class A warehouse/distribution center and such phase shall be completed when the building is substantially complete so as to be marketable to potential tenants.

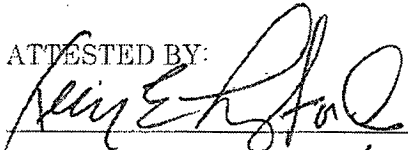
5. As an additional condition precedent to Commission or Town entering into the above incentive agreements, the Commission requests that the Town further require that Purchaser and/or Developer grant to the Town an approximately 15 foot by 1,500 foot permanent access easement contiguous to the Real Estate's north property line as shown as Exhibit A. The easement is intended to assist the Town in its efforts to enhance traffic access on Butler Drive and to provide for adequate right-of-way for future expansion of Butler Drive as a public right-of way. Purchaser and/or Developer and Town will enter into a mutually agreeable shared easement agreement regarding the construction, maintenance and repair of the right-of-way.

Dated this 7<sup>th</sup> day of March, 2016.

Town of Sellersburg Redevelopment  
Commission

By:   
Michael J. Hostetler, President

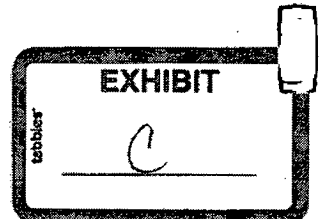
ATTESTED BY:

  
Terry E Langford  
Printed Name/Secretary

Town of Sellersburg, Indiana

Tax Abatement Schedule for Real Property

Year	Percent Deduction
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%



STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

**RESOLUTION NO. 2016 – R – 005**

**A RESOLUTION APPROVING STATEMENT OF BENEFITS FOR REAL PROPERTY  
AND GRANTING OF TAX ABATEMENT**

**WHEREAS**, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

**WHEREAS**, Clarion Partners d/b/a LIT Industrial Limited Partnership (“Owner”) has petitioned this Council for a tax abatement in real property taxes to be assessed on property located at 7615 Hwy 31 East, Sellersburg, IN 47172; and,

**WHEREAS**, the Owner has submitted a Statement of Benefits on the form prescribed by the Department of Local Government Finance for such purpose, which includes a description and estimate of cost for Phase III of the real property improvements, a description of the total project, and an estimated start and completion date of Phase III; and,

**WHEREAS**, this Council has previously determined that the area of 7615 Hwy 31 East, Sellersburg, IN 47172 qualifies as an economic revitalization area pursuant to Ind. Code § 6-1.1-12.1-5 *et seq.* (Resolution No. 2016-R-001); and,

**WHEREAS**, this Council has previously reviewed the Statement of Benefits for Phase III and incorporates it herein (*See Exhibit “A”*); and,

**WHEREAS**, the Sellersburg Redevelopment Commission has adopted a resolution in support of this Council granting said tax abatement (*See Exhibit “B”*).

**NOW, THEREFORE BE IT RESOLVED** by the Town Council as follows:

1. That all information and all required forms have been filed by Clarion Partners d/b/a LIT Industrial Limited Partnership and the benefits described in such information can be reasonably expected to result.
2. That the totality of benefits for said expansion is sufficient to justify the deduction.
3. That the Town Council hereby approves the application for deduction presented in the Statement of Benefits filed by Clarion Partners d/b/a LIT Industrial Limited Partnership and said company shall be entitled to deductions for a period of ten (10) years for improvements to real property as set forth in Exhibit "C" and pursuant to Ind. Code § 6-1.1-12.1 *et seq.*, with the timely filing and perfection thereof with the Clark County Auditor's Office.

This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.

