

WARREN COUNTY COUNCIL AND COMMISSIONER JOINT MEETING
TUESDAY DECEMBER 20, 2022

Council present for the meeting: John Comer, Ethan Foxworthy, Neil Ellis, Matt Commons, and Brian Jordan.

Commissioner present for the meeting: Adam Hanthorne, Craig Greenwood, Clay Andrews.

Public: Ben Dispennett, LEDO Director; Mary Solada, Dentons Law Firm (remote); Jeff Bennett, Dentons Law Firm; Zack Melda, Dentons Law Firm; Yvonne Yegge, NextEra Energy (remote); Mike Evans; Perry Conrad; Steve Eberly (remote)

Department Head/Elected Official – Robin Weston-Hubner, Auditor; Jud Barce, County Attorney; Phil Astell, EMA Director.

1. The Council Meeting was called to order by Ethan Foxworthy, Council President.
2. The Commissioner Meeting was called to order by Clay Andrews, Commissioner President.
3. Ethan Foxworthy, Council President led the Pledge of Allegiance.
4. New Business:
 - a. Barce explained the phases for abatement in 2016 was designed for 3 phases. In 2019 the abatement was changed to reflect 1 phase which amendments to Economic Development Agreement and SB-1 were approved. Economic Development Agreement amendment discusses the project may exceed \$300 million but Statement of Benefits listed \$300 million. Information turned in for assessment was over \$300 million. Abatement issue is the abatement schedule 10% standard 10-year abatement for first \$150 million and full 100% seven-year abatement for remainder up to \$150 and full assessment for remainder. The overage of \$300 million was not detailed. We need to figure out the over \$300 million and how to proceed. Warren County Council decides abatements. The CF-1 for 22 pay 23 states assessment of \$403,415,306.00. What if any abatement applies to over the \$300 million.
 - b. Zack Melda explained the project went from 2 phase to 1 phase as NISPCO wanted these provisions in the contract for larger project, Economic Development payments of \$25,000 per Kilowatt and \$650,000 in building permits.
 - c. Jeff Bennett – Question in I.C. 6-1.1-12.1-2 provision designating body may limit the amount of a deduction if so in the resolution #2016-023 Final Resolution to govern this with no limitation listed. Minimum investment is listed as such should apply to the abatement. SB-1 summary page 2, amount of deduction, nothing listed. Document state of benefits.
 - d. Barce stated attachment to the SB-1 bold on the bottom of amendment. The first \$150 million traditional abatement and 2nd tranche \$150 million full 7-year abatement.
 - e. Jeff Bennett stated cost estimates are preliminary.
 - f. Adam Hanthorne inquired the County was not notified of cost estimate change.
 - g. Ethan Foxworthy stated the documents do not state how the over \$300 million is included in either abatement schedule.
 - h. A letter will be received by Jan 13, 2023 for the Commissioner meeting on January 17, 2023 and Council January 30, 2023 from NextEra.
 - i. Brian Jordan and Ethan Foxworthy inquired about the tax write off from federal government of \$600,000 that the County was not notified of.

Next Commissioner Meeting January 3, 2023 @ 8:30 a.m.

Next Council meeting January 30, 2023 @ 4:00 p.m.

There being no further business Council Brian Jordan made a motion to adjourn with a second from Matt Commons, all voted in favor.

There being no further business Commissioner Adam Hanthorne made a motion to adjourn with a second from Craig Greenwood, all voted in favor.

ATTEST: Charity Perigo
Charity Perigo, Auditor

Ethan Foxworthy
Ethan Foxworthy, President

Rusty Hart

Ben Dispennett

Sharon Hutchison

Neil Ellis

Matt Commons
Matt Commons

Dwain Akers