

CASS COUNTY, INDIANA
COUNTY COUNCIL

RESOLUTION NO. 2018-01

RESOLUTION APPROVING A STATEMENT OF BENEFITS
FOR THE ANDERSONS CLYMER'S ETHANOL, LLC.

WHEREAS, the County Council ("Council") of Cass County, Indiana ("County"), did on the 15th day of November, 2013, adopt a resolution designating certain real property ("Declaratory Resolution") located in the County and set forth in the Declaratory Resolution as an economic revitalization area under and pursuant to IC 6-1.1-12.1 ("ERA") and the Declaratory Resolution was confirmed on the 13th day of December, 2013 following a public hearing pursuant to IC 6-1.1-12.1-1 et seq. ("Act"); and

WHEREAS, The Andersons Clymer's Ethanol, LLC. ("Taxpayer") submitted a Statement of Benefits Form-1 ("SB-1") attached hereto as Exhibit A and incorporated herein by reference, applying for an assessed value deduction in accordance with IC 6-1.1-12.1-4.5 and IC 6-1.1-12.1-17 in connection with the installation of certain equipment and requesting approval thereof; and

WHEREAS, notice of a public hearing on the ERA was published in accordance with IC 5-3-1 and the filing of the SB-1 with overlapping taxing units for the property tax abatement was completed pursuant to the Act; and

WHEREAS, the Council hereby determines that the deduction IC 6-1.1-12.1-4.5 should be allowed based on the following findings:

(i) The proposed cost of the new manufacturing equipment is reasonable for equipment of this nature;

(ii) The number of individuals to be employed reasonably result from the installation of the new manufacturing equipment;

(iii) The annual salaries of those individuals to be employed reasonably result from the installation of the new manufacturing equipment;

(iv) The number of individual opportunities for employment, both temporary and permanent, and the compensation paid to employees, create benefits of the type and quality anticipated by this Council within the ERA and can reasonably be expected to result from the described installation of new manufacturing equipment; and

(v) The totality of the benefits provided by the installation of the new manufacturing equipment is sufficient to justify the deduction; and

WHEREAS, the Council hereby determines that use of the alternative/standard deduction schedule authorized under IC 6-1.1-12.1-17 is appropriate as demonstrated by:

- (i) The total amount of the Taxpayer's investment in real and personal property;
- (ii) The number of new full-time equivalent jobs created;
- (iii) The average wage of the new employees compared to the state minimum wage; and
- (iv) The infrastructure requirements for the Taxpayer's investment; and

WHEREAS, the Council hereby finds that the purposes of the Act are served by allowing the deduction provided by IC 6-1.1-12.1-4.5 in accordance with the alternate schedule attached hereto as Exhibit B;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CASS COUNTY, INDIANA, THAT:

Section 1. The Taxpayer shall be entitled to the deduction provided by IC 6-1.1-12.1-4.5 in accordance with Exhibit B.

Section 2. The SB-1 and abatement application submitted by the Taxpayer are hereby approved.

Section 3. This resolution shall be effective from and after passage.

Passed and adopted by the County Council of Cass County, Indiana this 16th day of February, 2018.

COUNTY COUNCIL OF CASS COUNTY,
INDIANA

Myron L. Stebbins

Presiding Officer

Stacey Adonato

[Signature]

[Signature]

Misty W. Hester

Phillip E. Rains

[Signature]

Attest:

County Auditor

EXHIBIT A
STATEMENT OF BENEFITS (SB-1)



**STATEMENT OF BENEFITS
PERSONAL PROPERTY**

State Form 51764 (R4 / 11-15)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE
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.

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** a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment 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 installation of qualifying abatable equipment for which the person desires to claim a deduction.
- To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
- Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
- For a Form SB-1/PP 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/PP 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 The Andersons Clymers Ethanol LLC			Name of contact person Daniel Dembowski							
Address of taxpayer (number and street, city, state, and ZIP code) 1947 Briarfield BLVD, Maumee OH 43537				Telephone number (419) 897-3643						
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT										
Name of designating body Cass County Council				Resolution number (s)						
Location of property 3389 W. County Road 300, Logansport, IN 46947			County Cass	DLGF taxing district number 09-007						
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.) See Attached			ESTIMATED							
			START DATE		COMPLETION DATE					
			Manufacturing Equipment	03/01/2018	12/31/2018					
			R & D Equipment							
			Logist Dist Equipment							
IT Equipment										
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT										
Current number 60	Salaries 4000000	Number retained 60	Salaries 4000000	Number additional	Salaries					
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT										
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.		MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT		
		COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	
		Current values	126,000,000	126,000,000						
		Plus estimated values of proposed project	5,000,000	5,000,000						
		Less values of any property being replaced								
Net estimated values upon completion of project	131,000,000	131,000,000								
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>Michael S. Ermon</i>				Date signed (month, day, year) 7-13-18						
Printed name of authorized representative Michael S. Ermon			Title President, Ethanol Group <i>The Andersons Clymers Ethanol LLC Member & Board Representative</i>							

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed 7 calendar years * (see below). The date this designation expires is _____ . NOTE: This question addresses whether the resolution contains an expiration date for the designated area.

B. The type of deduction that is allowed in the designated area is limited to:

- | | | | |
|--|---|--|---|
| 1. Installation of new manufacturing equipment; | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18
Check box if an enhanced abatement was approved for one or more of these types. |
| 2. Installation of new research and development equipment; | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 3. Installation of new logistical distribution equipment. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| 4. Installation of new information technology equipment; | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |

C. The amount of deduction applicable to new manufacturing equipment is limited to \$ 5M cost with an assessed value of \$ _____ . (One or both lines may be filled out to establish a limit, if desired.)

D. The amount of deduction applicable to new research and development equipment is limited to \$ _____ cost with an assessed value of \$ _____ . (One or both lines may be filled out to establish a limit, if desired.)

E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ _____ cost with an assessed value of \$ _____ . (One or both lines may be filled out to establish a limit, if desired.)

F. The amount of deduction applicable to new information technology equipment is limited to \$ _____ cost with an assessed value of \$ _____ . (One or both lines may be filled out to establish a limit, if desired.)

G. Other limitations or conditions (specify) _____

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

- | | | | | | |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|----------------------------------|--|
| <input type="checkbox"/> Year 1 | <input type="checkbox"/> Year 2 | <input type="checkbox"/> Year 3 | <input type="checkbox"/> Year 4 | <input type="checkbox"/> Year 5 | <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18
Number of years approved: _____
(Enter one to twenty (1-20) years; may not exceed twenty (20) years.) |
| <input type="checkbox"/> Year 6 | <input type="checkbox"/> Year 7 | <input type="checkbox"/> Year 8 | <input type="checkbox"/> Year 9 | <input type="checkbox"/> Year 10 | |

I. 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.

Also we have 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 by: (signature and title of authorized member of designating body) <u>Murphy Stebbins President Council</u>	Telephone number <u>(574) 721-0949</u>	Date signed (month, day, year) <u>2/16/18</u>
Printed name of authorized member of designating body <u>George L. Stebbins</u>	Name of designating body <u>CASS County Council</u>	
Attested by: (signature and title of attester) <u>Cheryl Mcorn, Auditor</u>	Printed name of attester <u>Cheryl Mcorn</u>	

* 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.

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.