*[Signature page to follow]*

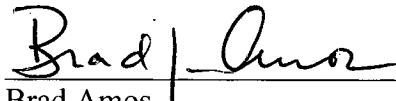
So Resolved this 14 day of March, 2016

“Aye”

“Nay”

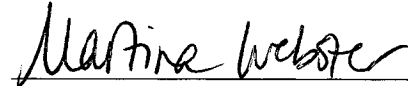
  
Paul J. Rhodes  
Council President

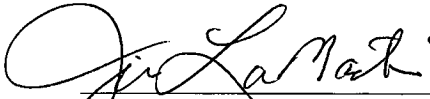
\_\_\_\_\_  
Paul J. Rhodes  
Council President

  
Brad Amos  
Council Vice President

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Brad Amos  
Council Vice President

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Martina Webster  
Council Member

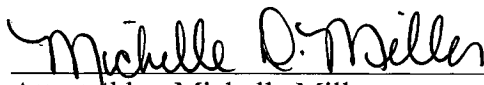
  
Martina Webster  
Council Member

  
Jim LaMaster  
Council Member

\_\_\_\_\_  
Jim LaMaster  
Council Member

  
William Conlin  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member

  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer



**STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R6 / 10-14)  
Prescribed by the Department of Local Government Finance

20__ PAY 20__
FORM SB-1 / Real Property
<b>PRIVACY NOTICE</b>
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.

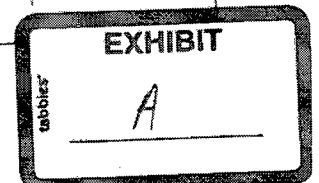
This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)  
 Residentially distressed area (IC 6-1.1-12.1-4.1)

**INSTRUCTIONS:**

- 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** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property 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/Real Property 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 <b>LIT Industrial Limited Partnership</b>					
Address of taxpayer (number and street, city, state, and ZIP code) <b>c/o Clarion Partners 1717 McKinney Ave. Suite 1900, Dallas, TX 75202</b>					
Name of contact person <b>Mr. Andy Sitzer, Senior Vice President</b>		Telephone number <b>( 214 ) 647-4929</b>		E-mail address <b>andy.sitzer@clarionpartners.com</b>	
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT			
Name of designating body <b>Sellersburg Town Board</b>		Resolution number		DLGF taxing district number <b>017 031</b>	
Location of property <b>7615 Highway 31E</b>		County <b>Clark</b>		Estimated start date (month, day, year) <b>May 1, 2021</b>	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) <b>Construction of Phase III of a two-building, Class A warehouse/distribution project, consisting of approximately 244,400 square feet out of a total project of approximately 1,075,360 square feet.</b>				Estimated completion date (month, day, year) <b>December 31, 2021</b>	
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT			
Current number <b>0.00</b>	Salaries <b>\$0.00</b>	Number retained <b>0.00</b>	Salaries <b>\$0.00</b>	Number additional <b>0.00</b>	Salaries
SECTION 4		ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT			
		<b>REAL ESTATE IMPROVEMENTS</b>			
		<b>COST</b>		<b>ASSESSED VALUE</b>	
Current values		0.00			
Plus estimated values of proposed project		9,750,000.00			
Less values of any property being replaced		0.00			
Net estimated values upon completion of project		9,750,000.00			
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 <i>Jon Seiz</i>				Date signed (month, day, year) <b>Feb. 25 2016</b>	
Printed name of authorized representative <b>Jon Seiz, Fortis Group, LLC Authorized Agent</b>				Title <b>President</b>	



**FOR USE OF THE DESIGNATING BODY**

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed \_\_\_\_\_ 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. Redevelopment or rehabilitation of real estate improvements  Yes  No
  - 2. Residentially distressed areas  Yes  No
- C. The amount of the deduction applicable is limited to \$ 9,750,000.00.
- D. Other limitations or conditions (specify) \_\_\_\_\_
- E. Number of years allowed:  Year 1  Year 2  Year 3  Year 4  Year 5 (\* see below)  
 Year 6  Year 7  Year 8  Year 9  Year 10
- F. 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.

We have also 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 (signature and title of authorized member of designating body)	Telephone number (     )	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

\* 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.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

**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.



Resolution No: 16-001

**RESOLUTION OF THE  
REDEVELOPMENT COMMISSION  
OF THE  
TOWN OF SELLERSBURG, INDIANA**

WHEREAS, the Town of Sellersburg Redevelopment Commission (the "Commission") as the governing body for the Town of Sellersburg Redevelopment Department, pursuant to Indiana Code § 36-7-14, as amended (the "Act") previously adopted a resolution designating an area as an economic development area.

