

RESOLUTION NO. 2025-07

A RESOLUTION OF THE COUNTY COUNCIL OF THE COUNTY OF MARTIN APPROVING A DECLARATORY RESOLUTION AND ECONOMIC DEVELOPMENT PLAN ADOPTED BY THE MARTIN COUNTY REDEVELOPMENT COMMISSION

WHEREAS, on January 16, 2025, the Martin County Redevelopment Commission (the “Commission”) approved and adopted its Resolution entitled “Declaratory Resolution of the Martin County, Indiana, Redevelopment Commission for the Martin County Residential and Commercial Development Programs” (the “Declaratory Resolution”), approving an Economic Development Plan for said Areas, and establishing allocation areas for purposes of tax increment financing; and

WHEREAS, the Declaratory Resolution found and determined that certain areas within Martin County, Indiana (the “County”), designated as the “Burn City, Crane Village and Crane Commercial Economic Development Areas” (collectively, the “Areas”) are economic development areas within the meaning of Indiana Code 36-7-14, as amended (the “Act”), designated the entire Areas as “allocation areas” under Section 39 of the Act, and approved an economic development plan for the Areas (the “Plan”); and

WHEREAS, the Declaratory Resolution found and determined that certain areas within the County designated the Areas as economic development areas within the meaning of the Act, designated the Allocation Area, approved an economic development plan for the Areas (the “Economic Development Plan”); and

WHEREAS, there is no County plan commission or other body charged with the duty of developing a general plan for the County; and

WHEREAS, Section 16(b) of the Act prohibits the Commission from proceeding until the Declaratory Resolution and the Plan is approved by the executive of the County; and

WHEREAS, The Board of Commissioners of the County of Martin (the “Board of Commissioners”) is the executive of the County and now desires to approve the Declaratory Resolution and the Plan in order to permit the Commission to proceed with the acquisition, redevelopment, and economic development of the Area;

WHEREAS, the County Council has reviewed the Economic Development Plan, and desires to support the Commissions desire to move forward with these changes;

NOW, THEREFORE, BE IT RESOLVED, by the County Council of the County of Martin that:

1. The Plan, attached as Exhibit A to the Declaratory Resolution, has been reviewed and this body encourages the Board of County Commissioners to approve, ratify, and confirm in all respects the request of the Commission.

PASSED AND ADOPTED by the County Council of County of Martin this 3rd day of February 2023.

**THE COUNTY COUNCIL
OF THE COUNTY OF MARTIN**

Steph Bowe

Jim R. Jones

Warren O. Ayllet

James

Jack B.

Sevold R. Montgomery

ATTEST:

Marilyn Nemo
Auditor

**REDEVELOPMENT PLAN FOR THE
MARTIN COUNTY RESIDENTIAL HOUSING DEVELOPMENT PROGRAM AND
CRANE COMMERCIAL DISTRICT PROGRAM**

MARTIN COUNTY REDEVELOPMENT COMMISSION

Purpose and Introduction

This document is the redevelopment plan (the “Plan”) for the Martin County Residential Housing Development and Crane Commercial Programs (the “Programs”) for the Martin County, Indiana (“County”). This Plan is intended for approval by the Martin County Council, the Martin County Board of County Commissioners, and the Martin County Redevelopment Commission (“Commission”) in compliance with Indiana Code 36-7-14 *et seq.*

Objectives

The purposes of the Plan are to benefit the public health, safety, morals, and welfare of the citizens of the County; increase the economic well-being of the County and the State of Indiana; serve to protect and increase property values in the County and the State of Indiana; and attract new residential housing and commercial development or the renovation of existing residential housing and commercial development in the County and the State of Indiana. The Plan is designed to (i) position the Program for residential development similar in character to those in the surrounding area of the County, (ii) provide for local public improvements in, serving or benefiting the Program Area, (iii) attract new residents and businesses to the area, (iv) increase the property tax base, and (v) promote and provide for adequate residential housing development and opportunities for residential housing and commercial development in the County and Program Area. To accomplish these objectives, it will require: (1) the creation of a Residential Housing Development Program, as that term is defined in IC 36-7-14-53, encompassing the Program; (2) creation of a new commercial economic development area; and (3) the creation of a tax allocation areas, as that term is defined in IC 36-7-14-39, coterminous with the Program Area.

