STEUBEN COUNTY BOARD OF COMMISSIONERS MEETING
July 30, 2018

The Steuben County Commissioners met at 11:45 a.m. on Monday, July 30, 2018, in the Commissioners’ Room of the Steuben County Community Center. Present this day were Commissioners Ronald Smith and James Crowl. Also present were Donald Stuckey and Kim Meyers, Steuben County Auditor.

Donald Stuckey reported that after the last meeting, when the traditional one hundred percent (100%) to ten percent (10%) over ten (10) years of the adjustment of property taxes was approved, RES Polyflow got involved with Isaac Lee, Steuben County EDC Executive Director, and he has come up with another method. Mr. Stuckey said that Exhibit F is the revised real property schedule. He has done a calculation if Ashley devoted all or a portion of their personal property tax revenue, in addition to the real property tax revenue, there could be adjustments in the real property and the loan could be paid off in as early as four (4) years. Mr. Stuckey said that the Town of Ashley will need some breathing room on the personal property. Donald Stuckey said that he did another calculation devoting a portion of the property tax revenue and the loan would be paid off between five (5) and six (6) years. He said that is the proposal so far; however, the Town of Ashley has not met and approved that yet. They have a meeting scheduled for Thursday, August 2, 2018, at 6:00 p.m.

James Crowl said that is a quicker payback than anticipated. Donald Stuckey said it was, but it requires the Town of Ashley to devote a portion of their personal property revenue to it as well as the real property tax revenue. He said he thinks that he had a ninety percent (90%) payout on the real property in the original loan documents and he would propose taking seventy-five percent (75%) to eighty percent (80%) on the personal property. He said that the Town of Ashley has to service the improvements that they are making, so they do have to have some revenue in order to do that.

Donald Stuckey said when he received the Master Development Agreement from Mr. Jacobs, Attorney for RES Polyflow, he made two (2) adjustments which really don’t affect them because they were adjustments reflecting that Steuben County is loaning the $1.5 Million conditioned upon County Council approval and there was a dedication of the road right of way by Klink and he changed it to a Warranty Deed. Donald Stuckey said that the County cannot loan money they don’t have and the Council cannot appropriate money they don’t have. RES Polyflow has to pay it back first and he thinks that’s all a part of the understanding.

James Crowl asked of Donald Stuckey was pleased with the Amended Agreement. Mr. Stuckey said that he is pleased with it.

Donald Stuckey asked Karen McEntarfer if she looked at the calculations that Isaac Lee prepared. Ms. McEntarfer said that she had three (3) different calculations and she wasn’t sure which one they were working with. Donald Stuckey said that the personal property shows about $5 Million, $7 Million and then there’s another one that says $8 Million. He said that RES Polyflow would have to tell them which one best indicates the value of the personal property. Donald Stuckey said that it depends upon the amount of the depreciation, but that doesn’t have anything to do with the County, it has to do with the Town of Ashley. Mr. Stuckey asked Ms. McEntarfer if she found the amount of the personal property tax in the ball park that he estimated, not talking about the deduction, but for the repayment of the loan. Karen McEntarfer said that they are okay with that, realizing that they won’t get taxes for two (2) years so they can’t start paying until they get the taxes. She said that she can’t pay what she doesn’t have until it is generated.

Kim Meyers, Auditor, asked for clarification. Ms. Meyers said that on the personal property schedule, the years and percentages are exactly the same as the one that was submitted originally. Donald Stuckey said that it should be identical to the other one. Ms. Meyers also stated that the new Exhibit F is also identical to the previous Agreement’s Exhibit F. Mr. Stuckey said that his assistant attached the wrong Exhibit F to the Amended Agreement.

Ronald Smith asked Jay Schabel if REMC was still a part of the process. Mr. Schabel said that it would be kicked off the minute the funding hits and they will move forward with the substation. He said that they revised the REMC contract three (3) weeks ago.
Ronald Smith asked if everything falls into place, when was the first that they will begin to see activity. Mr. Schabel said that hopefully September.

Donald Stuckey said that the Commissioners can approve the Amended Agreement and he will attach the new Exhibit F with the correct schedule. Donald Stuckey said that he knows what the schedule is and it is consistent with Isaac Lee’s calculations.

Michael Dugan requested a copy of the Amended Agreement.

James Crowl made a motion to approve the Amended Master Agreement for Development. Ronald Smith seconded that motion and the motion carried with two (2) ayes.

Donald Stuckey submitted Isaac Lee’s calculation so the Commissioners would know what the new Exhibit F would look like. He said it was year one (1) through ten (10) on real property and personal property will look different.

Mr. Stuckey told Erin Schiffli to take out the bottom part of Isaac Lee’s calculation and that is essentially the new Exhibit F. Kim Meyers said that there were other exhibits missing. Donald Stuckey said that has to do with Klink and/or Ashley and those documents will be submitted later.

Mr. Stuckey suggested that the Commissioners recess so they can go into their Executive Session on the next issue. James Crowl made a motion to recess. Ronald Smith seconded that motion and the motion carried with two (2) ayes.

The Commissioners reconvened their Special Public Meeting.

Ronald Smith made a motion to accept the resignation of Mary Allred, EMS Director. James Crowl seconded that motion and the motion carried with two (2) ayes.