WHEREAS, LIT Industrial Limited partnership, a real estate entity managed by Clarion Partners, (collectively "Purchaser") has contracted to purchase 77.9 acres of land located within the economic development area and identified by the common address of 7615 Hwy 31 East, Sellersburg, IN 47172 (the "Real Estate") as shown on the attached Exhibit A.

WHEREAS, Fortis Group LLC dba: NAI Fortis Group ("Developer") is contemplating the development of the Real Estate on behalf of Purchaser for the purposes of developing Class A warehouse/distribution space of approximately 1,075,360 square feet in up to three phases.

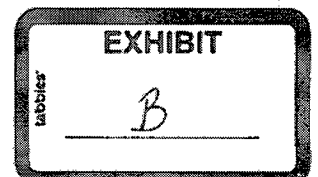
WHEREAS, the Commission believes that the redevelopment of the Real Estate will benefit the public health, safety, morals, and welfare of the Town, will increase the economic well-being of the Town and the state; and will serve to protect and increase property values in the Town and the state.

WHEREAS, the Commission has studied certain areas needing redevelopment and desires to promote the use of land in the manner that best serves the interests of the Town and Area and its inhabitants; and desires to cooperate with the Town in a manner that best serves the community in accordance with I.C. § 36-7-14.

WHEREAS, the Commission has approved a representative to discuss with Developer certain development requests, and having done so, the Commission recommends the Town and Commission cooperate in a manner that best serves the community as follows:

WHEREAS, the Town Council of Sellersburg has already rezoned the Real Estate from A&R-1 to I-1 by Ordinance No. 2015-0015 on December 28, 2015.

WHEREAS, the Commission supports, as part of the economic development incentives to be approved by the Town, that the Town grant Purchaser (Clarion



Partners dba: LIT Industrial Limited Partnership) certain real estate property tax abatements as described in SB-1 forms listed as Exhibit B.

WHEREAS, the Commission further supports that the Town waive certain sewer tap-in fees conditioned upon the Developer installing all sewer systems to Town's specifications and connecting all such systems to the Town's existing sewer system.

WHEREAS, contingent on the approval and acceptance of the above Town incentives and Developer obligations, then the Commission desires to enter into a Contract for the construction of local public improvements to specific portions of US 31 for certain areas needing redevelopment in an amount not to exceed \$250,000.00.

WHEREAS, Developer shall pay for the design of the public improvements to the roadway to INDOT specifications subject to the Commission's ultimate approval and shall maintain an irrevocable letter of credit in an amount that covers any costs that exceed the Commission's \$250,000 cost cap.

WHEREAS, as a condition precedent to Commission or Town entering into the above incentive agreements, the Commission requests that the Town require that Developer to grant to the Town a permanent easement adjacent to Butler Drive, which is currently used by certain residences and has not been dedicated to the Town as a public right-of way.

**NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE TOWN OF SELLERSBURG, INDIANA, THAT:**

1. The Commission intends to pursue and seek approval of the Town, where appropriate, certain economic development incentives for the redevelopment of the Real Estate as follows:
2. The Commission supports, as part of the economic development incentives to be approved by the Town, that the Town grant Taxpayer certain real estate property tax abatements as described in SB-1 forms listed as Exhibit B. The ten-year abatement program will commence upon the completion of the construction of each phase separately on the condition that the Purchaser and/or Developer agreeing not to appeal the property tax assessment to an amount lower than the amount presented within the SB-1 forms for each phase of development.
3. The Commission further supports that the Town waive certain sewer tap-in fees, estimated to be approximately One Hundred Ten Thousand and No/100 (\$110,000.00) Dollars, conditioned upon the Developer installing all sewer systems to Town's specifications and connecting all such systems to the Town's existing sewer system. The design and specifications for such improvements shall be mutually

agreed upon by the Town and Purchaser. The engineer's estimate of these Developer funded sewer system improvements is Four Hundred Eighty Thousand and No/100 (\$480,000) Dollars. Any pump station and force main constructed as part of this system shall be granted to the Town for long term operation and maintenance.