Description of Program Area(s)

The “Program Areas” are depicted on the maps attached to the Declaratory Resolution of which this Plan is a part as Exhibit B-1 and B-2, and are located as follows:

The Burn City Area is located in Perry Township in the northwest corner of the County and consists of the parcels listing in Exhibit C.

The Crane Village Area is located in Perry Township in the northwest corner of the County and consists of the parcels listing in Exhibit C.

The Crane Commercial Area is located in Perry Township in the northwest corner of the County and consists of the parcels listing in Exhibit C.

General Projects, Improvements, and Uses of Funds

Tax increment revenues from Allocation Areas or other sources of funds available to the Commission may be used to:

1. Finance the cost of infrastructure improvements in or serving Allocation Areas (as well as demolition in serving or benefiting Allocation Areas), including without limitation, (i) construction of any infrastructure (including streets, roads, and sidewalks) or local public improvements in, serving, or benefiting a residential housing development projects; (ii) acquisition of real property and interests in real property for rehabilitation purposes within the Allocation Areas; (iii) preparation of real property in anticipation of development of the real property within the Allocation Areas; (iv) transportation enhancement projects including, without limitation, curbs, gutters, shoulders, street paving and construction, bridge improvements, rail crossings and spur track improvements, sidewalk and multiuse pathway improvements, street lighting, traffic signals, signage, parking lot improvements, and site improvements including landscape buffers; (v) utility infrastructure projects including, without limitation, utility relocation, water lines, water wells, water towers, lift stations, waste water lines, storm water lines, retention ponds, ditches, and storm water basin improvements; and (vi) all projects related to any of the foregoing projects and all other purposes permitted by law. Although the precise nature of infrastructure that may be necessary to attract and retain prospective redevelopment and economic development opportunities in Allocation Area cannot be predicted with certainty, the availability of adequate infrastructure is fundamental in attracting and retaining such opportunities in the Allocation Areas.
2. Pay the principal of and interest on bonds or any other obligations payable from allocated tax proceeds in the Allocation Areas that are incurred by the Commission for the purpose of financing or refinancing the program established under IC 36-7-14-53 for the Allocation Areas.
3. Establish, augment, or restore the debt service reserve for bonds payable solely or in part from allocated tax proceeds in the Allocation Areas.
4. Pay the principal of and interest on bonds payable from allocated tax proceeds in the Allocation Areas and from the special tax levied under IC 36-7-14-27, if applicable.
5. Pay the principal of and interest on bonds issued by the unit to pay for local public improvements that are physically located in or physically connected to the Allocation Areas.
6. Pay premiums on the redemption before maturity of bonds payable solely or in part from allocated tax proceeds in the Allocation Areas.

7. Make payments on leases payable from allocated tax proceeds in the Allocation Areas under IC 36-7-14-25.2.
8. Reimburse the unit for expenditures made by the unit for local public improvements (which includes buildings, parking facilities, and other items described in IC 36-7-14-25.1(a)) that are physically located in or physically connected to the Allocation Areas.

The above list only includes a limited number of initial projects for the Program Areas. Additional projects for the Program Areas may be pursued in the future as deemed necessary by the Commission.

Expected Projects

In addition to the General Projects, Improvements, and Uses of Funds outlined above the following are projects expected to be undertaken to accomplish the goals of this Plan. All projects for the Program Areas are in, serving or benefiting the Program Areas. The following projects ("Projects") may be constructed in connection with the economic and residential housing development of the Program Areas:

1. *Road Improvements* - Road improvements may be constructed to ensure safe, reliable, efficient, and reasonable access to the Program Areas. The costs of such improvements may include design work, land clearing costs, asphalt and/or concrete paving, curb design & construction, lighting, surveys, traffic signals, traffic studies and such other costs as may be related to the development of the roads.
2. *Utility Infrastructure Improvements* - Utility improvements may be constructed in and around the Program Areas to assure the provision of adequate utility services to the Program Areas. The costs of such improvements may include any necessary design costs, construction of mains, storm sewers, waterworks, sewage works, electric & gas facilities, utility relocation costs and any such other costs related to the provision of utility services to the Program Areas.
3. *Park Improvements* - Park improvements may be constructed in and around the area to ensure adequate access to park facilities to serve the Program Areas. The costs of such improvements may include any necessary design costs, equipment costs, earth moving, trail construction and related park improvements.
4. *Public Safety Improvements* - Public safety improvements may be constructed in and around the Program Areas to assure the provision of reasonable and appropriate public safety services to the Program Areas. The costs of such improvements may include public safety facilities, equipment, and other costs necessary to provide adequate public safety for the Program Areas.
5. *Economic Development & Government Facility Projects* - Economic development and government facility projects which constitute local public

improvements and are capital projects may be acquired and/or constructed to foster and encourage the orderly economic and residential development of the Program Areas.

