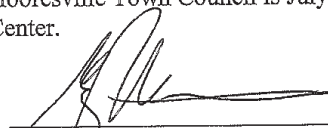


A motion was made by Councilman Mathis to approve a lease agreement for Enviro Forensics to drill a monitoring well in the Town's right of way for Crest Cleaners. Councilman Langley seconded the motion. Motion carried 4-0.

A motion was made by Councilman Langley with a second by Councilwoman Perry to approve payment of claims in the amount of \$331,234.55. Motion carried 4-0.

There being no further business to come before the council at this time a motion was made by Councilman Langley with a second by Councilman Mathis to adjourn the meeting. Motion carried 4-0.

The next scheduled meeting of the Mooresville Town Council is July 2, 2013, at 6:30 P. M. at the Mooresville Government Center.



George Watkins, Council President

ATTEST:



Sandra R. Perry, Clerk-Treasurer



MARK MATHIS

July 2, 2013

The Mooresville Town Council met in regular session on July 2, 2013, at 6:30 P. M. at the Mooresville Government Center.

Town Council members present were: Vice-President Mark Mathis, Tony Langley, Virginia Perry, and Jeff Cook. President George Watkins was absent. Town attorney Tim Currens was absent.

Mark Mathis gave the invocation.

A motion was made by Councilman Langley with a second by Councilwoman Perry to approve the minutes of June 18, 2013 minutes. Motion carried 4-0.

General Shale CF-1- Councilman Langley reported on the matrix scoring for General Shale. They scored 8 for being an industry or manufacturing, 4 for local jobs, 8 for level of investment and 3 for being here for last 23 years. That made them 3 points over the 20 that qualifies for ten year abatement.

Councilwoman Perry read her report: (insert)

JULY 2, 2013 – TOWN COUNCIL MEETING –

CF-1 – PP DATED 5/8/2013

CF-1-RE DATED 5/8/2013

GENERAL SHALE – TABLED FROM LAST MEETING

SB-1 FILED 2/28/06 – REAL ESTATE	7,655,000.00
SB-1 FILED 2.28/.06 – PERSONAL PROPERTY	22,345,000.00
EMPLOYEES CURRENT 102 – ADDITIONAL 34 – TOTAL	136

THE MATRIX USED IN 2006 IS DATED 10/09/2000 AND IS BASED SOLELY ON THE ESTIMATE FROM THE COMPANY. THE CURRENT MATRIX BEING USED HAS BEEN UPDATED; HOWEVER IT IS ALSO DATED OCTOBER 9, 2000. WHEN THE MATRIX WAS CHANGED, THE DATE WAS NOT CHANGED TO REFLECT THE DATE OF ADJUSTMENT.

THE NUMBER OF EMPLOYEES REPORTED ON THE CURRENT CF 1 IS 41 EMPLOYEES; NOT EVEN ½ OF WHAT WAS ESTIMATED ON THE ORIGINAL SB-1. OF THE 41 EMPLOYEES, 30 LIVE IN MORGAN COUNTY AND 13 LIVE IN MOORESVILLE. THE COMPANY HAS FAILED THE LAST TWO YEARS TO RETAIN OR ADD EVEN ½ OF THE EMPLOYEES THEY ESTIMATED IN 2006. THE COMPANY HAS PROVIDED THE PAYROLL INFORMATION FOR EMPLOYEES THAT LIVE IN MORGAN COUNTY AND I HAVE CONSIDERED THAT INFORMATION IN MY DECISION OF THE CF-1'S SUBMITTED FOR THIS YEAR.

THE SB-1 OF 2006 FOR REAL PROPERTY ESTIMATED UPON COMPLETION OF THE PROJECT **4,864,760.00**

THE CF-1 FOR 2013 SHOWS REAL ESTATE IMPROVEMENT OF **7,655,000.00** – ABOVE THE ESTIMATED AMOUNT FROM 2006 ESTIMATION.

THE SB-1 PERSONAL PROPERTY FROM 2006 ESTIMATED **22,345,000.00**

THE CF-1 FOR 2013 SHOWS PERSONAL PROPERTY TO BE **24,486,164.00** – ABOVE THE ESTIMATED AMOUNT FROM 2006 SB-1

ALTHOUGH THE COMPANY HAS EXCEEDED IN BOTH THE PERSONAL PROPERTY AND THE REAL ESTATE IT IS SIGNIFICANTLY LACKING IN THE NUMBER OF EMPLOYEES THEY STATED IN 2006 AND IN FACT ARE WELL BELOW THE AMOUNT THEY REPORT IN THEIR SB-1 FROM 2006 WHICH WAS 102.