4. Contingent on the approval and acceptance of the above Town incentives and Developer obligations, then the Commission desires to enter into a Contract for the construction of local public improvements for certain areas needing redevelopment, specifically portions of U.S. Highway 31 near the Real Estate. The Commission intends to contribute up to a maximum of Two Hundred Fifty Thousand and No/100 (\$250,000.00) Dollars with the Developer responsible for any such costs the Commission incurs in the project that exceed such amount. Commission shall not advertise or offer the public improvements for bid until Developer has both closed on the Real Estate and paid for the design to INDOT specifications, subject to the Commission's ultimate approval. Prior to the publication for any bid documents by the Town or Commission, the Developer must maintain an irrevocable letter of credit in the amount of the engineered estimate that exceeds the Commission's \$250,000.00 construction cost cap, with such irrevocable letter being subject to amendment upward at the Commission's direction to cover any project costs above \$250,000 after actual bids are received. Such irrevocable letter of credit shall be in a form agreeable to the Town and Commission so that the Commission may draw upon such funds during the construction of the local public improvements. If the Developer progresses on site improvements to the Real Estate in a commercially reasonable manner, the Commission will complete the public improvements to US-31 within substantial completion of the shell building of Developer's first phase of construction. The "first phase of construction" shall include the construction of a 415,480 square foot Class A warehouse/distribution center and such phase shall be completed when the building is substantially complete so as to be marketable to potential tenants.

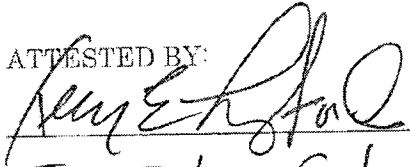
5. As an additional condition precedent to Commission or Town entering into the above incentive agreements, the Commission requests that the Town further require that Purchaser and/or Developer grant to the Town an approximately 15 foot by 1,500 foot permanent access easement contiguous to the Real Estate's north property line as shown as Exhibit A. The easement is intended to assist the Town in its efforts to enhance traffic access on Butler Drive and to provide for adequate right-of-way for future expansion of Butler Drive as a public right-of-way. Purchaser and/or Developer and Town will enter into a mutually agreeable shared easement agreement regarding the construction, maintenance and repair of the right-of-way.

Dated this 7<sup>th</sup> day of March, 2016.

Town of Sellersburg Redevelopment  
Commission

By:   
Michael J. Hostetler, President

ATTESTED BY:

  
Terry E Langford  
Printed Name/Secretary

Town of Sellersburg, Indiana

Tax Abatement Schedule for Real Property

Year	Percent Deduction
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%



STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2016 – R – 006

**A RESOLUTION AUTHORIZING WAIVER OF SEWER TAP-IN FEES**

**WHEREAS**, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,


**WHEREAS**, on the 7<sup>th</sup> day of March, 2016, the Town of Sellersburg Redevelopment Commission (“Commission”) adopted Resolution No. 16-001 setting forth certain recommendations to this Council (*See Exhibit “A”*); and,

**WHEREAS**, the Commission supports that this Council waive certain sewer tap-in fees for Clarion Partners as it relates to the property located within the economic revitalization area at 7615 Hwy 31 East, Sellersburg, IN 4717<sup>AM</sup><sub>2</sub> (“Property”) conditioned upon Clairon Partners installing all sewer systems to Town’s specifications, connecting all such systems to the Town’s existing sewer system and conveying the sewer system to the Town; and,


**WHEREAS**, it is estimated that the sewer tap-in fees will be approximately One Hundred Ten Thousand and No/100 (\$110,000.00) US Dollars; and,

**WHEREAS**, it is estimated that the sewer system to be installed on, through, and for the benefit of, the Property will cost Four Hundred Eighty Thousand and No/100 (\$480,000.00) US Dollars, which shall be paid for by Clairon Partners.

**NOW, THEREFORE BE IT RESOLVED** by this Town Council of Sellersburg, Indiana as follows:

- 
1. That the sewer tap-in fees for the Property, in an estimated amount of One Hundred Ten Thousand and No/100 (\$110,000.00) US Dollars, shall be waived in lieu of and contingent upon the complete installation and construction of the necessary sewer system to support the proposed project of Clarion Partners.
  2. This resolution shall satisfy the written findings requirement of Ordinance No. 2004-001 as to the decision not to charge Clarion Partners, an industrial user, any sewer tap-in fees.

This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.