While there is not a current plan detailing estimated Project costs at present, the total estimated costs of the Projects could be anywhere between \$100,000 and \$1,500,000. The Commission anticipates that the construction of any of the Projects will encourage economic and residential development in the Program Areas.

Benefits of Projects

The Projects are anticipated to facilitate opportunities for more residential housing within the Program Areas and County and the growth and diversification of the property tax base, including additional investment in the Program Areas from developers. Presently, the exact amount of the anticipated investment of any developer within the Areas is unknown. However, any additional investment is anticipated to result in additional residential housing and employment opportunities in the Program Areas while preserving and enhancing existing housing and employment in the Program Area. Substantial increased development in the Program Areas is anticipated based upon these and other improvements contemplated for the Program Areas.

Acquisition of Property

The Commission has no present plans to acquire any interest in real property. The Commission shall follow the procedures in Indiana Code 36-7-14-19 in any current or future acquisition of property. The Commission may not exercise the power of eminent domain in the Program Areas and will take no action with respect to acquiring residential areas or otherwise relocating any residences.

Procedures with respect to the Projects

In accomplishing the Projects, the Commission may proceed with the Projects before the acquisition of all interests in land in the Program Areas. All contracts for material or labor in the accomplishment of the Projects by the Commission shall be let under Indiana Code 36-1.

In the planning and rezoning of real property acquired or to be used in the accomplishment of the Plan; the opening, closing, relocation and improvement of public ways; and the construction, relocation, and improvement of sewers and utility services; the Commission shall proceed in the same manner as private owners of the property. The Commission may negotiate with the proper officers and agencies of the County to secure the proper orders, approvals, and consents.

Any construction work required in connection with the Projects may be carried out by the appropriate municipal or County department or agency. The Commission may carry out the construction work if all plans, specifications, and drawings are approved by the appropriate

department or agency and the statutory procedures for the letting of the contracts by the appropriate department or agency are followed by the Commission.

The Commission may pay any charges or assessments made on account of orders, approvals, consents, and construction work with respect to the Projects or may agree to pay these assessments in installments as provided by statute in the case of private owners.

None of the real property acquired for the Projects may be set aside and dedicated for public ways, parking facilities, sewers, levees, parks, or other public purposes until the Commission has obtained the consent and approval of the department or agency under whose jurisdiction the property will be placed.

Notwithstanding the foregoing, the Commission may cause the Projects to be constructed in accordance with and financed through the County pursuant to the terms of Indiana Code 36-7-11.9 and -12, as amended, or through the Martin County Redevelopment Authority pursuant to Indiana Code 36-7-14.5, as amended.

Disposal of Property

The Commission may dispose of real property acquired, if any, by sale or lease to the public after causing to be prepared two (2) separate appraisals of the sale value or rental value to be made by independent appraisers. However, if the real property is less than five (5) acres in size and the fair market value of the real property or interest has been appraised by one (1) independent appraiser at less than Ten Thousand Dollars (\$10,000), the second appraisal may be made by a qualified employee of the Commission. The Commission will prepare an offering sheet and will maintain maps and plats showing the size and location of all parcels to be offered. Notice will be published of any offering in accordance with Indiana Code 5-3-1. The Commission will follow the procedures of Indiana Code 36-7-14-22 in making a sale or lease of real property acquired.

Financing of the Projects

It is the intention of the Commission to finance the Projects by one of, or a combination of, the following methods:

(A) Financing the Projects on an ongoing basis from any available ad valorem property taxes allocated under Indiana Code 36-7-14-39, Indiana Code 36-7-14-56, or other funds available for such purposes.