ALL ASPECTS OF THE SB-1 SHOULD BE IN COMPLIANCE.

I VISITED THE PLANT YESTERDAY AND TOOK A TOUR OF THE FACILITIES. THERE IS NO QUESTION THAT DUE TO THE PRODUCT BEING MANUFACTURED, THE COMPANY IS WELL BELOW PRODUCTION. I AM TOLD THEY HAVE TURNED TO MANUFACTURING OTHER PRODUCTS IN ORDER TO FILL THE GAP LEFT BY THE SLOW ECONOMY. THIS COMPANY IS ALMOST FULLY AUTOMATED, WHICH PROBABLY ACCOUNTS FOR THE LOSS OF EMPLOYEES.

THIS COMPANY DOES BUSINESS WITH LOCAL COMPANYS; AT LEAST SEVEN IF NOT MORE ARE TIED TO THIS COMPANY AND THEIR BUSINESS

UNDER THE ABOVE CIRCUMSTANANCES I WOULD NOT FIND THIS COMPANY IN SUBSTANTIAL COMPLIANCE BASED ON THE FIGURES FROM THE SB-1'S FROM 2006 AND THE CF-1'S FROM 2012 AND 2013.

HOWEVER, DUE TO IC 6-1.1-12.1-5.9 WHICH STATES;

"IF THE DESIGNATING BODY DETERMINES THAT THE PROPERTY OWNER HAS NOT SUBSTANTIALLY COMPLIED WITH THE STATEMENT OF BENEFITS AND THAT THE FAILURE TO SUBSTANTIALLY COMPLY WAS NOT CAUSED BY FACTORS BEYOND THE CONTROL OF THE PROPERTY OWNER (SUCH AS DECLINES IN DEMAND FOR THE PROPERTY OWNER'S PRODUCTS OR SERVICES), THE DESIGNATING BODY SHALL MAIL A WRITTEN NOTICE TO THE PROPERTY OWNER."

EVEN IF A COMPANY IS NOT DETERMINED TO BE IN SUBSTANTIAL COMPLIANCE, IT IS FUTILE TO PURSUE THAT AVENUE, DUE TO THE CURRENT INDIANA STATE LAWS, WHICH SEEM TO BE CONTRADICTORY.

THEREFORE, BASED ON IC 6-1.1-12.1-5.9; I HAVE NO CHOICE BUT TO RECOMMEND TO THIS BOARD THAT WE FIND GENERAL SHALE IN SUBSTANTIAL COMPLIANCE ON BOTH CF-1'S FILED FOR 2013.

VIRGINIA PERRY

BOARD MEMBER

Councilman Langley seconded the motion. Motion carried 4-0.

Police Department: Request to hire an officer to replace Ben Goodin who is leaving to go to another town. A motion was made by Councilwoman Perry with a second by Councilman Langley to approve the request. Motion carried 4-0.

A motion was made by Councilman Langley with a second by Councilman Cook to approve Ordinance #5, 2013, a handicap sign at 70 West Washington Street. Motion carried 4-0.

Other business: Councilman Langley stated the council had received notice of a settlement conference on July 12, 2013 in federal court regarding the proposed purchase of Indiana American's Mooresville facilities.

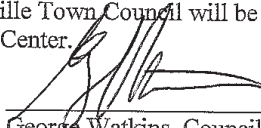
Councilman Langley made a motion that consistent with the federal court's May 3, 2013 Order, the Town council should adopt a motion tonight authorizing Tony Langley, George Watkins, Virginia Perry, Jeff Cook, Mark Mathis or any combination of at least three individuals to attend the settlement conference as representatives of the Town.

These individuals shall have complete authority to negotiate and communicate a settlement and have final settlement authority, subject to final approval as required by Indiana's Open Door Law. Councilwoman Perry seconded the motion. Motion carried 4-0.

A motion was made by Councilman Langley with a second by Councilman Cook to approve payment of claims in the amount of \$153,009.58. Motion carried 4-0.

There being no further business to come before the council at this time a motion was made by Councilman Langley with a second by Councilman Cook to adjourn the meeting. Motion carried 4-0

The next regular scheduled meeting of the Mooresville Town Council will be July 16, 2013, at 6:30 P. M. at the Mooresville Government Center.


George Watkins, Council President

ATTEST:


Sandra R. Perry, Clerk-Treasurer