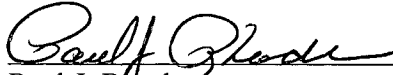


*[Signature page to follow]*

So Resolved this 14 day of March, 2016.

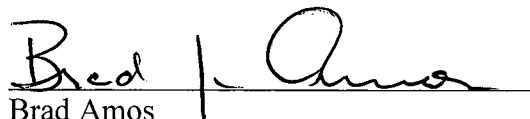
“Aye”

“Nay”



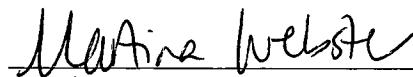
Paul J. Rhodes  
Council President

\_\_\_\_\_  
Paul J. Rhodes  
Council President



Brad Amos  
Council Vice President

\_\_\_\_\_  
Brad Amos  
Council Vice President



Martina Webster  
Council Member

\_\_\_\_\_  
Martina Webster  
Council Member



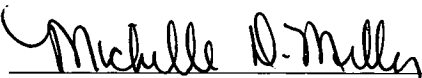
Jim LaMaster  
Council Member

\_\_\_\_\_  
Jim LaMaster  
Council Member



William Conlin  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member



Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer



Resolution No: 16-001

RESOLUTION OF THE  
REDEVELOPMENT COMMISSION  
OF THE  
TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town of Sellersburg Redevelopment Commission (the "Commission") as the governing body for the Town of Sellersburg Redevelopment Department, pursuant to Indiana Code § 36-7-14, as amended (the "Act") previously adopted a resolution designating an area as an economic development area.

WHEREAS, LIT Industrial Limited partnership, a real estate entity managed by Clarion Partners, (collectively "Purchaser") has contracted to purchase 77.9 acres of land located within the economic development area and identified by the common address of 7615 Hwy 31 East, Sellersburg, IN 47172 (the "Real Estate") as shown on the attached Exhibit A.

WHEREAS, Fortis Group LLC dba: NAI Fortis Group ("Developer") is contemplating the development of the Real Estate on behalf of Purchaser for the purposes of developing Class A warehouse/distribution space of approximately 1,075,360 square feet in up to three phases.

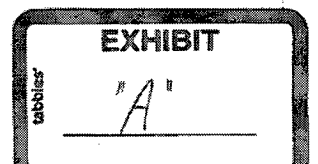
WHEREAS, the Commission believes that the redevelopment of the Real Estate will benefit the public health, safety, morals, and welfare of the Town, will increase the economic well-being of the Town and the state; and will serve to protect and increase property values in the Town and the state.

WHEREAS, the Commission has studied certain areas needing redevelopment and desires to promote the use of land in the manner that best serves the interests of the Town and Area and its inhabitants; and desires to cooperate with the Town in a manner that best serves the community in accordance with I.C. § 36-7-14.

WHEREAS, the Commission has approved a representative to discuss with Developer certain development requests, and having done so, the Commission recommends the Town and Commission cooperate in a manner that best serves the community as follows:

WHEREAS, the Town Council of Sellersburg has already rezoned the Real Estate from A&R-1 to I-1 by Ordinance No. 2015-0015 on December 28, 2015.

WHEREAS, the Commission supports, as part of the economic development incentives to be approved by the Town, that the Town grant Purchaser (Clarion



Partners dba: LIT Industrial Limited Partnership) certain real estate property tax abatements as described in SB-1 forms listed as Exhibit B.

WHEREAS, the Commission further supports that the Town waive certain sewer tap-in fees conditioned upon the Developer installing all sewer systems to Town's specifications and connecting all such systems to the Town's existing sewer system.

WHEREAS, contingent on the approval and acceptance of the above Town incentives and Developer obligations, then the Commission desires to enter into a Contract for the construction of local public improvements to specific portions of US 31 for certain areas needing redevelopment in an amount not to exceed \$250,000.00.

WHEREAS, Developer shall pay for the design of the public improvements to the roadway to INDOT specifications subject to the Commission's ultimate approval and shall maintain an irrevocable letter of credit in an amount that covers any costs that exceed the Commission's \$250,000 cost cap.