(B) Issuing bonds payable from ad valorem property taxes allocated under Indiana Code 36-7-14-39 or Indiana Code 36-7-14-56 in order to raise money for property acquisition and completion of the Projects in, serving or benefiting the Program Areas. The amount of these bonds may not exceed the total, as estimated by the Commission, of all expenses reasonably incurred in connection with the Projects, including:

(1) The total cost of all land, rights-of-way, and other property to be acquired and developed.

(2) All reasonable and necessary architectural, engineering, construction, equipment, legal, financing, accounting, advertising, bond discount and supervisory expenses related to the acquisition and development of the Projects or the issuance of bonds.

(3) Interest on the bonds (not to exceed 5 years from the date of issuance) and a debt service reserve for the bonds to the extent the Commission determines that a reserve is reasonably required; and

(4) Expenses that the Commission is required or permitted to pay under Indiana Code 8-23-17.

In the issuance of bonds, the Commission will comply with Indiana Code 36-7-14-25.1. Any such bonds to finance the costs of the Projects may also be payable from a levy of a special benefits tax on all taxable property in the redevelopment district pursuant to Indiana Code 36-7-14-27 or other funds pledge to the Commission by the County for such purpose pursuant to Indiana Code 36-7-14-25.5 (such as local income tax revenues or motor vehicle highway taxes).

C) As an alternative to the issuance of bonds or in conjunction with it, the Commission may (i) enter into a lease of any property that could be financed with the proceeds of bonds under Indiana Code 36-7-14, such being subject to the provisions of Indiana Code 36-7-14-25.2 and Indiana Code 36-7-14-25.3, including a lease with a redevelopment authority under Indiana Code 36-7-14.5 (with such lease rentals payable from the sources described in B above) or (ii) pledge any available incremental ad valorem property taxes allocated under Indiana Code 36-7-14-39(b)(2)(D), Indiana Code 36-7-14-56, and Indiana Code 5-1-14-4 to the payment of bonds issued by the County, including bonds issued by the County pursuant to the provisions of Indiana Code 36-7-11.9 and -12, as amended (the "EDC Act"), to finance the costs of the Projects.

D) All or a portion of the Projects may be financed by any funds available to the Commission as provided from other entities interested in providing financing for the Projects.

The Commission anticipates that a substantial portion of the Projects will be financed pursuant to the EDC Act as described in paragraph (C) above through a pledge of available incremental ad valorem property taxes allocated under Indiana Code 36-7-14-39 and Indiana Code 36-7-14-56 by the Commission to the payment of bonds issued by the County.

Allocation Areas

Each of the identified Program Area shall constitute a sperate and distinct allocation area as defined in Indiana Code 36-7-14-39 and Indiana Code 36-7-14-56 ("Allocation Area"). Any property taxes levied on or after the effective date of the Declaratory Resolution of which this Plan is a part by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the Allocation Area shall be allocated and distributed in accordance with

Indiana Code 36-7-14-39, as modified by Indiana Code 36-7-14-56, or any applicable successor provision. These residential allocation provisions shall expire no later than twenty (20) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues from the Residential Allocation Areas. The commercial allocation provisions shall expire no later than twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues from the Commercial Allocation Area.

Amendment of the Plan

The Commission may amend the Plan by following the procedures set forth in Indiana Code 36-7-14-15 through 17.5.

Statutory Findings of Fact

Pursuant to IC 36-7-14-53, the Commission has investigated and gathered input sufficient to find that:

As required by Indiana Statute, the Commission may create the Program in the Program Areas pursuant to I.C. 36-7-14-55 upon finding that it satisfies the statutory criteria as follows:

1. The public health and welfare will be benefited by accomplishment of the Program.

Development and redevelopment of the areas included in the Program Areas will be benefited by the creation of housing options for a diversity of household types, age groups, and income levels.

2. The accomplishment of the Plan will be a public utility and benefit as measured by:
 - a. The provision of adequate residential housing.
 - b. An increase in the property tax base.
 - c. Other similar public benefits.
3. The Plan for the Program Area conforms to other development and redevelopment plans for the County, if any, that may exist.

The Plan cannot be achieved without development of currently limited infrastructure within the Program Areas. Without infrastructure already being in place, it is not feasible that private enterprise would make the necessary investments to achieve the goals of the Plan. In addition, because of the County's population, its relatively low business tax base, and its limited government and utility workforce, the County lacks the capacity to implement the Plan without the powers of the Commission.