

SULLIVAN COUNTY COUNCIL MINUTES – FEBRUARY 22, 2021

SULLIVAN COUNTY COURTHOUSE, SULLIVAN, INDIANA

The Sullivan County Council met in Regular Meeting on Monday, February 22, 2021 at 7:00 pm. Jerry Payne called the meeting to order with the Pledge and Allegiance and prayer.

The following members present: Jerry Payne – President, Logan Pearison = Vice President, Curt Bedwell – Member, Matt Chickadaunce – Member, Nick Cullison – Member, Jackie Monk – Member, Wes Scarbrough – Member and Luke Rowe – Council Attorney.

**Minutes**

Curt made a motion to approve the minutes, seconded by Wes, all in favor, motion carried.

**Question – can the President vote on a motion**

Curt made a motion, the Council President can make a make a motion, second and to vote, seconded by Logan, those in favor – Nick, Matt, Wes, Curt, Jerry and Logan, opposed - Jackie motion carried.

**AIC Dues**

Curt Made a motion to pay the AIC dues, Logan seconded, all in favor, motion carried.

**Appointment of Council Attorney**

Curt made a motion to re-appoint Luke Rowe as Council Attorney, seconded by Nick, those in favor – Curt, Nick, Logan and Jerry, those opposed – Wes, Matt and Jackie, motion carried

**Solar Farm**

Luke Rowe and Jeff Lewellyn, Attorney for Sullivan Solar Farm.

Resolution Approving Settlement Agreement with Sullivan Solar LLC Regarding Abatement of Taxes read in open meeting. Logan made a motion to approve the Resolution, Jackie seconded, all in favor, motion carried, all council members signed resolution.

(See Resolution Exhibit "A" attached)

Jackie discussed that Jerry should be the only person to talk to the attorney on issues, instead of all members calling the attorney. Jackie made a motion the board president be the

only one to call and talk to I'm checking the council's attorney, seconded by Wes, those in favor, Jackie, Matt and Wes, those opposed, Logan, Nick, Curt and Jerry, motion denied.

Jackie made a motion to put a hiring freeze on. Motion rescinded by Jackie.

**Tracy Tackett**

Tracy discussed the Coroner's office and his needs.

**Adjournment**

Curt made a motion to adjourn, seconded by Wes, all in favor, motion carried.

Sullivan County Council

Jerry Payne \_\_\_\_\_

Logan Pearson Logan Pearson

Curt Bedwell Curt Bedwell

Matt Chickadaunce Matt Chickadaunce

Nick Cullison Nick Cullison

Jackie Monk Jackie Monk

Wes Scarbrough Wes Scarbrough

Attest: Shelly Hiatt Parris, Auditor Shelly Hiatt Parris

STATE OF INDIANA

COUNTY OF SULLIVAN

BEFORE THE COUNCIL OF THE COUNTY OF SULLIVAN

Resolution No. 2021-2

[RESOLUTION APPROVING SETTLEMENT AGREEMENT WITH SULLIVAN SOLAR,  
LLC REGARDING ABATEMENT OF TAXES]

WHEREAS, the Council of the County of Sullivan (the "Council") adopted a Resolution dated February 24, 2015, granting to Sullivan Solar, LLC, ("Sullivan Solar") an abatement of real and personal property taxes; and

WHEREAS, after notice and hearing, the Council found that Sullivan Solar failed to comply with the obligations of Sullivan Solar and, by Resolution dated June 17, 2019, the Council terminated the abatement; and

WHEREAS, Sullivan Solar appealed the termination of the abatement, which appeal is pending before the Clay Circuit Court under Cause No. 11D01-1910-PL-835; and

WHEREAS, pursuant to Ind. Code § 6-1.1-12.1-5.9(e), "the judgment of the court [on an appeal of a termination of tax abatement] is final and conclusive;" and

WHEREAS, Sullivan Solar has proposed a settlement of the dispute; and

WHEREAS, reinstatement of the abatement upon the terms and conditions proposed by Sullivan Solar would further the purposes of the abatement and would result in significant additional income to Sullivan County in comparison to the abatement as originally granted.

NOW, THEREFORE, BE IT RESOLVED by the Council as follows:

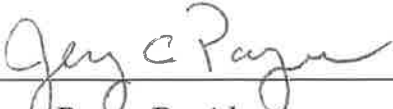
1. The Settlement Agreement by and between the Council and Sullivan Solar, a copy of which is attached hereto, incorporated herein, and marked for identification as "Exhibit A", is approved;
2. The President of the Council is authorized to execute the Settlement Agreement on behalf of the Council upon addition thereto of Exhibit 4, bid qualifications and contractor requirements.
3. The Settlement Agreement shall be filed with the Court for approval and judgment thereon.

Passed and Approved at a Regular Meeting of the Council of Sullivan County on the 22<sup>nd</sup> day of February, 2021.


SULLIVAN COUNTY COUNCIL

FOR

AGAINST

  
\_\_\_\_\_  
Jerry Payne, President

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Jerry Payne, President

  
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Logan Pearson, Vice President

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Logan Pearson, Vice President

  
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Curt Bedwell, Council Member

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Curt Bedwell, Council Member

  
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Matt Chickadaunce, Council Member

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Matt Chickadaunce, Council Member

  
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Nick Cullison, Council Member

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Nick Cullison, Council Member

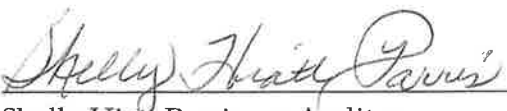
  
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Jackie Monk, Council Member

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Jackie Monk, Council Member

  
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Wes Scarbrough, Council Member

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Wes Scarbrough, Council Member

ATTEST:

  
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Shelly Hiatt Parris, as Auditor