WHEREAS, as a condition precedent to Commission or Town entering into the above incentive agreements, the Commission requests that the Town require that Developer to grant to the Town a permanent easement adjacent to Butler Drive, which is currently used by certain residences and has not been dedicated to the Town as a public right-of way.

**NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE TOWN OF SELLERSBURG, INDIANA, THAT:**

1. The Commission intends to pursue and seek approval of the Town, where appropriate, certain economic development incentives for the redevelopment of the Real Estate as follows:
2. The Commission supports, as part of the economic development incentives to be approved by the Town, that the Town grant Taxpayer certain real estate property tax abatements as described in SB-1 forms listed as Exhibit B. The ten-year abatement program will commence upon the completion of the construction of each phase separately on the condition that the Purchaser and/or Developer agreeing not to appeal the property tax assessment to an amount lower than the amount presented within the SB-1 forms for each phase of development.
3. The Commission further supports that the Town waive certain sewer tap-in fees, estimated to be approximately One Hundred Ten Thousand and No/100 (\$110,000.00) Dollars, conditioned upon the Developer installing all sewer systems to Town's specifications and connecting all such systems to the Town's existing sewer system. The design and specifications for such improvements shall be mutually

agreed upon by the Town and Purchaser. The engineer's estimate of these Developer funded sewer system improvements is Four Hundred Eighty Thousand and No/100 (\$480,000) Dollars. Any pump station and force main constructed as part of this system shall be granted to the Town for long term operation and maintenance.

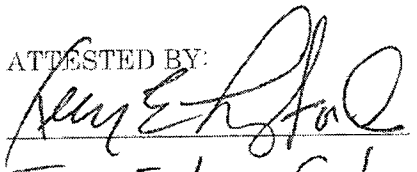
4. Contingent on the approval and acceptance of the above Town incentives and Developer obligations, then the Commission desires to enter into a Contract for the construction of local public improvements for certain areas needing redevelopment, specifically portions of U.S. Highway 31 near the Real Estate. The Commission intends to contribute up to a maximum of Two Hundred Fifty Thousand and No/100 (\$250,000.00) Dollars with the Developer responsible for any such costs the Commission incurs in the project that exceed such amount. Commission shall not advertise or offer the public improvements for bid until Developer has both closed on the Real Estate and paid for the design to INDOT specifications, subject to the Commission's ultimate approval. Prior to the publication for any bid documents by the Town or Commission, the Developer must maintain an irrevocable letter of credit in the amount of the engineered estimate that exceeds the Commissions' \$250,000.00 construction cost cap, with such irrevocable letter being subject to amendment upward at the Commission's direction to cover any project costs above \$250,000 after actual bids are received. Such irrevocable letter of credit shall be in a form agreeable to the Town and Commission so that the Commission may draw upon such funds during the construction of the local public improvements. If the Developer progresses on site improvements to the Real Estate in a commercially reasonable manner, the Commission will complete the public improvements to US-31 within substantial completion of the shell building of Developer's first phase of construction. The "first phase of construction" shall include the construction of a 415,480 square foot Class A warehouse/distribution center and such phase shall be completed when the building is substantially complete so as to be marketable to potential tenants.

5. As an additional condition precedent to Commission or Town entering into the above incentive agreements, the Commission requests that the Town further require that Purchaser and/or Developer grant to the Town an approximately 15 foot by 1,500 foot permanent access easement contiguous to the Real Estate's north property line as shown as Exhibit A. The easement is intended to assist the Town in its efforts to enhance traffic access on Butler Drive and to provide for adequate right-of-way for future expansion of Butler Drive as a public right-of-way. Purchaser and/or Developer and Town will enter into a mutually agreeable shared easement agreement regarding the construction, maintenance and repair of the right-of-way.

Dated this 7<sup>th</sup> day of March, 2016.

Town of Sellersburg Redevelopment  
Commission

By:   
Michael J. Hostetler, President

ATTESTED BY:  
  
Terry E Langford  
Printed Name/Secretary

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2016 - R - 007

A RESOLUTION ADOPTING THE CLARK COUNTY MULTI-HAZARD  
MITIGATION PLAN

WHEREAS, this Town Council of Sellersburg, Indiana ("Council") is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, this Council recognizes the threat that natural hazards pose to people and property; and,

WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and,

WHEREAS, this Council participated jointly in the planning process with other local units of government within the County to prepare a Multi-Hazard Mitigation Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Sellersburg, Indiana hereby adopts the Clark County Multi-Hazard Mitigation Plan as an official plan; and,

BE IT FURTHER RESOLVED that the Clark County Emergency Management Agency will submit on behalf of the participating municipalities the adopted Multi-Hazard Mitigation Plan to the Indiana Department of Homeland Security and the Federal Emergency Management Agency for final review and approval.

*[Signature page to follow]*

So Resolved this 14 day of March, 2016.

“Aye”

“Nay”

Paul J. Rhodes  
Paul J. Rhodes  
Council President

\_\_\_\_\_  
Paul J. Rhodes  
Council President

Brad J. Amos  
Brad Amos  
Council Vice President

\_\_\_\_\_  
Brad Amos  
Council Vice President

\_\_\_\_\_  
Martina Webster  
Council Member

Martina Webster  
Martina Webster  
Council Member

Jim LaMaster  
Jim LaMaster  
Council Member

\_\_\_\_\_  
Jim LaMaster  
Council Member

William Conlin  
William Conlin  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member

Michelle D. Miller  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

**RESOLUTION NO. 2016 – R – 008**

**A RESOLUTION TRANSFERRING MONIES FROM CERTAIN FUNDS**

**WHEREAS**, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

**WHEREAS**, certain monies must only be disbursed from certain funds per Indiana state law and guidelines set forth by Indiana State Board of Accounts, and;

**WHEREAS**, this Council desires to transfer monies into proper funds to stay in compliance.

**NOW, THEREFORE BE IT RESOLVED** by this Town Council of Sellersburg, Indiana that the following monies be transferred as follows:


1. \$10,000.00 from CT Group Insurance 101002121 to CT Attorney 101002316.
2. \$700.00 from CT Uniform Allowance 101002131 to CT Attorney 101002316.
3. \$900.00 from CT Unemployment 101002125 to CT Attorney 101002316.
4. \$13,800.00 from CT Longevity to CT Attorney 101002316.
5. \$35,000.00 from TC Consulting 101003314 to TC Town Attorney 101003316.

This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.

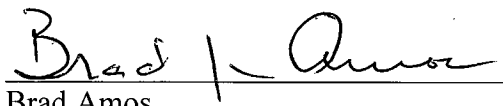
So Resolved this 23 day of May, 2016.

“Aye”

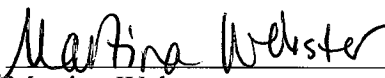
“Nay”

  
\_\_\_\_\_  
Paul J. Rhodes  
Council President

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Paul J. Rhodes  
Council President

  
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Brad Amos  
Council Vice President

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Brad Amos  
Council Vice President

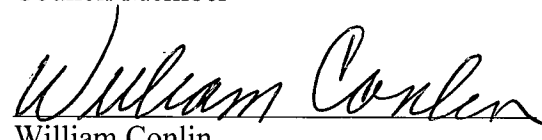
  
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Martina Webster  
Council Member

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Martina Webster  
Council Member

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Jim LaMaster  
Council Member

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Jim LaMaster  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member

  
\_\_\_\_\_  
William Conlin  
Council Member

  
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Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer



STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2016 – R – 009

**A RESOLUTION AUTHORIZING DISPOSAL OF TWO (2) POLICE VEHICLES**

**WHEREAS**, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

**WHEREAS**, pursuant to Ind. Code § 5-22-22-3(b), a purchasing agency may sell property that belongs to the governmental body that is no longer needed or is unfit for the purpose for which it was intended; and,

**WHEREAS**, from time to time, this Council, acting in its capacity as a purchasing agency, desires to sell property that it no longer needs or is unfit for the purpose for which it was intended.

**NOW, THEREFORE BE IT RESOLVED** by this Town Council of Sellersburg, Indiana that the following property is no longer needed or is unfit for the purpose for which it was intended and shall be sold per Indiana law:

1. Two (2) high mileage police cars (VIN #s 2FABP7BV0BX134409 and 2FABP7BV7BX134410).

This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.

*[Signature page to follow]*

So Resolved this 13 day of June, 2016.

“Aye”

“Nay”

  
\_\_\_\_\_

Paul J. Rhodes  
Council President

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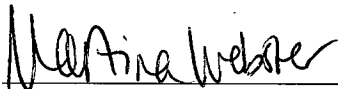
Paul J. Rhodes  
Council President

Absent  
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Brad Amos  
Council Vice President

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Brad Amos  
Council Vice President

  
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Martina Webster  
Council Member

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Martina Webster  
Council Member

  
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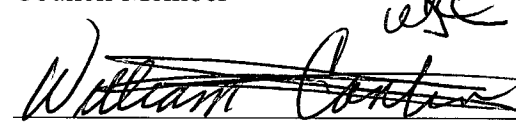
Jim LaMaster  
Council Member

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Jim LaMaster  
Council Member

  
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William Conlin  
Council Member

  
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William Conlin  
Council Member

  
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Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

**RESOLUTION NO. 2016 – R – 010**

**A RESOLUTION TRANSFERRING MONIES FROM CERTAIN FUNDS**

**WHEREAS**, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

**WHEREAS**, this Council desires to transfer monies into certain funds to comply with Indiana State Board of Accounts upon anticipated appropriations.

**NOW, THEREFORE BE IT RESOLVED** by this Town Council of Sellersburg, Indiana that the following monies be transferred as follows:

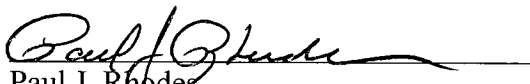
1. \$5,000.00 from Parks and Recreation Salaries Fund to Parks and Recreation Promotion Fund.
2. This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.

*[Signature page to follow]*


So Resolved this 27 day of June, 2016.

“Aye”


“Nay”

  
Paul J. Rhodes  
Council President


\_\_\_\_\_  
Paul J. Rhodes  
Council President

  
Brad Amos  
Council Vice President


\_\_\_\_\_  
Brad Amos  
Council Vice President

  
Martina Webster  
Council Member

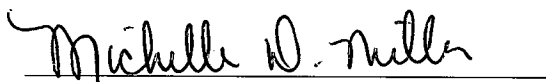
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Martina Webster  
Council Member

  
Jim LaMaster  
Council Member

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Jim LaMaster  
Council Member

  
William Conlin  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member

  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2016 – R – 12

**A RESOLUTION ESTABLISHING GENERAL GUIDELINES FOR PUBLIC MEETINGS**

**WHEREAS**, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

**WHEREAS**, pursuant to Section 30.21 of the Town’s Code of Ordinances, the President of this Council shall, open, control, and close public comment on agenda matters; and,

**WHEREAS**, this Council now desires to establish general guidelines for acceptable conduct during public meetings.

**NOW, THEREFORE BE IT RESOLVED** by this Town Council of Sellersburg, Indiana that the following general guidelines are hereby adopted for public meetings:


1. The public has the opportunity to voice their concerns or opinions during the town council’s public meeting under either the General Comments or Comments on Agenda Items sections and each person shall have the opportunity to be heard when they have the floor. However, loud outbursts or profane language from the general public, whom do not have the floor, will not be tolerated.
2. Failure by any person to adhere to said guidelines may be asked to remove themselves from the public meeting or may be escorted out by the police at the President and Council members’ direction.

3. This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.


So Resolved this 22<sup>nd</sup> day of August, 2016.

“Aye”


“Nay”

  
Paul J. Rhodes  
Council President

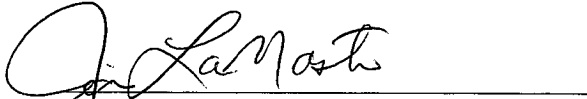
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Paul J. Rhodes  
Council President

  
Brad Amos  
Council Vice President


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Brad Amos  
Council Vice President

  
Martina Webster  
Council Member

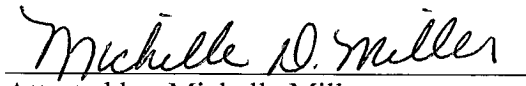
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Martina Webster  
Council Member

  
Jim LaMaster  
Council Member

\_\_\_\_\_  
Jim LaMaster  
Council Member

  
William Conlin  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member

  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer