



NOVEMBER 2, 2023 TOWN COUNCIL REGULAR MEETING

Thursday, November 02, 2023 at 7:00 PM
Council Chambers – Bristol Municipal Complex and Via Zoom

AGENDA

This meeting can be accessed via Zoom. Virtual attendance for the public is encouraged however, the Bristol Municipal Complex is open for in-person participation.

JOIN ZOOM MEETING

<https://us02web.zoom.us/j/2011667863?pwd=ZkJK2ZMcTZGNHBCaW9adUgvdUtYZz09>

Dial in to 312-626-6799 / Meeting ID: 201 166 7863 / Passcode: 1czEDo

Call in any time after 6:30 / meeting will begin at 7:00PM

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. APPROVAL OF INVOICES
6. APPROVAL OF MINUTES
7. PRIVILEGE OF THE FLOOR (AKA Public Comment)
 - a. Please state your name and address
8. PLANNING AND DEVELOPMENT ITEMS
 - a. Resolution 11-2-2023-24 Declaratory resolution for personal and real property tax abatement
Presentation: Chris Stager Elkhart County EDC
Information and options: Alex Bowman, Town Attorney

REPORTS

9. TOWN MANAGER
 - a. Matt Meersman from SJRBC to request using Town's Monsanto settlement funds for a river project.
 - b. 5-year comprehensive financial plan review with Amber
 - c. CCMG 2023-1 change order #2 reduction \$41,487.75

- [d.](#) Fire Territory preliminary timetable

10. CLERK-TREASURER

- [a.](#) Amend Salary ordinance 09-02-2023-27
increase Derrick DeGraw from \$25.50 to \$26.25. Request to suspend the rules and pass on first reading
- [b.](#) permission to create Ordinance No. 11/2/2023-28 creating a JAG Fund

11. TOWN ATTORNEY

- [a.](#) Resolution 11-2-2023-25 approving Fiscal plan for voluntary annexation HTIW
- [b.](#) Ordinance 11-2-2023-26 annexation of HTIW Properties LLC - final reading
- [c.](#) Public hearing and second reading Ordinance 11-2-2023-24 amended water rate

12. NEW BUSINESS

13. UNFINISHED BUSINESS

14. TOWN COUNCIL DISCUSSION ITEMS

- [a.](#) Doug DeSmith
- [b.](#) Andrew Medford
- [c.](#) Cathy Burke
- [d.](#) Gregg Tuholski
- [e.](#) Jeff Beachy

NEXT MEETINGS:

November 14 work session: Topics to include business route update/discussion, utility infrastructure system development fund

15. MOTION TO ADJOURN

EDC of Elkhart County

DIRECT PROJECT IMPACT ESTIMATES

Section 8, Item a.

PROJECT: LT Aluminum, LLC. **10/18/2023**
TAX DISTRICT: Bristol

PROPERTY TAX IMPACT

Current Tax Rate Calculations	Gross Rate	PTRC	Net Rate
Structures (Real Property)	2.51	0	\$ 2.5100
Machinery & Equipment (Personal Property)	2.51	0	\$ 2.5100

Project Estimates	Investment	Phase-in	Schedule
Structures (Real Property)	\$ 30,000,035	7	Years
Machinery & Equipment (Personal Property)	\$ 6,800,000	5	Years

Tax Abatement Schedules

New Structures		Deduction Percentage	Assessed Value	Tax Rate	Tax Revenue	Tax Savings
Year 1		100%	\$ -	\$ 2.5100	\$ -	\$ 753,001
Year 2		85%	\$ 4,500,005	\$ 2.5100	\$ 112,950	\$ 640,051
Year 3		71%	\$ 8,700,010	\$ 2.5100	\$ 218,370	\$ 534,631
Year 4		57%	\$ 12,900,015	\$ 2.5100	\$ 323,790	\$ 429,211
Year 5		43%	\$ 17,100,020	\$ 2.5100	\$ 429,211	\$ 323,790
Year 6		29%	\$ 21,300,025	\$ 2.5100	\$ 534,631	\$ 218,370
Year 7		14%	\$ 25,800,030	\$ 2.5100	\$ 647,581	\$ 105,420
Year 8		0%	\$ 30,000,035	\$ 2.5100	\$ 753,001	\$ -
Year 9		0%	\$ 30,000,035	\$ 2.5100	\$ 753,001	\$ -
Year 10		0%	\$ 30,000,035	\$ 2.5100	\$ 753,001	\$ -
TOTAL					\$ 4,525,535	\$ 3,004,474

New Machinery & Equipment	Depreciation Pool #2	Deduction Percentage	Assessed Value	Tax Rate	Tax Revenue	Tax Savings
Year 1	40%	100%	\$ -	\$ 2.5100	\$ -	\$ 68,272
Year 2	56%	80%	\$ 761,600	\$ 2.5100	\$ 19,116	\$ 76,465
Year 3	42%	60%	\$ 1,142,400	\$ 2.5100	\$ 28,674	\$ 43,011
Year 4	32%	40%	\$ 1,305,600	\$ 2.5100	\$ 32,771	\$ 21,847
Year 5	30%	20%	\$ 1,632,000	\$ 2.5100	\$ 40,963	\$ 10,241
Year 6	30%	0%	\$ 2,040,000	\$ 2.5100	\$ 51,204	\$ -
Year 7	30%	0%	\$ 2,040,000	\$ 2.5100	\$ 51,204	\$ -
Year 8	30%	0%	\$ 2,040,000	\$ 2.5100	\$ 51,204	\$ -
Year 9	30%	0%	\$ 2,040,000	\$ 2.5100	\$ 51,204	\$ -
Year 10	30%	0%	\$ 2,040,000	\$ 2.5100	\$ 51,204	\$ -
TOTAL					\$ 377,544	\$ 219,836

GRAND TOTAL **\$ 4,903,079** **\$ 3,224,309**

INCOME TAX IMPACT

	Total Jobs	Total Salaries	Average Salaries
Current Jobs	0	\$0	\$0
Retained Jobs	0	\$0	\$0
New Jobs	125	\$8,000,000	\$63,492
TOTAL EMPLOYMENT		\$8,000,000	\$63,492
TOTAL ANNUAL PAYROLL			\$8,000,000
TOTAL ANNUAL STATE INCOME TAX @ 3.4%			\$272,000
TOTAL ANNUAL C.A.G.I.T. @1.25%			\$100,000
TOTAL ANNUAL C.E.D.I.T. @ 0.25%			\$20,000

Form by Region III-A Economic Development District & Regional Planning Commission
 Actual tax levy and tax savings subject to changes in tax rate and actual investment dollars.

RESOLUTION NO. 11-2-2023-24**COMMON COUNCIL FOR THE TOWN OF BRISTOL, INDIANA****A DECLARATORY RESOLUTION REGARDING THE PRELIMINARY
DESIGNATION OF AN ECONOMIC REVITALIZATION AREA AND QUALIFYING
CERTAIN PROPOSED REAL ESTATE IMPROVEMENTS AND
PERSONAL PROPERTY FOR TAX ABATEMENT**

WHEREAS, pursuant to Indiana Code 6-1.1-12.1-1 *et. seq.* (the “Act”), the Town of Bristol, Indiana (the “Town”) by and through its Town Council acting in its capacity as the fiscal body of the Town and the designating body identified in the Act (the “Council”) has the right and opportunity to abate the payment of real and personal property taxes for real estate and personal property located within an area declared by the Council to be an Economic Revitalization Area (as defined in the Act); and

WHEREAS, the Council has received a written application filed on behalf of LT Aluminum, LLC and LT Development (USA), LLC (collectively, “Applicants”), which application is attached hereto as Exhibit A and made a part hereof, requesting real and personal property tax abatements pursuant to the Act; and

WHEREAS, pursuant to the Act, the Council may find that a particular area within the jurisdiction of the Town is an Economic Revitalization Area and may by adoption of a resolution declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded; and

WHEREAS, the Council desires to declare an area located in the corporate boundaries of the Town, more particularly described and depicted in Exhibit B (the “Area”) attached hereto and made a part hereof, as an Economic Revitalization Area in which property owners and lessees may make application to the Town for abatement of real and/or personal property taxes which, if pursuant to the Act subsequently is approved by this Council, may receive real property tax abatement and/or personal property tax abatement pursuant to the applicable procedures of the Act; and

WHEREAS, the Applicants anticipate constructing a 183,600 square foot facility to process extruded aluminum parts, which facility is estimated to cost approximately Thirty Million Dollars (\$30,000,000) (the “Facility”), and as part of the Facility, the Applicants anticipate installing approximately Six Million Eight Hundred Thousand Dollars (\$6,800,000) of new manufacturing equipment, logical distribution, and/or information technology equipment within the Area by January 1, 2025 in order to equip the Facility (the “Equipment”, and together with the Facility, collectively, the “Project”), and have requested real and personal property tax abatements with respect to the Project; and

WHEREAS, the Applicants have submitted to the Council the Statement of Benefits Real Estate Improvements (SB-1 / Real Property) and the Statement of Benefits Personal Property (SB-1/PP) form attached hereto as Exhibit C and Exhibit D and made a part hereof in connection with the Project (collectively, the “Statements”), and provided all information and documentation necessary for the Council to make an informed decision; and

WHEREAS, the Council has considered the Statements and has conducted a complete and proper investigation of the Area and determined that the Area qualifies as an Economic Revitalization Area under the Act; and

WHEREAS, the improvement of the Area will be of public utility and will be to the benefit and welfare of the citizens and taxpayers of the Town.

WHEREAS, the Council has considered the following factors under Section 17 of the Act in connection with the Project:

- 1) The total amount of Applicant’s investment in real and personal property for the Project;
- 2) The number of new full-time equivalent jobs to be created by the Project;
- 3) The average wage of the new employees for the Project compared to the state minimum wage; and
- 4) The infrastructure requirements for Applicant’s investment in the Project.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bristol, Indiana meeting in a duly noticed and regularly scheduled meeting as follows:

Section 1. The foregoing recitals are fully incorporated herein by this reference.

Section 2. The Council states that the Area is now undesirable for, or impossible of, normal development and occupancy because of lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors that have impaired value or prevent normal development of property. Based upon the information in the Statements, this Council makes the following findings:

- (a) The estimate costs of Thirty Million Dollars (\$30,000,000) for the value of the Facility is reasonable for the development of that type;
- (b) The estimated cost of Six Million Eight Hundred Thousand Dollars (\$6,800,000) for the new manufacturing equipment, logical distribution, and/or information technology equipment to be installed in connection with the Project is reasonable for equipment of that type;
- (c) The estimate of one hundred fifty (150) individuals who will be employed can reasonably be expected to result from the proposed Project;
- (d) The Eight Million Dollar (\$8,000,000) estimate of annual salaries of those individuals who will be employed can reasonably be expected to result from the proposed Project;

- (e) The benefits described in the Statements can reasonably be expected to result from the proposed Project; and
- (f) The totality of benefits from the proposed Project is sufficient to justify the real and personal property tax deduction schedules as set out herein (collectively, the “Deduction Schedule Factors”).

Section 3. The Area is hereby designated an Economic Revitalization Area pursuant to the Act.

Section 4. That all of the conditions for the designation of the Economic Revitalization Area and all of the requirements for the tax deductions to be granted hereby have been met, and the foregoing findings are true and all information required to be submitted has been submitted in proper form.

Section 5. The Economic Revitalization Area designation shall terminate on January 1, 2027; however, relative to the construction of new improvements and/or the installation of the new manufacturing equipment, logical distribution, and/or information technology equipment completed on or before January 1, 2027, this termination does not limit the period of time the Applicants or a successor owner is entitled to receive the real and personal property abatements to a period of less than seven (7) years for the real property abatement and five (5) years for the personal property abatement.

Section 6. The Statements as submitted by the Applicants are hereby approved.

Section 7. Based on the information in the Statements and the foregoing findings, the Council, pursuant to Section 3 of the Act, hereby approves and allows real property tax deductions for the Facility by the Applicant as part of the Project. Based on the Statements, the foregoing findings, and the Deduction Schedule Factors, Applicant is entitled to real property tax deductions for the Facility as part of the Project for a period of seven (7) in accordance with the following abatement schedule, hereby adopted pursuant to Section 17 of the Act:

<i>Real Property Tax Abatement Schedule</i>	<i>% of Assessed Value Exempt From Real Property Taxes</i>
Year	
1	100%
2	85%
3	71%
4	57%
5	43%
6	29%
7	14%

Section 8. Based on the information in the Statements and the foregoing findings, the Council, pursuant to Section 4.5 of the Act, hereby approves and allows personal property tax deductions for the proposed installation of the Equipment by the Applicant as part of the Project. Based on the Statements, the foregoing findings, and the Deduction Schedule Factors, Applicant is entitled to personal property tax deductions for the proposed installation of the Equipment as part of the Project for a period of five (5) years from the date each item of personal property is first assessed, in accordance with the following abatement schedule, hereby adopted pursuant to Section 17 of the Act:

<i>Personal Property Tax Abatement Schedule Year</i>	<i>% of Assessed Value Exempt From Personal Property Taxes</i>
1	100%
2	80%
3	60%
4	40%
5	20%

Section 9. Pursuant to Section 2.5 of the Act, a public hearing shall be held at the time and place of the regular meeting of the Council on November 16, 2023 at 7:00 p.m. (local time) at the Bristol Town Hall, 303 E. Vistula St., Bristol, Indiana 46507. The Council shall publish or cause to be published, pursuant to the Act, notice (the “Notice”) of the adoption and substance of this Resolution in accordance with Indiana Code 5-3-1 one (1) time at least ten (10) days before the date of the public hearing on this matter (the “Public Hearing”), which Notice shall state the date and time for the Public Hearing, that the Council will hear all remonstrances and objections from interested persons at the Public Hearing, that at the conclusion of the Public Hearing the Council may take final action on the proposed designation determining whether the qualifications for an economic revitalization area have been met and confirming, modifying, or rescinding this Resolution, and that a copy of this Resolution, including the description of the Area, has been filed with and shall be available for inspection in the office of the Elkhart County Assessor. At such meeting, the Council shall take final action determining whether the qualifications for an Economic Revitalization Area have been met and shall confirm, modify and confirm, or rescind this Resolution. Such determination and final action by the Council shall be binding upon all affected parties subject to the appeal procedures contemplated by Indiana Code 6-1.1-12.1-2.5(d) and (e).

Section 10. Pursuant to Section 2.5(b) of the Act, the Clerk-Treasurer of the Town shall cause a copy of this Resolution to be filed with the Elkhart County Assessor and made available for public inspection. If any additional filings are necessary to make the Applicant eligible to file for the real and personal

property tax deductions contemplated by the Applicant, such filings shall be the responsibility of the Applicants.

Section 11. Pursuant to Section 2.5(c) of the Act, the Clerk-Treasurer shall file a copy of the Notice with each taxing unit that has authority to levy property taxes in the geographic area where the Area is located. Such information shall be filed with the officers of the taxing unit who are authorized to fix budgets, tax rates, and tax levies under Indiana Code 6-1.1-17-5 at least ten (10) days prior to the date of the Public Hearing.

Section 12. Notwithstanding anything contained herein to the contrary, the granting of the tax deductions described herein is conditioned on and subject to the terms to be agreed upon in a Commitment and Payment Agreement between Applicants and the Town in the form and substance as is satisfactory to the Council.

Section 13. This Resolution shall be in full force and effect immediately upon its adoption.

* * * * *

RESOLVED THIS 16th DAY OF NOVEMBER, 2023.

TOWN COUNCIL OF THE
TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Andrew Medford

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer

KD_14972440_2.docx

EXHIBIT A

Property Tax Phase-In Application

(To be attached)

Proposed Project Information

Description of proposed improvements (Attach additional project details, if needed)				
Structures:	Structure will be approximately 174,000 SF in industrial space with approximately 10,000 SF of office space.			
Manufacturing equipment:	Smelters, Extruders, line conveyors and ancillary support equipment.			
Research and Development equipment:	Chemistry testing equipment for material.			
Logistics and Distribution equipment:	Product moving conveyor trailers and product conveyor trailers.			
Information Technology equipment:	Server, computers, software, PLCs and other technical and interface equipment.			
Proposed start date for project	12/1/2023	Proposed end date for project	12/31/2024	
Proposed start date for operations	1/2/2025			
Has the new equipment associated with this project been used by the owner/taxpayer (or related entity) in the state of Indiana?				
Yes			N/A	X
No				
If yes, provide details including where the equipment will come from and how it will be acquired:				
Owned R&D equipment being relocated from other company facilities				
Will the new equipment associated with this project be leased?				
Yes			N/A	X
No		X		
If yes, provide details including from whom and for what term				
Will this project require approval of rezoning, plat, development plan, vacation, variance, special exemption, or contingent use?				
Yes			No	X
If yes, list:				

Proposed Investment

Calendar Year	2023	2024	2025	2026	Total
Land acquisition	\$3,100,000				\$3,100,000
New building construction		\$30,035,000			\$30,035,000
Existing building improvements		\$0			\$0
Manufacturing equipment		\$5,100,000			\$5,100,000
Research and Development equipment		\$700,000			\$700,000
Logistics and Distribution equipment		\$850,000			\$850,000
Information Technology equipment		\$150,000			\$150,000
On-site rail infrastructure				\$2,000,000	\$2,000,000
On-site fiber infrastructure					\$0
Grand Total	\$3,100,000	\$36,835,000		\$2,000,000	\$41,935,000

Statutory Findings

Indiana Code 6-1.1-12.1-1 requires that the designating body make specific findings to justify the designation of the property as an Economic Revitalization Area. One finding is that the subject property is either in an area: *"Which has become undesirable for, or impossible of, normal development and occupancy because of lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property"* or *"Where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenues."*

Are improvements on project site and/or the surrounding area obsolete?	Yes	X	No	
If yes, describe the obsolescence: The building has been vacant for several years and requires repairs and upgrades to be useable				
Are buildings at project site substandard for normal use and development?	Yes		No	X
If yes, explain what is substandard so as to prevent normal use and development:				
Has project site and/or surrounding area declined in value in last 10 years?	Yes		No	X
If yes, explain what caused the decline in value:				
Has project site and/or surrounding area failed to develop for last 10 years?	Yes		No	X
If yes, explain what characteristics make this site difficult to develop:				
Are any facilities at project site technologically, economically or energy obsolete?	Yes		No	X
If yes, describe how the facilities are obsolete: Insufficient energy to the site for intended use				

Community Benefits

LT Aluminum, LLC will provide good jobs in the community with competitive wages and benefits. Although we will supply the RV industry, we will provide product to other industries outside of the RV industry. Therefore, we anticipate maintaining a stronger presents in a slower economy, thus providing more diversification in the area.

Impacts and status

Will any additional public utilities, services or other public infrastructure be required by this project?

Yes ☒ No ☐

If yes, explain the type required and the amount the applicant will be contributing toward the public infrastructure.

Additional power must be run to the facility for its intended use. Applicant is working with NIPSCO for gas and electrical needs.

Employment

Will all current employees be retained at Project Site as a result of this project?

Yes ☐ No ☒

If no, explain: No current employees

Current Full-Time Employment at Project Site

	Number of Jobs	Average Hourly Wage*	Average Annual Wage*	Salary Range*	Median Annual Wage**
Management	0		\$0	\$0	
Professional/Technical	0		\$0	\$0	
Sales	0		\$0	\$0	
Office/Administrative Support	0		\$0	\$0	
Production Supervision	0		\$0	\$0	
Production	0		\$0	\$0	
Maintenance	0		\$0	\$0	
Other	0				
Total	0	#DIV/0!	#DIV/0!		

Full-time jobs to be created as a result of this project

See attached employee plan	Number of Jobs	Average Hourly Wage*	Average Annual Wage*	Salary Range*	Median Annual Wage**
Management	0 2	\$50.00	\$104,000	104 to 150	
Professional/Technical	0 1	\$36.00	\$74,880	74 to 100	
Sales	0 1	\$36.00	\$74,880	74 to 100	
Office/Administrative Support	0 4	\$22.00	\$45,760	40 to 60	
Production Supervision	0 5	\$25.00	\$52,000	52 to 65	
Production	104 0 200	\$20.00	\$41,600	41 to 52	41,600
Maintenance	0 8	\$30.00	\$62,400	60 to 70	
Other					
Total	105 0	#DIV/0!	#DIV/0!		

*Do NOT include costs of any benefits

** Median Annual Wage: The middle (midpoint) salary of all positions rather than the average (mean) salary

Additional financial compensation (attach additional pages, if needed)

Explain in detail, by job category, any additional financial compensation earned. (Examples may include commission, bonus, overtime, piece rate, attendance, etc.)

Bonus under management incentive plan or sales incentive plan ranging 10% to 20% of base for Management and Sales positions.

Projected Phasing of new jobs

Calendar Year	2025	2026	2027	2028	Total
Management	See Attached				0
Professional/Technical					0
Sales					0
Office/Administrative Support					0
Production Supervision					0
Production					0
Maintenance					0
Other					0
Total	0	0	0	0	0

Company Benefits

Check all of the benefits listed below that the company provides to workers who have been employed for 6 months or longer. The company must pay at least 70% of the benefit cost.


		X		X	Comments
Health Insurance	Yes	X	No		
Dental Insurance	Yes		No	X	
Vision Insurance	Yes		No	X	
Life Insurance	Yes		No	X	
Disability Insurance	Yes		No	X	
Sick Leave (Paid)	Yes		No	X	Vacation and Sick Leave will be in PTO format
Vacation (Paid)	Yes	X	No		
Holidays (Paid)	Yes	X	No		
Personal Days (Paid)	Yes		No	X	
Employee Training	Yes	X	No		
Tuition Reimbursement	Yes	X	No		
401K/Pension	Yes	X	No		
ESOP/Profit Sharing	Yes		No	X	Most likely when established
Uniforms	Yes		No	X	
Other (List)					

Signature

Indiana Code 6-1.1-12.1-14 provides that the designating body for the tax phase-in requested, may impose a fee not exceeding 15% of the reduction in property taxes to which the undersigned applicant is entitled in each year in which the undersigned applicant's property tax liability is reduced by a deduction approved pursuant to this application.

The undersigned applicant consents to the following:

- Imposition of this fee provided that such fee is not more than fifteen percent (15%) of the reduction of property taxes for any tax year. These fees will be used for future Economic Development efforts.
- The current assessed tax base for this property will not be appealed over the tax phase-in period unless one of the exceptions in the tax phase-in policy applies.
- Filing this application constitutes a request for Economic Revitalization Area designation only and does not constitute an automatic reduction of property taxes. I understand it is the responsibility of property owners to file the appropriate forms on an annual basis with the Elkhart County Auditor and other governing bodies, as required, to receive any reduction of property taxes.
- I certify the information and representations of this application are true and complete.
- I further certify that I am the owner/taxpayer or have the authority of the owner/taxpayer to make this application and to consent to the fee as described above.

Signature			
Printed	Jeff Long		
Title	Representative	Date	10/12/2023

ATTACHMENTS: Include all relevant Statement of Benefits (SB-1) forms

LT Aluminum Employees Plan

		End of 2025	End of 2026	End of 2027	End of 2028	End of 2029
		Phase 1 (2 extrusion lines, 1 powder coating line)			Phase 2 (4 extrusion lines, 1 powder coating line, 1 smelter line)	
Management		2	2	2	2	2
Technical		1	1	1	2	2
Sales		1	1	1	1	1
Purchase		1	1	1	1	1
Accounting		2	2	2	2	2
Administrative Support		1	4	2	2	2
Production Supervision		5	5	5	10	10
Die maintenance		3	3	5	6	6
warehouse		3	3	3	6	6
Equipment Maintenance		2	2	4	4	4
Production	Team A Shift 1	26	26	26	40	43
	Team A Shift 2	26	26	26	40	43
	Team B Shift 1	26	26	26	40	43
	Team B Shift 2	26	26	26	40	43
Total		125	128	130	196	208

Oct 12 2023



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

20

Section 8, Item a.

FORM SB-1 / Real Property

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.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☒ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

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** the redevelopment or rehabilitation of real property 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 initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property 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/Real Property 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 LT Development (USA), LLC					
Address of taxpayer (number and street, city, state, and ZIP code) 1731 Adrian Road, Suite 12, Burlingame, CA 94010					
Name of contact person Jeff Long		Telephone number (574) 238-4683		E-mail address jeff@mibcoinc.com	
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT			
Name of designating body Town of Bristol				Resolution number	
Location of property Parcels 20-03-32-200-006.000-31, 20-03-33-100-013.000-31, Bristol, IN		County Elkhart		DLGF taxing district number 031	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) This is a complete greenfield site. Property will be fully developed to accommodate a 183,600 sf facility to process extruded aluminum parts for all industries requiring such parts. Known local industries that will consume such parts are the RV industry and the construction industry.				Estimated start date (month, day, year) 1/1/2024	
				Estimated completion date (month, day, year) 1/1/2025	
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT			
Current number 0.00	Salaries \$0.00	Number retained 0.00	Salaries \$0.00	Number additional 150.00	Salaries \$8,000,000.00
SECTION 4		ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT			
		REAL ESTATE IMPROVEMENTS			
		COST		ASSESSED VALUE	
Current values		0.00		0.00	
Plus estimated values of proposed project		40,000,000.00			
Less values of any property being replaced		0.00			
Net estimated values upon completion of project		40,000,000.00			
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER			
Estimated solid waste converted (pounds) 5,000,000,000.00		Estimated hazardous waste converted (pounds) 0.00			
Other benefits We estimate we will consume 5,000,000 pounds of aluminum scrap per year making billets for our extrusion process.					
SECTION 6		TAXPAYER CERTIFICATION			
I hereby certify that the representations in this statement are true.					
Signature of authorized representative Jeff Long				Date signed (month, day, year)	
Printed name of authorized representative Jeff Long				Title Project Manager	

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed _____ calendar years* (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☐ No
 2. Residentially distressed areas ☐ Yes ☐ No
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (specify) _____
- E. Number of years allowed: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (* see below)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10
- F. 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.

We have also 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 (signature and title of authorized member of designating body)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

* 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.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

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.



STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51764 (R4 / 11-15)

Prescribed by the Department of Local Government Finance

FOR Section 8, Item a.

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

1. 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.
2. 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.
3. 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.
4. 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)
5. 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 LT Aluminum, LLC			Name of contact person Jeff Long					
Address of taxpayer (number and street, city, state, and ZIP code) 1731 Adrian Road, Suite 12, Burlingame, CA 94010				Telephone number (574) 238-4683				
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT								
Name of designating body Town of Bristol			Resolution number (s)					
Location of property Parcels 20-03-32-200-006.000-31, 20-03-33-100-013.000-31, Bristol, IN			County Elkhart		DLGF taxing district number Bristol Town 031			
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.) Extruding machines, Smelters, Saws and other machines related to the smelting and extruding process.			ESTIMATED					
			START DATE		COMPLETION DATE			
			Manufacturing Equipment	12/01/2023	01/01/2025			
			R & D Equipment	12/01/2023	01/01/2025			
			Logist Dist Equipment	12/01/2023	01/01/2025			
IT Equipment			12/01/2023	01/01/2025				
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT								
Current number 0	Salaries 0	Number retained 0	Salaries 0	Number additional 150	Salaries 8,000,000			
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	0	0	0	0	0	0	0
	Plus estimated values of proposed project	5,100,000		700,000		850,000		150,000
	Less values of any property being replaced	0		0		0		0
Net estimated values upon completion of project	5,100,000		700,000		850,000		150,000	
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER								
Estimated solid waste converted (pounds) 5,000,000			Estimated hazardous waste converted (pounds)					
Other benefits: Recycled aluminum converted into billets								
SECTION 6 TAXPAYER CERTIFICATION								
I hereby certify that the representations in this statement are true.								
Signature of authorized representative <i>Jeff Long</i>				Date signed (month, day, year) 10/13/2023				
Printed name of authorized representative Jeff Long				Title Authorized Rep.				

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 _____ 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 type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 |
| 2. Installation of new research and development equipment; | <input type="checkbox"/> Yes <input type="checkbox"/> No | <i>Check box if an enhanced abatement was</i> |
| 3. Installation of new logistical distribution equipment. | <input type="checkbox"/> Yes <input type="checkbox"/> No | <i>approved for one or more of these types.</i> |
| 4. Installation of new information technology equipment; | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
- C. The amount of deduction applicable to new manufacturing equipment is limited to \$ _____ 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 |
| <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 | Number of years approved: _____ |
| | | | | | (Enter one to twenty (1-20) years; may not exceed twenty (20) years.) |
- 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)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by: (signature and title of attester)	Printed name of attester	

* 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.

PERSONAL PROPERTY TAX PHASE-IN POINT SYSTEM**Company Name: LT Aluninum Date: 10/18/2023**

Projects will be considered for Phase-In if:

1. The company/project meets all of the criteria set forth under I.C. 6-1.1 1-12.1 et seq in the form of deductions from assessed valuation
2. The proposed new investment includes at least \$500,000 of Real Property that qualifies for Tax Phase-In
3. Construction has not begun and/or equipment has not been ordered or the equipment will be new to Indiana
4. In addition, if the applicant is not the company, authorization of the application must be obtained from the company

TAX BASE BENEFITS		Points Possible	Points Assigned
A.	Total new investment in business personal property (or relocation of equipment from out of State): \$6,800,000		
	▫ \$20,000,000 and above	35	
	▫ \$10,000,000 to \$19,999,999	30	
	▫ \$5,000,000 to \$9,999,999	25	25
	▫ \$2,500,000 to \$4,999,999	20	
	▫ \$500,000 to \$2,499,999	15	
JOB BENEFITS			
A.	Total number of jobs created at facility of proposed project:		
	▫ 250 or more	25	
	▫ 100 to 249	20	20
	▫ 50 to 99	15	
	▫ 25 to 49	10	
	▫ 10 to 24	5	
B.	Total number of existing jobs at facility of proposed project: 0		0
	▫ 250 or more	5	
	▫ 100 to 249	4	
	▫ 50 to 99	3	
	▫ 25 to 49	2	
	▫ 10 to 24	1	
C.	Median employee salary (including existing and new employees) \$41,600		
	▫ \$65,000 and above	25	
	▫ \$55,000 to \$64,999	20	
	▫ \$45,000 to \$54,999	10	10
	▫ \$40,000 to \$44,999	5	
	▫ Less than \$40,000	0	
D.	Company Benefits		
	Health Insurance	2	2
	Dental Insurance	1	0
	Vision Insurance	1	0
	Disability Insurance	1	0

	Sick Leave (Paid)	1	0
	Vacation (Paid)	1	1
	Holidays (Paid)	1	1
	Personal Days (Paid)	1	0
	Employee Training	2	2
	Provides "Widely Accepted" Certification	3	0
	Tuition Reimbursement	3	3
	401k/Pension Plan	2	2
	ESOP/Profit Sharing	2	0
	Succession Plan	3	0
REDEVELOPMENT BENEFITS			
A.	Project redevelops a brownfield site.	20	
B.	Project utilizes a obsolete facility that has been vacant for at least one (1) year.	10	
C.	Project utilizes a obsolete facility that is at least twenty five (25) years old.	10	
D.	Project develops in a Qualified Census Tract as designated by US Housing & Urban Development	10	
ECONOMIC DEVELOPMENT BENEFITS			
	The project will be used for a national or regional headquarters. (Must have a second location outside of the Elkhart County)	10	
INFRASTRUCTURE BENEFITS			
	The applicant pays for the installation of public infrastructure in the following amount:		
	▫ \$750,000 or more	10	
	▫ \$400,000 to \$749,999	6	
	▫ \$200,000 to \$399,999	3	
TARGETED INDUSTRY			
	The project is an industry targeted by the Elkhart County Economic Development Corporation Strategic Plan	20	
	▫ Agribusiness		
	▫ Advanced Recycling		20
	▫ Automotive Tier I / Tier II Production		
	▫ Electronics		
	▫ Financial and Professional Services		
	▫ Health Care		
	▫ Robotics		
	The project is an industry targeted by the Indiana Economic Development Corporation	10	

<input type="checkbox"/>	Aerospace & Aviation		
<input type="checkbox"/>	Advanced Manufacturing		
<input type="checkbox"/>	Cybersecurity		
<input type="checkbox"/>	Defense & National Security		
<input type="checkbox"/>	Energy		
<input type="checkbox"/>	Information Technology (IT)		
<input type="checkbox"/>	Life Sciences		
<input type="checkbox"/>	Logistics & Transportation		
<input type="checkbox"/>	Motorsports		
TOTAL POINTS (190 points possible)			86
<u>OPTIONAL ECONOMIC HEALTH INDICATOR</u>			
	<u>Unemployment Rate</u>	<u>Multiplier</u>	
	0.0% - 3.4%	90%	77.4
	3.5% - 5.0%	95%	81.7
	5.1% - 8.5%	100%	86
	8.6% and Above	105%	90.3
TERM RECOMMENDATION			
<input type="checkbox"/>	Over 51 Points 5-Year Tax Phase-In		
<input type="checkbox"/>	30 to 50 Points 3-Year Tax Phase-In		

REAL PROPERTY TAX PHASE-IN POINT SYSTEM

Company Name: LT Aluminum LLC

Date: 10/18/2023

Address: 1600 Rail Park Drive

Projects will be considered for Phase-In if:

1. The company/project meets all of the criteria set forth under I.C. 6-1.1 1-12.1 et seq in the form of deductions from assessed valuation
2. The proposed new investment includes at least \$500,000 of Real Property that qualifies for Tax Phase-In
3. Construction has not begun and/or equipment has not been ordered or the equipment will be new to Indiana
4. In addition, if the applicant is in the company, authorization of the application must be obtained from the company

TAX BASE BENEFITS		Points Possible	Points Assigned
A.	Total new investment in real property (both redevelopment (new structures) and rehabilitation): \$32,035,000		
	▫ \$20,000,000 and above	25	25
	▫ \$10,000,000 to \$19,999,999	20	
	▫ \$5,000,000 to \$9,999,999	15	
	▫ \$2,500,000 to \$4,999,999	10	
	▫ \$500,000 to \$2,499,999	5	
JOB BENEFITS			
A.	Total number of jobs created at facility of proposed project:125		
	▫ 250 or more	25	
	▫ 100 to 249	20	20
	▫ 50 to 99	15	
	▫ 25 to 49	10	
	▫ 10 to 24	5	
B.	Total number of existing jobs at facility of proposed project:0		0
	▫ 250 or more	5	
	▫ 100 to 249	4	
	▫ 50 to 99	3	
	▫ 25 to 49	2	
	▫ 10 to 24	1	
C.	Median employee salary (including existing and new employees)	\$41,600	
	▫ \$65,000 and above	25	
	▫ \$55,000 to \$64,999	20	
	▫ \$45,000 to \$54,999	10	
	▫ \$40,000 to \$44,999	5	5
	▫ Less than \$40,000	0	
D.	Company Benefits		
	Health Insurance	2	2
	Dental Insurance	1	0
	Vision Insurance	1	0
	Disability Insurance	1	0
	Sick Leave (Paid)	1	0
	Vacation (Paid)	1	1
	Holidays (Paid)	1	1
	Personal Days (Paid)	1	0
	Employee Training	2	2
	Provides "Widely Accepted" Certification	3	0
	Tuition Reimbursement	3	3

401k/Pension Plan	2	2
ESOP/Profit Sharing	2	0
Succession Plan	3	0
TARGETED INDUSTRY		
The project is an industry targeted by the Elkhart County Economic Development Corporation Strategic Plan	20	
▫ Agribusiness		
▫ Advanced Recycling	x	20
▫ Automotive Tier I / Tier II Production		
▫ Electronics		
▫ Financial and Professional Services		
▫ Health Care		
▫ Robotics		
The project is an industry targeted by the Indiana Economic Development Corporation	10	0
▫ Aerospace & Aviation		
▫ Advanced Manufacturing		
▫ Cybersecurity		
▫ Defense & National Security		
▫ Energy		
▫ Information Technology (IT)		
▫ Life Sciences		
▫ Logistics & Transportation		
▫ Motorsports		
TOTAL POINTS (180 points possible)		81
OPTIONAL ECONOMIC HEALTH INDICATOR		
<u>Unemployment Rate</u>	<u>Multiplier</u>	<u>Adjusted Points</u>
0.0% - 3.4%	90%	72.9
3.5% - 5.0%	95%	76.95
5.1% - 8.5%	100%	81
8.6% and Above	105%	85.05
TERM RECOMMENDATION		
<input type="checkbox"/> Over 90 Points 10-Year Tax Phase-In		
<input checked="" type="checkbox"/> 72 to 90 Points 7-Year Tax Phase-In		
<input type="checkbox"/> 51 to 71 Points 5-Year Tax Phase-In		
<input type="checkbox"/> 30 to 50 Points 3-Year Tax Phase-In		



Indiana Economic Development Corporation ("IEDC")

Application for Incentives

General Information		Project Owner: David Behr		Project Number: [REDACTED]	
Legal Name as registered with Indiana Secretary of State ("Company")		LT Development, LLC			
Federal Employer Identification Number (FEIN)		93-3777748			
Business Structure		C-Corporation LLC			
NAICS Code (6 Digits)					
Company's Taxable Year End (MD)		12/31/2023			
Company Website		N/A			
Proposed Project Information					
Proposed Project Address	1600 Rail Park Drive	Parent Company	N/A		
City, State, Zip	Bristol, IN 46507	Parent FEIN	N/A		
Proposed Project County	Elkhart	Parent Country	N/A		
Primary Contact Information					
Primary Company Contact's Name	Jeff Long	Title	Project Manager		
Address of Company Contact (If different from above)	109 York Drive	Phone and Fax	Phone: 574-238-4683 Fax:		
City, State, Zip	Middlebury, IN 46540	Email	jeff@mibcoinc.com		
Senior Official Information					
Senior Company Official Name	Dominic Lai	Title	President		
Address of Senior Official (If different from above)	1731 Adrian Road	Phone and Fax	Phone: 415-570-3278 Fax:		
City, State, Zip	Burlingame, CA 94010	Email	dominic.lai@gcaluminum.com		
Consultant Information					
Company's Hired Business Consultant Name (if applicable)	Jeff Long	Consultant Release	Yes		
Address	109 York Drive	Local Economic Development Organization Release	Yes		
City, State, Zip	Middlebury, IN 46540	Email	jeff@mibcoinc.com		
Project Overview					
Description	<p>This is a complete greenfield site development. Site will be developed to accommodate a 183,600 SF building that will extrude aluminum parts for all industries requiring such parts. The facility will also have a smelter to process aluminum scrap into aluminum billets for extruding. Products will distributed locally and nationally.</p>				
Certified Technology Park?	No				
Community Revitalization Enhancement District?	No				
Has the Company applied for Indiana's Venture Capital Investment Tax Credit for the project?	No				

New Project Investments

Calendar Year	1	2	3	4	TOTAL
Land Acquisition	3,100,000	3,100,000			3,100,000
Building Lease Payments					
Building Purchase Costs					
New Building Construction	30,000,000	30,000,000			30,000,000
Existing Building Improvements					
New Machinery and Equipment	6,550,000	6,550,000			6,550,000
Special Tooling / Retooling					
New Furniture and Fixtures	35,000	35,000			35,000
New Computer / IT Hardware	150,000	150,000			150,000
New Software					
On-Site Rail Infrastructure	2,000,000			2,000,000	2,000,000
On-Site Fiber Infrastructure					
TOTAL					

Investment Details

Public Infrastructure Needs (Off-site of project)	*Potential Qualified Investment under the Hoosier Business Investment ("HBI")	The approximate % qualified HBI expenditure that the Company expects to spend with Indiana businesses:	Used equipment purchased in Indiana, or transferred from out-of-state, for project
		%	

Full-Time Permanent Indiana-Resident Positions by Calendar Year

Calendar Year	Number of Full-Time Permanent Indiana- Resident Employees at Project	Hourly Average Wage W/O Fringe Benefits / Bonuses	Cumulative Number of Net New Full-Time Permanent Indiana-Resident Employees at Project	Hourly Average Wage, excluding benefits or bonuses, of Cumulative Net New Jobs	Total Training Expenditure (Not Cumulative)	Total Employees to be Trained (Not Cumulative)
2017 (1 Year Ago)						
2018 (Now)						

Description of the
company's
specific training needs
for the location

Tax Liability Information by Year

Calendar Year	#Error	2020	2021	Prior Year Tax Liability (If C-Corporation)
Expected Indiana Corporate Tax Liability from AGI (entire company)				Prior Year Tax Liability (If C-Corporation)
Expected Indiana Corporate Tax Liability from AGI (due solely to project)				

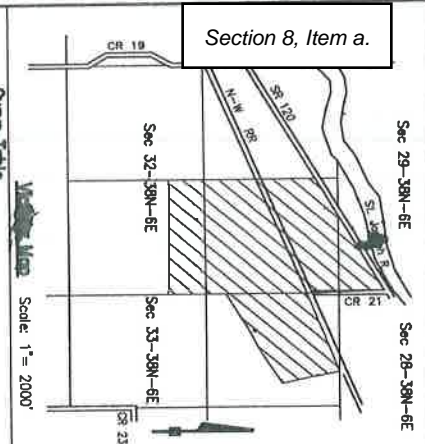
Submitted By:

Submitted On: 12:00:00 AM EST

To the extent feasible and permissible by law, the IEDC will honor a Company's request that confidential information submitted to the IEDC remains confidential. The IEDC will treat the information as confidential only if: (i) the information is in fact protected confidential information such as trade secrets or privileged or confidential commercial or financial information, (ii) the information is specifically marked and identified as confidential by the Company (iii) the information is segregated and placed in a separate appendix to the application, and (iv) no disclosure of the information is required by law or judicial order. If the application results in a tax credit, grant, or loan, the honoring of the confidentiality of identified data shall not limit the IEDC's right to disclose the details and results of the economic development project to the public.

By digitally signing this document, Company affirms that: (i) all information contained herein is true and accurate to the best of the Company's knowledge and belief, (ii) any award of EDGE and/or HBI Tax Credits is a major factor in the Company's decision to proceed with the project described in this application, and not receiving the EDGE and/or HBI Tax Credits would result in the Company not increasing total earnings of employees in Indiana or creating net new jobs for Indiana residents, (iii) for consideration of an HBI Tax Credit only, the average wage it pays/will pay its employees at the project location, excluding those considered highly compensated (see comment) will meet or exceed 150% of the federal minimum wage, and (iv) it is the Company's responsibility to inform IEDC of any changes to "General Information" listed in this application.

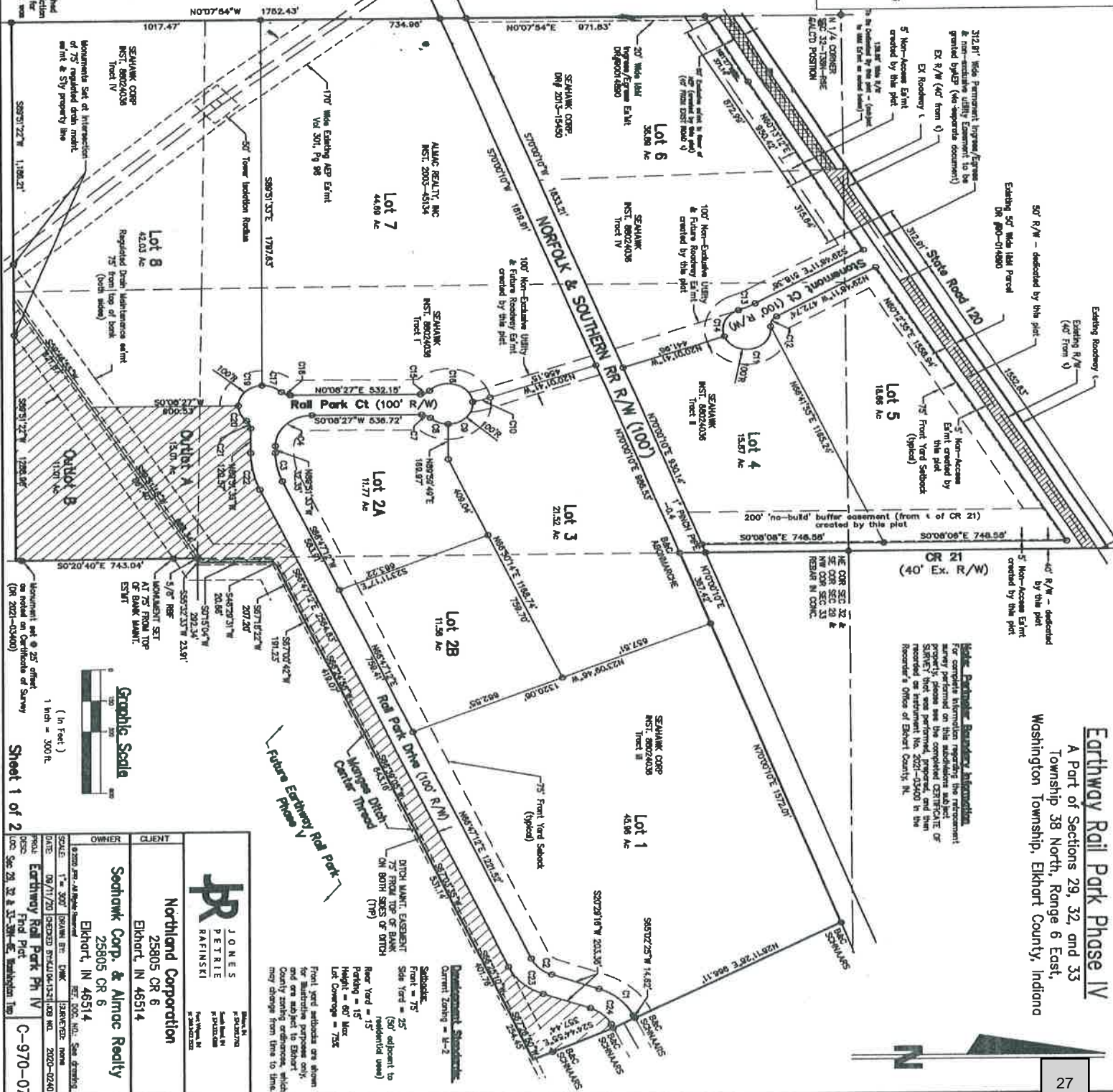
Section 8, Item a.



Scale 1" = 200'

Area Summary

Lot	Area (Ac)	Notes
Lot 1	4.58	SEAWALK CORP. N51.28024036 Tract I
Lot 2	11.77	SEAWALK CORP. N51.28024036 Tract II
Lot 3	21.52	SEAWALK CORP. N51.28024036 Tract III
Lot 4	15.87	SEAWALK CORP. N51.28024036 Tract IV
Lot 5	18.86	SEAWALK CORP. N51.28024036 Tract V
Lot 6	38.89	SEAWALK CORP. N51.28024036 Tract VI
Lot 7	44.09	SEAWALK CORP. N51.28024036 Tract VII
Lot 8	42.03	SEAWALK CORP. N51.28024036 Tract VIII
Lot 9	11.77	SEAWALK CORP. N51.28024036 Tract IX
Lot 10	11.56	SEAWALK CORP. N51.28024036 Tract X
Lot 11	11.77	SEAWALK CORP. N51.28024036 Tract XI
Lot 12	11.77	SEAWALK CORP. N51.28024036 Tract XII
Lot 13	11.77	SEAWALK CORP. N51.28024036 Tract XIII
Lot 14	11.77	SEAWALK CORP. N51.28024036 Tract XIV
Lot 15	11.77	SEAWALK CORP. N51.28024036 Tract XV
Lot 16	11.77	SEAWALK CORP. N51.28024036 Tract XVI
Lot 17	11.77	SEAWALK CORP. N51.28024036 Tract XVII
Lot 18	11.77	SEAWALK CORP. N51.28024036 Tract XVIII
Lot 19	11.77	SEAWALK CORP. N51.28024036 Tract XIX
Lot 20	11.77	SEAWALK CORP. N51.28024036 Tract XX
Lot 21	11.77	SEAWALK CORP. N51.28024036 Tract XXI
Lot 22	11.77	SEAWALK CORP. N51.28024036 Tract XXII
Lot 23	11.77	SEAWALK CORP. N51.28024036 Tract XXIII
Lot 24	11.77	SEAWALK CORP. N51.28024036 Tract XXIV
Lot 25	11.77	SEAWALK CORP. N51.28024036 Tract XXV
Lot 26	11.77	SEAWALK CORP. N51.28024036 Tract XXVI
Lot 27	11.77	SEAWALK CORP. N51.28024036 Tract XXVII
Lot 28	11.77	SEAWALK CORP. N51.28024036 Tract XXVIII
Lot 29	11.77	SEAWALK CORP. N51.28024036 Tract XXIX
Lot 30	11.77	SEAWALK CORP. N51.28024036 Tract XXX



Earthway Rail Park Phase IV
A Part of Sections 29, 32, and 33
Township 38 North, Range 6 East,
Washington Township, Elkhart County, Indiana

Notice: Boundary Information
For complete information regarding the information survey performed on this subdivision subject property, please see the completed CERTIFICATE OF SURVEY, tract set performance, proposed, and then recorded as instrument No. 2021-03400 in the Recorder's Office of Elkhart County, IN.



OWNER	CLIENT
SEAWALK CORP. N51.28024036 Tract I	Northland Corporation 25805 CR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract II	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract III	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract IV	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract V	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract VI	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract VII	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract VIII	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract IX	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract X	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XI	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XII	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XIII	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XIV	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XV	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XVI	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XVII	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XVIII	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XIX	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XX	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XXI	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XXII	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XXIII	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XXIV	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XXV	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XXVI	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XXVII	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XXVIII	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XXIX	SEAWALK CORP. OR 6 Elkhart, IN 46514
SEAWALK CORP. N51.28024036 Tract XXX	SEAWALK CORP. OR 6 Elkhart, IN 46514

Earthway Rail Park Phase IV
A Part of Sections 29, 32, and 33
Township 38 North, Range 6 East, Washington Township, Elkhart County, Indiana

Drainage Maintenance Certificate

The maintenance of all drainage facilities including culverts and swales shall be the responsibility of each lot owner, and no owner shall permit the flooding of said facilities to be caused by the failure of such facilities. In the event any such facilities become damaged or in need of repair, it shall be the responsibility of the lot owner to repair such facilities at the owner's expense.

In the event of the owner's failure to maintain such drainage facilities in good order and repair, appropriate governmental authority of Elkhart County, Indiana, may repair such drainage facilities and invoice the costs of such repair to the lot owner. Elkhart County, Indiana, is granted an easement across a lot owner's real estate for the purpose of repairing any drainage facilities on said lot owner's real estate. The amount of any assessment for the costs of such repair, as assessed by said governmental authority, shall constitute a lien upon the real estate of the lot owner and an encumbrance upon the title to said lot.

Elkhart County, Indiana, is further granted right of action for the collection of said indebtedness and for the foreclosure of said lien in the manner in which such collection and/or foreclosure action shall be maintained in the courts of general jurisdiction of the State of Indiana, and shall be commenced in Elkhart County, Indiana.

Past Committee Approval

This subdivision plat was reviewed and approved by the Elkhart County Plat Committee in accordance with the Subdivision Control Ordinance during its regular meeting on April 8, 2021.

Don Snyder 4/8/2021
Date

Don Snyder - Chairman

Town of Bristol Association

This subdivision is found to be in compliance with the Elkhart County Subdivision Control Ordinance and the dedication shown on this plat are hereby approved and accepted to the benefit of The Town of Bristol this 15th day of April, 2021.

Jeff Bradley
Jeff Bradley, President - Bristol Town Council

Lesley Burke
Lesley Burke, Member - Bristol Town Council

Del Strickland
Del Strickland, Member - Bristol Town Council

Whitney Pierce
Whitney Pierce, Member - Bristol Town Council

Floyd Lynch
Floyd Lynch, Member - Bristol Town Council

Auditor:
Duly entered for taxation this 22nd day of April, 2021.

Patricia A. Pickens
Patricia A. Pickens, Auditor, Elkhart County, Indiana

Recorded:
Received for record this 22nd day of April, 2021, at 3:55 PM and recorded in Plat Book 40 Page 84
Instrument No. 2021-10336

Janet L. Dwyer
Janet L. Dwyer, Recorder, Elkhart County, Indiana

2021-10336
ELKHART COUNTY RECORDER
JENNIFER L. DWYER
1000 W. MAIN ST., SUITE 100
ELKHART, IN 46516
P4222021 03:55 PM
AS PRESENTED
\$30.00 PLAT BOOK 40 PAGE 84

Proportion of Outlots A & B

The following lots shall be conveyed along with the following proportionate interest(s) in both Outlots A & B:

Lot 1	20%
Lot 2	15%
Lot 3	12%
Lot 4	25%
Lot 5	28%
Lot 6	24%

This ownership interest can only be modified and/or segregated from any individual lot by a future report that indicates all five (5) of these lots and is executed by all owners of record of the same at that time.

Stomwater Management & Site Plan Review/Approval

Lots 1, 2, 3, 7, & 8 are permitted to discharge up to two thirds (2/3) of the stomwater runoff from each of their lots to the stomwater management area located in Outlots A & B as a condition of roadbed swales and other conveyance constructed along with Road Park Drive & Rail Park Court. The remaining one third (1/3) shall be retained on their individual sites.

Lots 4, 5, and 6 are required to retain and/or manage 100% of their individual site's stomwater runoff on their individual sites.

Deed of Dedication

We, the undersigned, owners of the real estate shown and described herein, do hereby lay off, plot and subdivide said real estate in accordance with the requirements of the Elkhart County, Indiana, subdivision ordinance. This subdivision shall be known as Earthway Rail Park Phase IV. All streets, alleys and public open spaces shown and not heretofore dedicated, are hereby dedicated to the public and all easements shown that are not already existing are hereby dedicated unless otherwise noted on the plat drawing.

Owner's Certification

This is to certify that the undersigned are the owners of property herein described in the above caption, and have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes therein set forth, thereon indicated.

Dated this 22nd day of April, 2021.

Peter A. Lethman
Peter A. Lethman
Vice President - Almoe Realty, Inc.

Notary Public Certificate - Seabank Corp. & Almoe Realty, Inc.

State of Indiana }
County of Elkhart }
Before me the undersigned, a Notary Public in and for said County and State, personally appeared Peter A. Lethman and acknowledged the execution of this instrument.

Witness my hand and seal this 22nd day of April, 2021.

Maureen Kathleen Kratzer
Maureen Kathleen Kratzer
Notary Public, residing in Elkhart County
My commission expires December 28, 2025



Surveyor's Certificate

This plat is in accordance with Title 865, Article 1, Chapter 12 of the Indiana Administrative Code with the lines of this plat conforming to a survey made under my supervision in January of 2021 and being recorded in the Office of the Recorder of Elkhart County in Instrument No. 2021-03400.

The property is not located within the floodplain as per information obtained from Flood Insurance Rate Map, National Flood Insurance Program, Map Number 18039001530, effective date of August 2, 2011.

I, Kenneth Jones, Jr., hereby certify that I am a Professional Land Surveyor, licensed in compliance with the laws of the State of Indiana, and that this plat correctly represents a survey prepared by me and/or under my direct supervision in accordance with I.A.C. 865-1-12, and that all the monuments will be installed in accordance with the provisions of the platting ordinance, and that their location, size, type and material are accurately shown.

I also affirm, under the penalties for perjury, that I have taken reasonable care to ascertain each Social Security number in this document, unless indicated by law.

Kenneth Jones, Jr.
Kenneth Jones, Jr.
PS 20700058
Date 2021-04-13



OWNER	CLIENT
Seabank Corp. & Almoe Realty 25805 CR 6 Elkhart, IN 46514	Norland Corporation 25805 CR 6 Elkhart, IN 46514
 JONES & PETRIE RAFINISI 1000 W. MAIN ST., SUITE 100 ELKHART, IN 46516 P4222021 03:55 PM \$30.00 PLAT BOOK 40 PAGE 84	

2021-14561

ELKHART COUNTY RECORDER
JENNIFER L. DORIOT
FILED FOR RECORD ON
06/03/2021 10:49 AM
AS PRESENTED

AFFIDAVIT OF CORRECTION

Kenneth K. Jones, Jr., being duly sworn upon oath deposes and says:

1. That he is a registered land surveyor in the State of Indiana.
2. Affiant further states that he prepared the plat of Earthway Rail Park Phase IV, Washington Township, Elkhart County, Indiana that was subsequently approved and recorded as Instrument Number 2021-10336, Plat Book 40, Page 84 of the records of Elkhart County, Indiana.
3. Affiant further states that he has examined said recorded plat with particular reference to the following items:
 - The legal description for the overall parent parcel that the subdivision was created from is cited on a Certificate of Survey, which references the above recorded plat, and is recorded as Instrument Number 2021-11327. This legal description is repeated below verbatim:

A part of Sections 28, 29, 32, and 33 all in Township 38 North, Range 6 East, Washington Township, Town of Bristol, Elkhart County, Indiana, and consisting of land described in a combination of instruments #88-024036, 2003-45134, 2003-53068, 2004-00794, and 2013-15450 in the Elkhart County Recorder's Office; being more particularly described as follows:

Commencing at the northeast corner of said Section 33; thence South along the east line of said Section 33 a distance of 1,330.97 feet to the north line of the south half of the northeast quarter of said Section 33; thence South 89 degrees 32 minutes 24 seconds West 223.0 to the point of beginning; thence South parallel to the east line of said Section 33 a distance of 891.0 feet; thence East 223.0 feet to the east line of said Section 33; thence South on said east line 439.97 feet to a 5/8" rebar at the east quarter corner of Section 33; hence south 89 degrees 32 minutes 10 seconds West on said south line 5,287.50 feet to the southwest corner of the north half of said Section 33; thence South 0 degrees 20 minutes 40 seconds East on the west line of the southwest quarter of said Section 33 a distance of 757.55 feet to the north line of a parcel described in Deed Record #2004-33839; thence North 89 degrees 30 minutes 0 seconds West along said north line 2,656.60 feet to the west line of the northeast quarter of Section 32; thence North on said west line 2,987.93 feet to the

NO SALES DISCLOSURE REQUIRED

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER
JUN 3 20 21
AUDITOR
003050
TRANSFER FEE 0
PARCEL NO. 1

Page 1 of 4

Give to
GIS

21-03-32-200-002.000-030
00-03-32-200-005/006/008.000-031
20-03-32-200-009/010.000-051
20-03-29-477-002.000-051
20-02-32-200-011/012/013.000-031
20-03-33-100-010/013.000-031
6/2/2021 SJ2

to the center line of the Elkhart-Bristol Road (also known as State Road 120); thence North 61°40' East along said centerline line a distance of 312.3 feet; thence continuing along said centerline North 60°17' East a distance of 546.5 feet to the westerly line of a parcel of line described in instrument #90-014890 and also the east line of land described in instrument #2013-15450 ; thence South 2°45' West along said west line and said east line a distance of 90.74 feet to the southeasterly line of said American Electric Power parcel; thence North 60°33'00 East along said southeasterly line a distance of 2,148.58 feet to the east line of said Section 29; thence south along said east line a distance of 959.62 feet to the southeast corner of Section 29 and the Northeast Corner of said Section 32, which is also the Northwest Corner of said Section 33; thence continuing south along the east line of said Section 32 a distance of 699.03 feet to the southeasterly right of way line of the Norfolk and Southern Railroad right-of-way; thence North 69°53'56" East along said southeasterly right of way line a distance of 1,939.55 feet to the westerly corner of Lot 8A as said lot is known and designated on the recorded Replat of Lots 1-8 of Earthway Rail Park DPUD, said plat being recorded as instrument #2008-26297 in the Elkhart County Recorder's Office; thence South 28°17'42" East along the westerly line of said recorded plat a distance of 1,056.18 feet; thence continuing along said westerly line South 24°57'55" East a distance of 367.32 feet to the southerly corner of Lot 7A in said recorded plat and the center thread of Menges Ditch; thence North 67°18'35" East on said center thread 150.0 feet; thence continuing on said center thread North 75° 31'53" East 104.66 feet; thence North 64°56'0" East along said center thread a distance of 1,351.18 feet; thence North 82°33'31" East along said center thread a distance of 96.49 feet; thence North 89°0'13" East along said center thread a distance of 598.30 feet, thence North 89°0'13" East 167.50 feet to the west line of Lot 1A in said recorded plat; thence South 1°18'13" East along the west line of said Lot 1A a distance of 679.77 feet to the south line of the north half of the northeast quarter of said Section 33; thence South 89°32'24" East on said south line 249.97 feet to the place of beginning, containing 450 acres more or less.

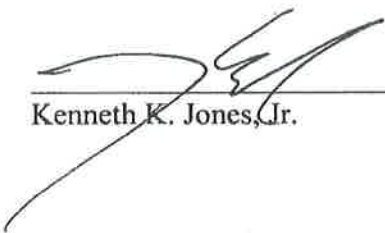
Excepting therefrom any of the above-described land lying within the right-of-way of the Norfolk and Southern right-of-way.

Subject to survey

The above legal description is intended to include all land that is currently planned to be within the development(s) known as "EARTHWAY RAIL PARK PHASE IV" and "EARTHWAY RAIL PARK PHASE V."

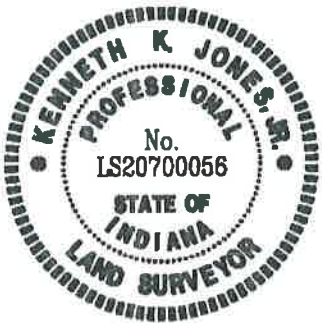
- The dimension shown on the easterly right of way of Rail Park Court, on said recorded plat mentioned above, was incorrectly stated as 536.72 feet, and should have been shown as 448.50 feet.
- The chord length for curve 'C16' on said recorded plat was incorrectly stated as 85.40 feet and should have been shown as 184.39 feet.
- The ownership percentage values for Outlots A & B provided on page 2 of said recorded plat incorrectly showed "Lot 2" as owning 13% of the interest in said Outlots, and should have instead read that Lot 2A and Lot 2B will each own 6.5% of the interest in said Outlots.
- A note regarding stormwater management, on page 2 of said recorded plat, incorrectly stated that "Lots 1, 2, 3, 7, & 8 are permitted to discharge up to two thirds (2/3) of the stormwater runoff from each of their lots to the stormwater management area located in Outlots A & B," and should have instead stated that "Lots 1, 2A, 2B, 3, 7, & 8 are permitted to discharge up to two thirds (2/3) of the stormwater runoff from each of their lots to the stormwater management area located in Outlots A & B."
- In said note regarding stormwater management, also on page 2 of said recorded plat, incorrectly stated that "Lots 4, 6, and 6 are required to retain and/or manage 100% of their individual site's stormwater runoff on their individual sites," and should have instead read that "Lots 4, 5, and 6 are required to retain and/or manage 100% of their individual site's stormwater runoff on their individual sites."
- Affiant also affirms, under the penalties for perjury, that he has taken reasonable care to redact each social security number in this document, unless required by law.

4. Affiant further saith not.



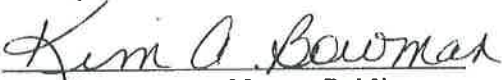
Kenneth K. Jones, Jr.

IN PS20700056



State of Indiana)
) SS:
County of Elkhart)

Before me, the undersigned, a Notary Public for St. Joseph County, State of Indiana, personally appeared Kenneth K. Jones, Jr., and acknowledged the execution of this instrument this 28 day of May, 2021.

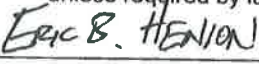

Kim A. Bowman, Notary Public
Residing in St. Joseph County, Indiana

My Commission Expires: April 1, 2024



Prepared by:
Kenneth K. Jones, Jr., PS
Jones Petrie Rafinski Corp.
325 South Lafayette Blvd.
South Bend, IN 46601

G:\2020 PROJECTS\2020-0240\SURV\CORRECTION AFFIDAVIT\2021-05-27 CORRECTION AFFIDAVIT.DOCX

I affirm, under the penalties for perjury, that I
have taken reasonable care to redact each
Social Security number in this document,
unless required by law.


NO SALES DISCLOSURE REQUIRED

Section 8, Item a.

2023-15305

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

Sep 13 2023
PATRICIA A. PICKENS, AUDITOR
03993
10.00

ELKHART COUNTY RECORDER
KAALA BAKER
FILED FOR RECORD ON
09/13/2023 02:03 PM
AS PRESENTED

Cross Reference (Parent Deed): 88024036
Parcel No.: 20-03-32-200-006.000-031

SPECIAL WARRANTY DEED

THIS INDENTURE WITNESSETH, that **SEAHAWK CORPORATION**, an Indiana corporation ("Grantor"), **CONVEYS AND SPECIALLY WARRANTS** to the **TOWN OF BRISTOL, INDIANA**, a municipal corporation ("Grantee"), for public right-of-way purposes, and for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all of its rights, title and interest in and to that certain real estate situated in the County of Elkhart, State of Indiana, and being more particularly described in the legal description attached hereto as Exhibit A and depicted on Exhibit B attached hereto, both of which exhibits are incorporated herein by reference (the "Real Estate").

This conveyance is subject to any and all easements, conditions, and restrictions of record.

Grantor hereby specifically acknowledges and agrees that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor, or any successors in title, notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right of way, roadway or roadway appurtenances established thereupon. This acknowledgement is a covenant running with the land and shall be binding upon the Grantor and all successors and assigns.

Grantor hereby, for itself and its successors and assigns, represents and certifies that it is lawfully seized in fee simple of the Real Estate herein conveyed; that it has good right to sell and convey the same in the manner set forth herein; and that Grantor, its successors and assigns shall warrant and defend the same unto Grantee forever against the lawful claims and demands of all persons claiming by, through or under Grantor, but not otherwise.

Grantor assumes and agrees to pay all unpaid real estate taxes and assessments on the Real Estate that are applicable to the Real Estate through the date of this Special Warranty Deed. This obligation to pay such real estate taxes and assessments shall survive the execution of this Special Warranty Deed and the closing of the Real Estate and shall be enforceable by Grantee in the event of any non-payment of such real estate taxes and assessments.

Part Of *[Signature Page to Follow]*

AL

JM

Grantee's address and send tax
statements to:

Town of Bristol, Indiana
303 E. Vistula Street
Bristol, Indiana 46507
Attn: Clerk-Treasurer

This instrument was prepared by
and return recorded deed to:

Alex C. Bowman, Esq.
Krieg DeVault LLP
4101 Edison Lakes Parkway, Suite 100
Mishawaka, Indiana 46545

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Alex C. Bowman, Esq.

EXHIBIT A

Project: Earthway Rail Park Phase IV

Sheet 1 of 1

Parcel: Area to Be Dedicated

A part of Section 32, Township 38 North, Range 6 East, Washington Township, Town of Bristol, Elkhart County, Indiana, being more particularly described as follows:

The westerly 50 feet, by parallel lines, of Lot 3 as said Lot is known and designated on the recorded plat of Earthway Rail Park Phase IV, said plat being recorded as instrument number 2021-10336 in the Recorder's Office of Elkhart County, Indiana.

Containing 0.615 acres, more or less.

The above-described area is depicted on the above-mentioned recorded plat of Earthway Rail Park Phase IV as that portion of a "100-foot wide "Non-exclusive utility & Future Roadway Easement" that's located on said Lot 3 therein.

It is also depicted on the attached **EXHIBIT B**.

Subject to survey.

The above area is depicted on the recorded plat of Earthway Rail Park Phase IV, as that part of a "non-exclusive utility and future roadway easement" that is located on said Lot 3.

Prepared for: The Town of Bristol
Prepared by: Kenneth Jones, Jr., PS

Job No: 2021-0113
Date: September 13, 2023

G:\2020 Projects\2020-0240\Surv\RR Crossing Dedication\2023-09-13 - RR Crossing Dedication Legal Description - Lot 3 - KJJ.docx

Parcel No: N/A
Project: Stonemont Court Dedication
Sec: 32 T38N R6E

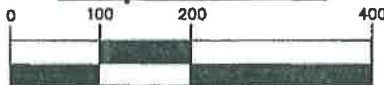
EXHIBIT 'B'
PARCEL PLAT
Prepared for: The Town of Bristol
Owner: See Drawing
Deed Rec.: See Drawing

Job No: 2021-0113
Drawn: DWK
Checked: KJJ
County: Elkhart

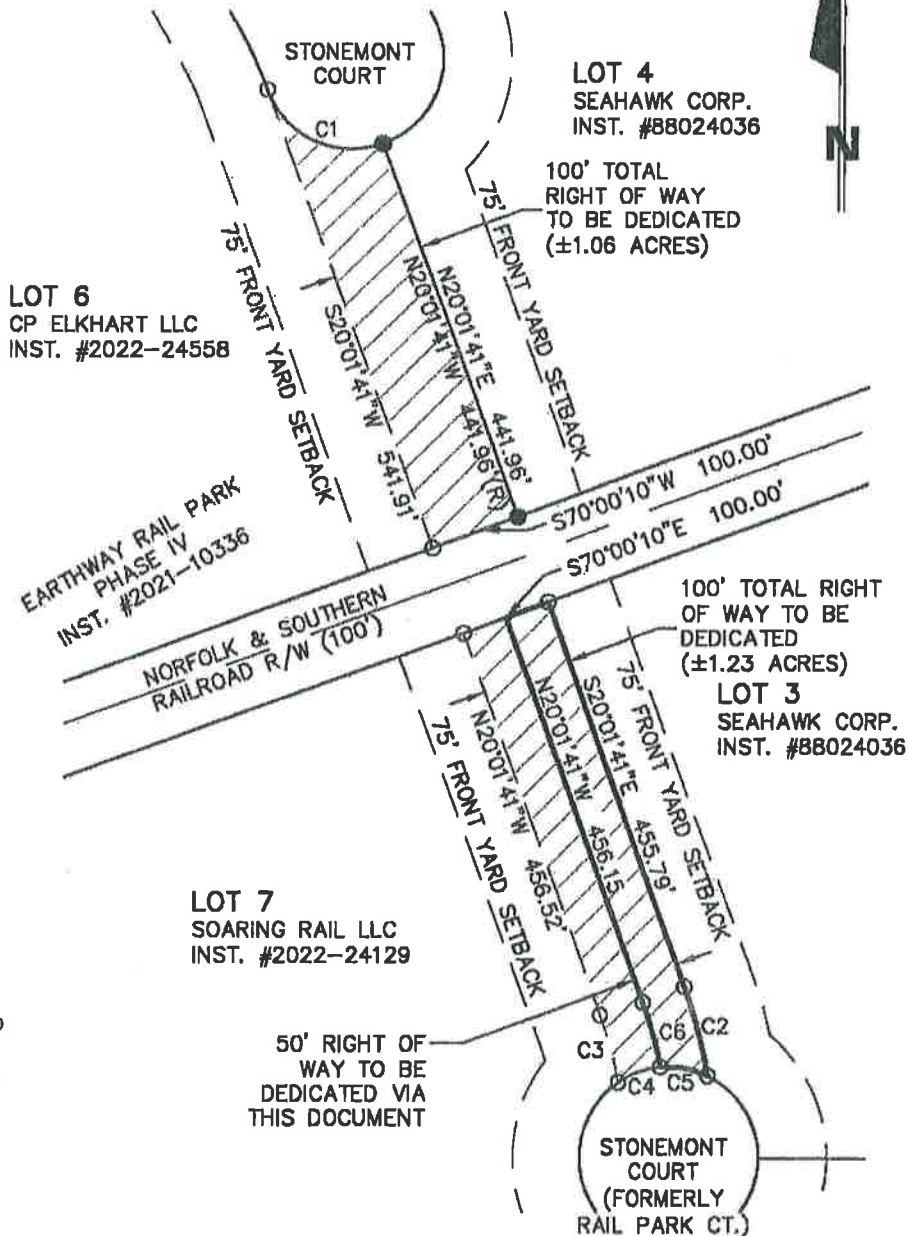
CURVE INFO

- C1** L= 157.08'
R= 100.00'
CB= S65°01'42"E
CL= 141.42'
- C2** L= 102.30'
R= 538.33'
CB= S14°35'04"E
CL= 102.14'
- C3** L= 73.93'
R= 374.76'
CB= N15°12'00"W
CL= 73.81'
- C4** L= 51.24'
R= 100.00'
CB= S70°24'49"W
CL= 50.68'
- C5** L= 53.88'
R= 100.00'
CB= N79°28'13"E
CL= 53.23'
- C6** L= 74.59'
R= 424.76'
CB= N15°46'15"W
CL= 74.50'

Graphic Scale



(In Feet)
1 Inch = 200 ft.



Legend

- (R) Record Dimension
○ 5/8" Rebar & Cap (to be set) in PS#20700056
● 5/8" Rebar & Cap (set previously) in PS#20700056
Hatch Indicates area(s) described in Exhibit 'A' hereto



JONES
PETRIE
RAFINSKI

South Bend, IN
p: 574.232.4388
Fort Wayne, IN
p: 260.422.2522

EXHIBIT B

Legal Description and Map of Area

Parcel No. 20-03-33-100-013.000-031

EARTHWAY RAILPARK PHASE IV LOT 2B & 6.5% INT IN OUT LOT A & B; (TIF 182)
Taxing District

Parcel No. 20-03-32-200-006.000-031

EARTHWAY RAILPARK PHASE IV; LOT 3; & 12% INT IN OUT LOT A & B; (TIF 182)
Taxing District



EXHIBIT C

Statement of Benefits Real Estate Improvements (SB-1 / Real Property)

(To be attached)



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

20

Section 8, Item a.

FORM SB-1 / Real Property

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.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☒ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

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** the redevelopment or rehabilitation of real property 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 initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property 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/Real Property 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 LT Development (USA), LLC					
Address of taxpayer (number and street, city, state, and ZIP code) 1731 Adrian Road, Suite 12, Burlingame, CA 94010					
Name of contact person Jeff Long		Telephone number (574) 238-4683		E-mail address jeff@mibcoinc.com	
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT			
Name of designating body Town of Bristol				Resolution number	
Location of property Parcels 20-03-32-200-006.000-31, 20-03-33-100-013.000-31, Bristol, IN		County Elkhart		DLGF taxing district number 031	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) This is a complete greenfield site. Property will be fully developed to accommodate a 183,600 sf facility to process extruded aluminum parts for all industries requiring such parts. Known local industries that will consume such parts are the RV industry and the construction industry.				Estimated start date (month, day, year) 1/1/2024	
				Estimated completion date (month, day, year) 1/1/2025	
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT			
Current number 0.00	Salaries \$0.00	Number retained 0.00	Salaries \$0.00	Number additional 150.00	Salaries \$8,000,000.00
SECTION 4		ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT			
		REAL ESTATE IMPROVEMENTS			
		COST		ASSESSED VALUE	
Current values		0.00		0.00	
Plus estimated values of proposed project		40,000,000.00			
Less values of any property being replaced		0.00			
Net estimated values upon completion of project		40,000,000.00			
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER			
Estimated solid waste converted (pounds) 5,000,000,000.00		Estimated hazardous waste converted (pounds) 0.00			
Other benefits We estimate we will consume 5,000,000 pounds of aluminum scrap per year making billets for our extrusion process.					
SECTION 6		TAXPAYER CERTIFICATION			
I hereby certify that the representations in this statement are true.					
Signature of authorized representative Jeff Long				Date signed (month, day, year)	
Printed name of authorized representative Jeff Long				Title Project Manager	

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed _____ calendar years* (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☐ No
 2. Residentially distressed areas ☐ Yes ☐ No
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (specify) _____
- E. Number of years allowed: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (* see below)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10
- F. 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.

We have also 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 (signature and title of authorized member of designating body)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

* 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.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

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.

EXHIBIT D

Statement of Benefits Personal Property (SB-1/PP)

(To be attached)



STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51764 (R4 / 11-15)

Prescribed by the Department of Local Government Finance

FOR Section 8, Item a.

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

1. 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.
2. 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.
3. 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.
4. 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)
5. 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 LT Aluminum, LLC			Name of contact person Jeff Long					
Address of taxpayer (number and street, city, state, and ZIP code) 1731 Adrian Road, Suite 12, Burlingame, CA 94010				Telephone number (574) 238-4683				
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT								
Name of designating body Town of Bristol			Resolution number (s)					
Location of property Parcels 20-03-32-200-006.000-31, 20-03-33-100-013.000-31, Bristol, IN			County Elkhart		DLGF taxing district number Bristol Town 031			
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.) Extruding machines, Smelters, Saws and other machines related to the smelting and extruding process.			ESTIMATED					
			START DATE		COMPLETION DATE			
			Manufacturing Equipment	12/01/2023	01/01/2025			
			R & D Equipment	12/01/2023	01/01/2025			
			Logist Dist Equipment	12/01/2023	01/01/2025			
IT Equipment			12/01/2023	01/01/2025				
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT								
Current number 0	Salaries 0	Number retained 0	Salaries 0	Number additional 150	Salaries 8,000,000			
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	0	0	0	0	0	0	0
	Plus estimated values of proposed project	5,100,000		700,000		850,000		150,000
	Less values of any property being replaced	0		0		0		0
Net estimated values upon completion of project	5,100,000		700,000		850,000		150,000	
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER								
Estimated solid waste converted (pounds) 5,000,000			Estimated hazardous waste converted (pounds)					
Other benefits: Recycled aluminum converted into billets								
SECTION 6 TAXPAYER CERTIFICATION								
I hereby certify that the representations in this statement are true.								
Signature of authorized representative <i>Jeff Long</i>				Date signed (month, day, year) 10/13/2023				
Printed name of authorized representative Jeff Long				Title Authorized Rep.				

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 _____ 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 type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 |
| 2. Installation of new research and development equipment; | <input type="checkbox"/> Yes <input type="checkbox"/> No | <i>Check box if an enhanced abatement was</i> |
| 3. Installation of new logistical distribution equipment. | <input type="checkbox"/> Yes <input type="checkbox"/> No | <i>approved for one or more of these types.</i> |
| 4. Installation of new information technology equipment; | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
- C. The amount of deduction applicable to new manufacturing equipment is limited to \$ _____ 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 |
| <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 | Number of years approved: _____ |
| | | | | | (Enter one to twenty (1-20) years; may not exceed twenty (20) years.) |
- 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)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by: (signature and title of attester)	Printed name of attester	

* 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

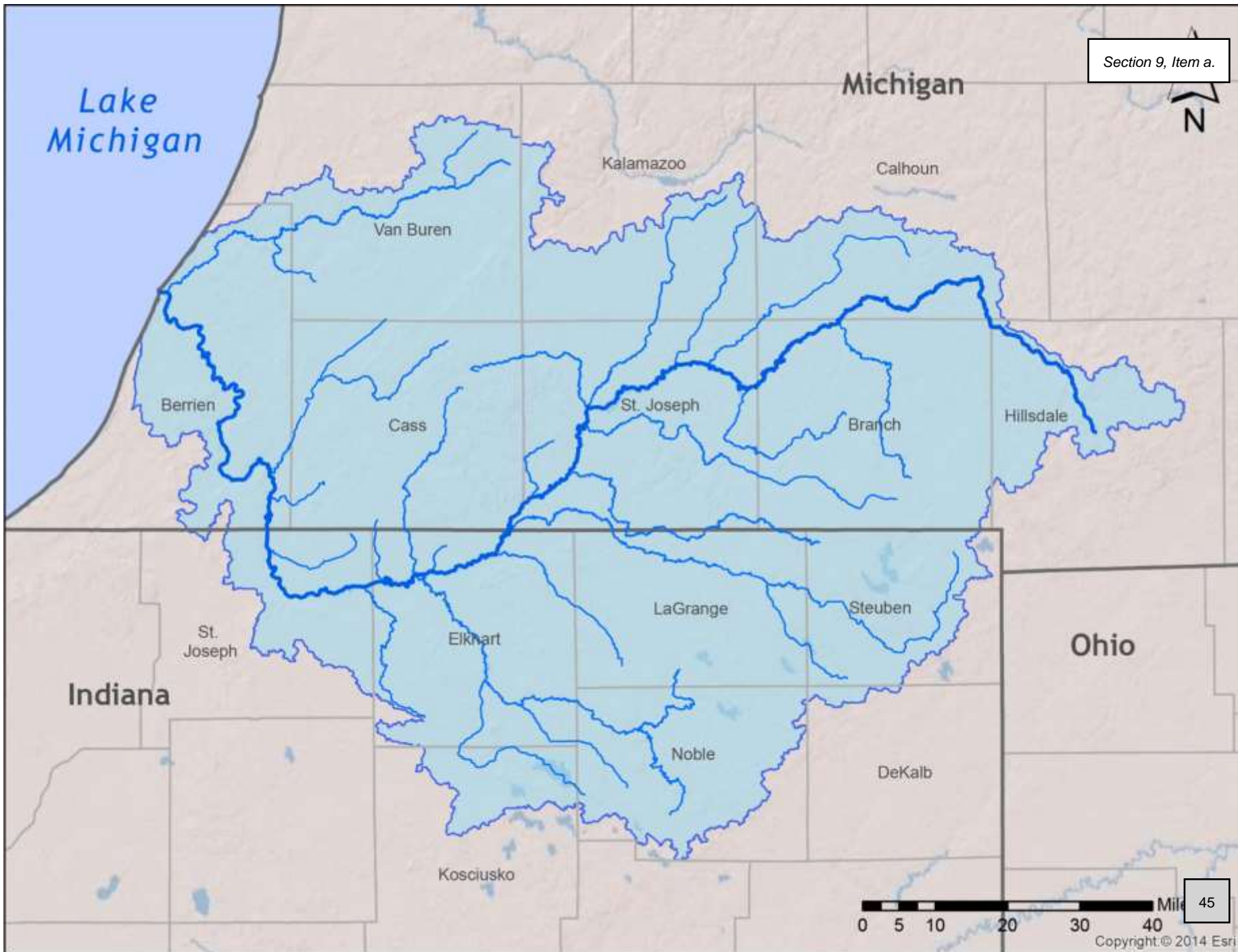
Abatement schedules

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.



PURPOSE: *The St. Joseph River Basin Commission exists to provide a forum for the discussion, study and evaluation of water resource issues of common concern and foster cooperative planning and coordinated management of the basin's water and related land resources.*

The St. Joseph River Basin Commission was created by the Indiana General Assembly in 1988 to address water quality issues in the St. Joseph River and all the lakes and streams that flow to it. The enabling statute of the Commission (IC 14-30-3) was amended in 2018 to expand the scope and powers of the Commission to address flooding as well. The Commission seeks to work with agencies, organizations and local units of government to:

- Develop plans and tools to improve water quality or mitigate flooding in the basin;
- Coordinate monitoring of water quality and hydrology in the basin;
- Promote best practices for urban stormwater and rural drainage management;
- Develop strategies to increase water infiltration and storage capacity in the basin;
- Distribute reports on the Commission's objectives, studies, and findings;
- Make recommendations in matters related to the Commission's objectives to political subdivisions in the basin and to other public and private agencies;
- Act as a coordinating agency for programs and activities of other public and private agencies that are related to the Commission's objectives;
- Serve as an advocate of the basin's interests before Congress and federal, state and local government agencies.

The SJRBC shall consist of the following (or their proxy):

- The **Mayor** of each Class-II City or the Executive of the municipality with the largest population if the County does not have a Class-II city
- A **County Commissioner** from each County
- The **Health Officer** from each County
- The **County Surveyor** from each County
- A **Representative of the SWCD** from each County
- The Director of the Indiana DNR

(paraphrased from IC 14-30-3-8)

SETTLEMENT FUNDS – DISTRIBUTION AND APPLICATION REQUIREMENTS

MONITORING FUND (\$42,895,000)

Every Settlement Class Member will receive a minimum payment from the Monitoring Fund as consideration for a Release. The funds are intended to pay for PCB sampling and/or any other mitigation efforts in the Settlement Class Member's sole discretion, as part of compliance with applicable law.

The amount of Monitoring Fund payments are based on each Settlement Class Member's NDPES Permittee status as Phase I or Phase II and each Settlement Class Member's population as follows:

1. Phase I \geq 100,000 pop. and Phase I independent port districts: $68 \times \$32,024.47 = \$2,177,663.96$
2. Phase I $<$ 100,000 pop.: $68 \times \$22,024.47 = \$1,497,663.96$
3. Phase II \geq 100,000 pop. and Phase II independent port districts: $214 \times \$27,024.47 = \$5,783,236.58$
4. Phase II $<$ 100,000 pop.: $1,956 \times \$17,024.47 = \$33,299,863.32$

Monitoring Fund Partial Payments: TMDL Entities receiving TMDL Funds between fifty thousand dollars (\$50,000) and one hundred thousand dollars (\$100,000) will receive a Monitoring Fund Partial Payment. The fourteen (14) TMDL Entities receiving a Monitoring Fund Partial Payment are identified [HERE](#), for a total of \$136,565.61.

Refer to the [Class Action Settlement Agreement, Exhibit A – Initial Settlement Class Members](#) for the MS4 NPDES Phase I or II by Population identification and Settlement Amount under the Monitoring Fund.

St. Joseph River Basin communities receiving PCB settlement funds from Monsanto:

- City of Angola
- Town of Bristol
- Elkhart County*
- City of Elkhart
- City of Goshen
- City of Kendallville
- Kosciusko County
- City of Mishawaka
- Town of Osceola
- Town of Roseland
- City of South Bend*
- St. Joseph County*
- Steuben County

**indicates communities who received ~\$27K; all other communities received ~\$17K*



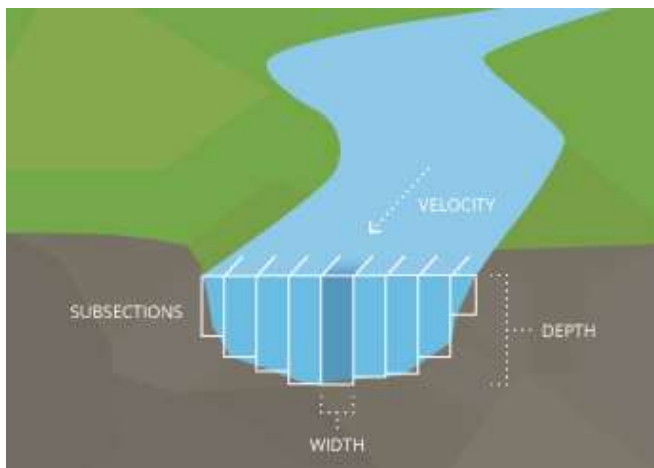
The St. Joseph River Basin Commission is offering a **cost-share opportunity** that allows communities to leverage their Monsanto settlement funds **for water monitoring** to support decision-making regarding water availability, land use and development in the region.

The Commission will:

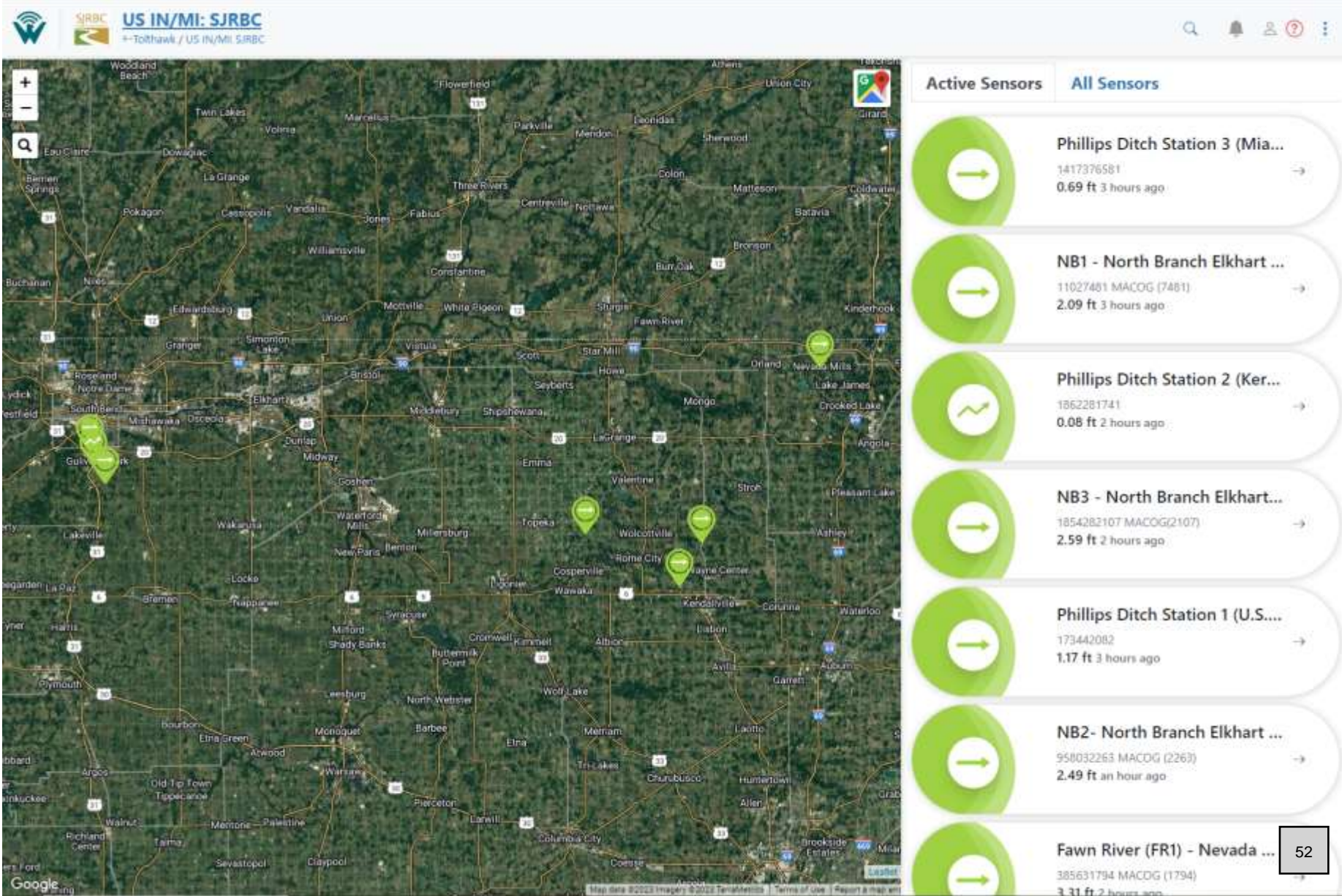
- Purchase the equipment, consisting of solar-powered sensors with cellular connectivity for real-time data transmission
- Pay the annual service fees for data transmission associated with the monitoring equipment
- Manage the contracts with service providers
- Secure contractor to install monitoring equipment and conduct the field measurements at selected monitoring sites.

The Local Government will:

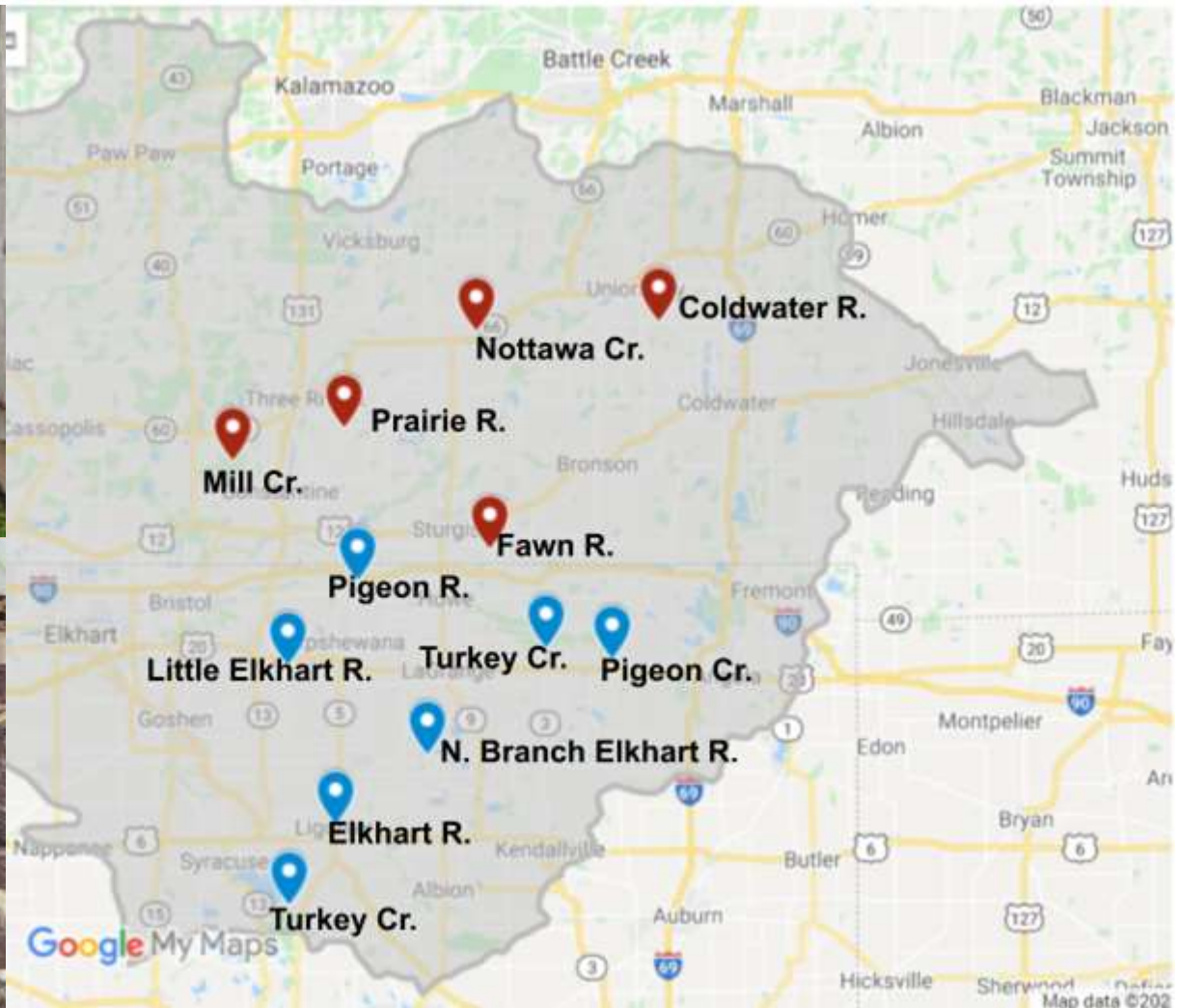
- Reimburse the Commission for equipment installation and field measurements at selected monitoring sites.



The screenshot displays the USGS National Water Information System: Mapper web application. The top navigation bar includes the USGS logo, the text "science for a changing world", and links for "National Water Information System: Mapper", "USGS Home", "Contact USGS", and "Search USGS". Below the navigation bar, the main map area shows a detailed view of the South Bend, Indiana region, including major roads like I-90 and I-190, and local landmarks such as the University of Notre Dame. Various water quality sites are plotted on the map, with different colors and symbols representing different types of sites (e.g., Groundwater Sites, Springs, Atmospheric Sites). A sidebar on the left provides search and filter options, including "Sites", "Map", "Search", and "Surface-Water Sites". The bottom of the page features a "Site Information" section.



SJRBC Biological Monitoring Program Sites



Site Name (catchment area, square miles)	ICI Score 2021	ICI Score 2022
Mill Creek (reference site) @ Preston Road	40 (Good)	48 (Exceptional)
Prairie River @ Hoshel Canoe County Park	26 (Fair)	44 (Very Good)
Nottawa Creek @ Olney Road	50 (Exceptional)	52 (Exceptional)
Coldwater River @ Riverbend County Park	42 (Very Good)	50 (Exceptional)
Fawn River @ Kime Bridge	38 (Good)	48 (Exceptional)
Pigeon Creek @ CR 327 near Angola	46 (Exceptional)	44 (Very Good)
Pigeon River @ Scott Mill	30 (Fair)	50 (Exceptional)
North Branch Elkhart River @ Delt Church Park	38 (Good)	34 (Marg. Good)
Elkhart River @ Ligonier	28 (Fair)	36 (Good)
Turkey Creek @ Wawasee Area	44 (Very Good)	54 (Exceptional)
Little Elkhart River @ CR 18 in Middlebury	42 (Very Good)	48 (Exceptional)
Turkey Creek of the Pigeon River	ND	50 (Exceptional)

Date of Issuance: October 30, 2023

Owner: Town of Bristol, Indiana

Project: Call 2023-1 Community Crossings Project

Contract:

Contractor: Niblock Excavation, Inc.

Owner's Contract No.:

Date of Contract:

Engineer's Project No.: **2021-0113**

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

The following changes are proposed:

- This Change Order for the Call 2023-1 Community Crossings Project accounts for revisions of original contract items based on Plan Set Revision 2 and Revision 3 for proposed reconstruction work at the intersection of Maple St and Depot St, Maple St from Indiana St to SR 120, and Depot St from Maple St to SR 15.

Attachments (list documents supporting change):

Call 2023-1 Community Crossings Project

CHANGE IN CONTRACT PRICE:

Previous Contract Price:

\$965,387.50

[Increase] [Decrease] to original contract price:

\$41,487.75

Contract Price following this Change Order:

\$923,899.75

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days ☐ Calendar days

—Substantial completion (days or date): _____

—Ready for final payment (days or date): _____

[Increase] [Decrease] from previously approved Change Orders
No. _____ to No. _____:

—Substantial completion (days): _____

—Ready for final payment (days): _____

Contract Times prior to this Change Order:

—Substantial completion (days or date): _____

—Ready for final payment (days or date): _____

[Increase] [Decrease] of this Change Order:

—Substantial completion (days or date): _____

—Ready for final payment (days or date): _____

Contract Times with all approved Change Orders:

—Substantial completion (days or date): _____

—Ready for final payment (days or date): _____

RECOMMENDED:

By: Michael Vall
Engineer (Authorized Signature)Date: 10/31/2023

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
Contractor (Authorized Signature)

Date: _____

MAPLE ST

From: DEPOT ST

To: INDIANA ST

Item	Description	Quantity Overrun/ (Underrun)	Unit	\$ Amount Overrun/ (Underrun)
2.05	Excavating, Common	(200)	CYS	(\$5,700.00)
2.06	Remove, Full Depth PCCP	(245)	SYS	(\$4,287.50)
2.10	Sign, Sheet, Remove	(6)	EA	(\$2,100.00)
2.12	Compacted Aggregate, No. 53	115	TON	\$4,887.50
2.14	Dense Graded Subbase	(10)	CYS	(\$1,200.00)
2.16	HMA, 2, 64, Surface 9.5 mm	40	TON	\$4,800.00
2.18	HMA, 2, 64, Base 25.0 mm	(120)	TON	(\$11,400.00)
2.20	Joint Adhesive, Surface	(150)	LFT	(\$97.50)
2.21	Joint Adhesive, Intermediate	115	LFT	\$74.75
2.22	Liquid Asphalt Sealant	200	LFT	\$10.00
2.23	HMA Patching Full Depth, Type B	25	TON	\$3,000.00
2.28	Guardrail End Treatment, Type SKT-SP-MGS, 12.5 ft.	(2)	EA	(\$9,100.00)
2.29	Guardrail, MGS W-Beam, 6 ft. 3 in. Spacing	(25)	LFT	(\$1,087.50)
2.30	Guardrail Reflector	(6)	EA	(\$420.00)
2.31	PCCP for Approaches, 6 in.	(45)	SYS	(\$4,275.00)
2.38	Line, Paint, Solid, White, 4 in.	(3,050)	LFT	(\$2,287.50)
2.40	Line, Paint, Solid, Yellow, 4 in.	(3,050)	LFT	(\$3,507.50)
2.47	Sign Post, Type '1', Unreinforced Anchor Base	(120)	LFT	(\$3,600.00)
2.48	Sign, Sheet, with Legend, 0.100 in.	(47)	SFT	(\$1,645.00)
2.49	Fence, Chain Link, Reset	(225)	LFT	(\$20,250.00)
Net [Overrun] [Underrun] =				(\$58,185.25)

MAPLE ST

From: INDIANA ST

To: SR 120

Item	Description	Quantity Overrun/ (Underrun)	Unit	\$ Amount Overrun/ (Underrun)
3.08	Milling, Asphalt, 1 1/2 in.	200	SYS	\$500.00
3.12	Compacted Aggregate, No. 53	55	TON	\$2,337.50
3.13	Compacted Aggregate, No. 73	10	TON	\$650.00
3.16	HMA, 2, 64, Surface 9.5 mm	35	TON	\$4,200.00
3.23	HMA Patching Full Depth, Type B	40	TON	\$4,800.00
3.25	Asphalt for Tack Coat	350	SYS	\$105.00
3.51	Curb and Gutter, Remove	40	LFT	\$3,480.00
3.52	Curb and Gutter, Combined	5	LFT	\$625.00
Net [Overrun] [Underrun] =				\$16,697.50

**CALL 2023-1 COMMUNITY CROSSINGS PROJECT
CHANGE ORDER NO. 2 SUMMARY**

ITEM	STREET	FROM	TO	\$ Amount Overrun/ (Underrun)
2	MAPLE STREET	DEPOT STREET	INDIANA STREET	(\$58,185.25)
3	MAPLE STREET	INDIANA STREET	SR 120	\$16,697.50
OVERALL CHANGE ORDER UNDERRUN				(\$41,487.75)

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PROPOSED BRISTOL-WASHINGTON TOWNSHIP FIRE PROTECTION TERRITORY
(Town of Bristol and Washington Township)
(ELKHART COUNTY, INDIANA)

Section 9, Item d.

PROPOSED TIMETABLE

<u>Deadline</u>	<u>Activity</u>
Thursday, January 4, 2024	Submit notice to taxpayers for the public hearings to newspaper(s) for publication.
Thursday, January 11, 2024	First publication of the notice to taxpayers of the public hearings for proposed Fire Territory.
Thursday, January 18, 2024	Second publication of notice to taxpayers of the public hearings for proposed Fire Territory.
Friday, January 26, 2024	Public Hearing #1 Joint public hearing of the Provider and Participating Unit for proposed fire territory. Time: 6:30 p.m. - 8:30 p.m. Location: Bristol Community Church, 201 South Division Street, Bristol, IN
Thursday, February 1, 2024	Submit notice to taxpayers to for the establishment of an Equipment Replacement Fund to newspaper(s) for publication.
Thursday, February 8, 2024	First publication of notice to taxpayers for the establishment of an Equipment Replacement Fund.
Friday, February 9, 2024	Public Hearing #2 Joint public hearing of the Provider and Participating Unit for proposed fire territory. Time: 6:30 p.m. - 8:30 p.m. Location: Bristol Community Church, 201 South Division Street, Bristol, IN
Thursday, February 15, 2024	Second publication of notice to taxpayers for the establishment of an Equipment Replacement Fund.
Friday, February 23, 2024	Public Hearing #3 and Public Hearing for the Equipment Replacement Fund Final joint public hearing of the Provider and Participating Unit for the proposed fire territory and equipment replacement fund. Time: 6:30 p.m. - 8:30 p.m. Location: Bristol Community Church, 201 South Division Street, Bristol, IN
Monday, March 4, 2024	Joint Adoption Meeting Adoption of identical Interlocal agreements and Ordinances to establish the Fire Territory Adoption of the Equipment Replacement Fund Ordinance Time: 6:30 p.m. Location: Bristol Town Hall, 303 E. Vistula St., Bristol, IN
Tuesday, March 5, 2024	Submit Notice of Adoption of Equipment Replacement Fund to newspaper(s) for publication.
Monday, March 11, 2024	Submit petition to DLGF for property tax levy for the newly established fire territory.
Thursday, March 14, 2024	Publication of Notice of Adoption for Equipment Replacement Fund. Starts 30-day remonstrance period.
Monday, April 15, 2024	Send Certificate of No Objection to the County Auditor for signature.
Monday, April 15, 2024	Send Equipment Replacement Fund documents to DLGF for approval.

PRELIMINARY DRAFT - SUBJECT TO CHANGE

10/23/2023

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Section 10, Item a.

WHEREAS the Town of Bristol is desirous of establishing a schedule of total compensation to include the salaries and benefits for its employees for the year 2023; and

WHEREAS the Town of Bristol Town Council has reviewed the financial condition of the Town for purposes of arriving at proposed total compensation to include salaries and benefits that are fiscally responsible, and which are fair, just, and equitable to its employees.

NOW THEREFORE BE IT ORDAINED by the Town of Bristol Town Council, that the total compensation for its elected officials and employees for January 1, 2023, through December 31, 2023, or from the date amended through December 31, 2023, shall be as follows:

2023 BASE PAY RATE SCHEDULE

TITLE	CLASSIFICATION	BASE PAY RATE	BUDGETED FUNDS
Town Council President	Elected Official Stipend	\$2,383.50 paid in June \$2,383.50 paid in December	100% General Fund
Town Council Member(s)	Elected Official Stipend	\$2,121.00 paid in June \$2,121.00 paid in December	100% General Fund
Park Board Member(s)	Appointed Official Stipend	\$975.00 paid in December	100% Park Fund
Town Manager [MY]	Exempt Full-Time	\$2,773.08 biweekly	100% General Fund
Clerk-Treasurer [CA]	Elected Official Exempt Full-Time	\$2,557.88 biweekly	100% General Fund
Deputy Clerk / Assistant Town Manager [JS]	Nonexempt Full-Time	\$27.83 per hour	100% General Fund
Utility Clerk	Non-exempt Part-Time	\$18.00 per hour	100% Water Fund
Town Marshal [MA]	Exempt Full-Time	\$3,230.77 biweekly	100% Police Fund
Chief Deputy [AD]	Nonexempt Full-Time	\$38.46 per hour	100% Police Fund
Sergeant [DL]	Nonexempt Full-Time	\$35.58 per hour	100% Police Fund
Detective [SP]	Nonexempt Full-Time	\$35.10 per hour	100% Police Fund
Corporal [KH]	Nonexempt Full-Time	\$33.65 per hour	100% Police Fund
Deputy Police Officer 1 [NR]	Nonexempt Full-Time	\$29.81 per hour	100% Police Fund
Deputy Police Officer 2 [JL]	Nonexempt Full-Time	\$27.88 per hour	100% Police Fund
Deputy Police Officer 3 [DM]	Nonexempt Full-Time	\$22.60 per hour	100% Public Safety Fund
Deputy Police Officer 4 [CS]	Nonexempt Full-Time	\$24.04 per hour	100% Public Safety Fund
Deputy Police Officer 4 [PD]	Nonexempt Full-Time	\$22.60 per hour	100% Public Safety Fund

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Section 10, Item a.

Ordinance Officer [RC]	Nonexempt Part-Time	\$23.08 per hour	100% Police Fund
Police Department Clerical Personnel [AA]	Nonexempt Full-Time	\$22.36 per hour	100% Police Fund
Street Department Employee – 1 [WB]	Nonexempt Full-Time	\$31.12 per hour	100% General Fund
Street Department Employee – 2 [DR]	Nonexempt Full-Time	\$31.12 per hour	100% General Fund
Street Department Employee – 3 [JR]	Nonexempt Full-Time	\$25.75 per hour	100% General Fund
Utility Employee – 1 [JS]	Nonexempt Full-Time	\$34.19 per hour	100% Water Fund
Utility Employee – 2 [TM]	Nonexempt Part-Time	\$36.00 per hour	65 % Wastewater Fund 35 % MS4
Utility Employee – 3 [KB]	Nonexempt Part-Time	\$23.75 per hour	100% Wastewater Fund
Utility Employee -4 [JM]	Non-exempt fulltime	\$31.50 per hour	100% Water fund
Utility Employee – 5 [DD]	Non-exempt fulltime	\$26.25 per hour	50% Water and 50% Wastewater Fund
Utility Department Clerk [CS]	Nonexempt Part-Time	\$15.70 per hour	100% Water Fund
Utility Department 1 Seasonal Employee	Nonexempt Season	\$15.00 per hour	100% Water Fund
4 Seasonal Employee(s) Various departments	Part-Time	\$15.00 per hour	25% MVH Fund 75% Cemetery
Summer Program Director	Nonexempt Seasonal	\$17.00 per hour	100% Park Fund
Summer Program Assistant	Nonexempt Seasonal	\$15.00 per hour	100% Park Fund
Park Program/Facility Director [KP]	Nonexempt Part-Time	\$17.00 per hour	100% Park Fund

GUIDELINES FOR THE PAYMENT OF BASE RATES

The Clerk-Treasurer and all full-time and part-time employees shall be paid bi-weekly in 2023 with the first biweekly pay date of January 14, 2023, based on the pay period designated as Sunday, December 26, 2022, through Saturday, January 8, 2023. The standard workweek is from Sunday through Saturday. All employees are paid biweekly which equates to 26 pays during 2023.

Exempt (EX) employees are paid to “get the job done” and their pay does not vary from week to week. Nonexempt (NE) employees are paid by the hour for all hours worked during each workweek.

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Section 10, Item a.

The Town Council President and the Town Council members will be paid on June 3, 2023, and on December 2, 2023, for the pay rates as listed in the 2023 Base Pay Rate Schedule above. Park Board members are paid on December 2, 2023, for the amount listed in the 2023 Base Pay Rate Schedule above.

Work Schedules/Hours/Breaks

The Town of Bristol will establish the standard workday, workweek, and starting and ending times for each department, considering current and anticipated workloads, public service needs, and other factors. Each department is responsible for communicating these work parameters to their employees. No established schedule will be construed as a guarantee of work hours or as a restriction of the Town of Bristol's right to restructure the workday or workweek.

Street Department employees will work from 7:00 a.m. until 3:00 p.m. Monday through Friday with two 15-minute paid breaks.

Water and Wastewater Department employees will work four 10-hour days per week. Either Monday through Thursday or Tuesday through Friday. Work hours are 6:30 am to 4:30 pm with two 15-minute paid breaks. An optional schedule is four 10-hour workdays with work hours of 6:30 am to 5:00 pm, with two 15-minute breaks and a 30-minute lunch break. Each employee is required to work a minimum of 1 weekend per month to perform IDEM-mandated testing. The weekend shift will be aligned with on-call duty schedules. c

Police Department employees are assigned to one of the following seven shifts:

- Shift A 6:00 a.m. – 2:00 p.m.
- Shift B 8:00 a.m. – 4:00 p.m.
- Shift C 10:00 a.m. – 6:00 p.m.
- Shift D 2:00 p.m. – 10:00 p.m.
- Shift E 4:00 p.m. – 12:00 a.m.
- Shift F 6:00 p.m. – 2:00 a.m.
- Shift M 10:00 p.m. – 6:00 a.m.

Police officers may be assigned to a non-routine shift beyond the shifts listed above.

The Town Manager, Assistant Town Manager, Clerk-Treasurer, Deputy Clerk, and Park Coordinator work from 8:00 a.m. until 4:00 p.m. Monday through Friday with two 15-minute paid breaks.

At the discretion of the Town of Bristol, nonexempt employees may be authorized to take break periods during each shift. Such breaks may not interfere with the proper performance of the employee's work responsibilities and may be set by Supervisors, or the Department Head.

Base wages are set by this salary ordinance for 2023 and any changes will require approval from the Town Council.

Employees of the Town of Bristol must meet the following guidelines in order to receive the base rates listed above per each department's guidelines.

PAY CONSIDERATIONS

Civilian Employees

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

All full-time civilian employees may be scheduled to work 40-hours per work week based upon 2,080 hours per calendar year. Five 8-hour days or four 10-hour days depending upon the department established work schedule.

All seasonal and/or part-time civilian employees may be scheduled to work less than the normal 40-hour workweek, or eight-hour shifts. However, there is no set schedule for these employees.

The Town Manager, or the Clerk-Treasurer, will determine the pay rate for their direct report employees who are hired mid-year for a position listed in the chart above, with the approval from the Town Council.

Police Department Employees

Full-time Police Department employees may be scheduled to work 40 hours in a seven-day work period.

Full-time Police Department employees voluntarily participating in the Selective Enforcement program will be compensated at one and one-half times their hourly rate for all hours worked in the Selective Enforcement program, above and beyond their normal daily duties. In 2023, there are approximately 10 hours per month for all Police Department employees collectively. The total hours worked will be paid from the Police Fund, based on an approved Elkhart County grant.

**Overtime/Compensatory Time/Flextime
Civilian Employees**

Overtime compensation will be paid to nonexempt employees at time and one-half of the employee's hourly pay rate for all hours worked over 40 in a standard workweek and in accordance with the Fair Labor Standards Act (FLSA). An employee's time off while using vacation, personal leave time, holidays, bereavement leave, jury or witness duty leave, or any other leave of absence will not be considered hours worked for purposes of performing overtime calculations. Overtime is generally discouraged and must be approved by an employee's Supervisor in advance, except in an unusual or emergency situation.

The Town of Bristol may allow compensatory time in lieu of overtime pay for nonexempt employees. Compensatory time is earned at the rate of one and one-half times the actual time worked. For example, a nonexempt employee who works one hour of overtime will receive one and one-half hours of compensatory time. Compensatory time may be accrued to a maximum of 40-hours and employees should use banked time as soon as possible after it has been earned. Upon termination of employment, the nonexempt employee is entitled to receive payment for earned and unused compensatory time at the regular hourly wage rate in effect at the date of termination, or the average of the past three-years, whichever is greater.

It may be possible for employees in certain situations, with the permission of their Supervisor, to work an adjusted or flexible work schedule. The schedule must not cause a reduction in the ability of that employee's department to properly perform its duties and responsibilities. The establishment of a flexible schedule may not result in the need to hire other employees or the use of overtime to cover those "traditional" hours not worked by the employee working a flexible schedule. A flexible schedule may allow for nonexempt employees to work more than eight-hours in a day but must not exceed 40-hours in a workweek.

Police Department Employees

All full-time Police Department employees who are engaged in law enforcement activities will be compensated in accordance with the Section 7(k) partial overtime pay exemption of the Fair Labor Standards Act (FLSA). In conjunction with the use of Section 7(k), the Town of Bristol adopts the

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Section 10, Item a.

use of a seven-day work period for the purposes of determining compensation for overtime hours worked. Based upon the foregoing, the wage rates for full-time employees of the Police Department as set forth in the Town of Bristol's annual salary ordinance constitutes straight-time compensation for all regularly scheduled hours of employment during each work period. All full-time Police Department employees will be paid straight time compensation for up to 40-hours in the seven-day work period. Overtime pay will be earned for all hours worked in excess of 40 hours during a seven-day work period. Overtime earned during a work period will be paid in the first regularly scheduled paycheck (the first paycheck after the seven-day work period) issued subsequent to the work period in which the extra compensation was earned.

“Call-In” Pay – Civilian and Police Department Employees

Nonexempt civilian employees who are called-in to work during nonworking hours will be paid a minimum of one-hour at their normal rate of pay for all hours worked and the hours worked will be used in the calculation of overtime for all hours worked over 40 in a workweek payable from the appropriate departmental budget.

Nonexempt civilian employees who are called-in to work during an approved scheduled vacation or personal leave time will be paid a minimum of one-hour at a rate of time and one-half their normal rate of pay for all hours worked. The hours worked will be paid from the appropriate departmental budget.

Nonexempt employees who are called-in to work during a holiday will be paid a minimum of one-hour at a rate of time and one-half their normal rate of pay for all hours worked in addition to their holiday pay, payable from the appropriate departmental budget.

Nonexempt employees in the Police Department who provide supervisorial consultation will be paid in blocks of 15-minutes which will be counted towards the 40-hours in a seven-day work period payable from the Police Department budget. Nonexempt employees in the Police Department who are “called-in” to work will be paid a minimum of one-hour. If they work beyond one hour, the amount of time will be rounded up in 15-minute increments and will be counted towards the 40-hours in a seven-day work period payable from the Police Department budget.

ADDITIONAL PAY CONSIDERATIONS

Hiring Bonuses

The Police Department offers a recruitment/hiring bonus to qualified police applicants who are hired after successfully completing the Indiana Law Enforcement Academy (ILEA) 16-week Basic Training Course. The hiring bonus is set at a maximum of \$5,000.00 and is payable in two parts. Part one of the hiring bonus is \$2,500.00, payable after the first full year of employment with satisfactory performance reviews. Part two of the hiring bonus is \$2,500.00, payable after the second full year of employment with satisfactory performance reviews. Recruitment/hiring bonuses are paid from the Police Department budget.

Training and Professional Development

On-the-job training (OTJ) prepares employees to perform the responsibilities required of his or her position. The Clerk-Treasurer and regular full-time and part-time employees may obtain training or education leave without loss of pay for the purpose of participating in training that will increase the knowledge and efficiency in their jobs. Employees may be paid straight-time pay for eight-hours per day while attending seminars, conferences, or training classes. Time spent in training and professional development will be considered hours worked. Employees may utilize flex-time, or be compensated with overtime or compensatory time for any hours over 40 in a training workweek.

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022

Section 10, Item a.

AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Expenses involved in attending training shall be paid for in advance, if possible, from the applicable departmental budget.

Certifications

Full-time employees in the Water and Wastewater Departments will receive pay for certifications that are required for the duties of their jobs. The total amount paid will be considered hours worked for purposes of performing overtime calculations and will be paid from the Water and Wastewater budgets.

Clothing Allowances

Members of the Town of Bristol Police Department Reserve Officer program, to include: Chaplain Officers, Reserve Officers, and Probationary Reserve Officers will receive a clothing allowance two times in 2023: one distribution in June of 2023 and one distribution in December of 2023 in the amounts listed below. Probationary Reserve Officers are not eligible for the clothing allowance until they satisfactorily complete the Pre-Basic Academy training and the Field Training Officer (FTO) program.

- Chaplain Officer = Up to \$400.00 per distribution
- Reserve Officer = Up to \$500.00 per distribution
- Probationary Reserve Officer = Up to \$500.00 per distribution after completion of required training. If required training is completed between distributions, the clothing allowance shall be prorated.

All clothing allowances will be taxed according to IRS rules and included on the employee's W-2.

Tenure Incentive Pay (TIP)

Tenure Incentive Pay (TIP) is available to regular full and part-time employees as a reward and recognition in response to their continued acceptable level of job performance after two years of service. Any full-time civilian employee is eligible for TIP under the civilian employee guidelines at a rate of \$100.00 per year of employment, not to exceed \$2,000.00. Any part-time employee is eligible for TIP under the civilian employee guidelines at a rate of \$50.00 per year of employment, not to exceed \$1,000.00. TIP compensation will be paid on the first available pay date in December. Any eligible employee employed by the Town on that date shall receive the TIP. Any employee who terminates employment prior to this date, they will not be eligible for the TIP. The total amount paid will be considered hours worked for purposes of performing overtime calculations and will be paid from the budgetary funds as noted in the 2023 Base Pay Rate Schedule above.

Police officers should refer to Appendix #1 - TIP Full-Time Sworn Law Enforcement Compensation Matrix at the end of the Salary Ordinance for information on Tenure Incentive Pay.

Emergency Closings

Non-critical service employees are expected to report for their regular work unless the County Emergency Management issues a media broadcast statement requiring that citizens are to remain off Town streets, or their Department Head contacts them prior to the start of the workday with alternate instructions. When the decision to close is made prior to the workday, or when the decision to close is made after the workday has begun, time off from scheduled work will be paid.

Critical service employees are expected to report for their regular shift assignment during emergency closings unless their Department Head has contacted the employees personally with alternate instructions. In these circumstances, employees who work will receive regular pay. A critical service employee may request to use vacation or personal leave time. However, the request may be denied with no recourse available to the employee except to report to work for his or her regular shift.

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Section 10, Item a.

Regular full-time employees who do not report to work on a day in which the workplace is open may use available vacation, personal leave time, or compensatory time, or the time will be unpaid. The Department Head may allow the employee to make up time missed, provided that the time is documented. Regular part-time employees who cannot report to work due to a weather or civil emergency will receive no pay for the day.

Refer to the Town of Bristol Employee Handbook for additional information regarding emergency closings.

BENEFITS SCHEDULE

Health Insurance

Medical, dental, and vision benefits are offered to the Clerk-Treasurer and eligible employees on the first day of the month following thirty-days of employment. Eligible employees include:

- Regular full-time employees

The Town of Bristol contributes 90% of the medical insurance age-based premium from the General Fund on behalf of the employee and their dependents and the employee is required to contribute 10% of the medical insurance age-based premium through payroll deduction as follows:

**Physicians
Health Plan
2023**

Age	Premium Rates	Age	Premium Rates	Age	Premium Rates
0	\$388.74	23	\$508.16	46	\$762.24
1	\$388.74	24	\$508.16	47	\$794.25
2	\$388.74	25	\$510.19	48	\$830.84
3	\$388.74	26	\$520.36	49	\$866.92
4	\$388.74	27	\$532.55	50	\$907.57
5	\$388.74	28	\$552.37	51	\$947.72
6	\$388.74	29	\$568.63	52	\$991.93
7	\$388.74	30	\$576.76	53	\$1,036.65
8	\$388.74	31	\$588.96	54	\$1,084.92
9	\$388.74	32	\$601.15	55	\$1,133.20
10	\$388.74	33	\$608.78	56	\$1,185.54
11	\$388.74	34	\$616.91	57	\$1,238.39
12	\$388.74	35	\$620.97	58	\$1,294.79
13	\$388.74	36	\$625.04	59	\$1,322.74
14	\$388.74	37	\$629.10	60	\$1,379.15
15	\$423.30	38	\$633.17	61	\$1,427.93
16	\$436.51	39	\$641.30	62	\$1,459.94
17	\$449.72	40	\$649.43	63	\$1,500.09
18	\$463.95	41	\$661.62	64	\$1,524.48
19	\$478.18	42	\$673.31	65+	\$1,524.48
20	\$492.92	43	\$689.57		
21	\$508.16	44	\$709.90		
22	\$508.16	45	\$733.78		

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Section 10, Item a.

The Town of Bristol contributes 100% for both the dental and vision insurance premiums from the General Fund on behalf of eligible employees and their dependents, as follows:

Dental Resources	Monthly Employer Contribution
Employee Only	\$37.08
Employee plus One	\$75.96
Employee plus Children	
Employee plus Family	\$133.71

VSP Vision Care	Monthly Employer Contribution
Employee Only	\$8.18
Employee plus One	\$13.78
Employee plus Children	\$14.07
Employee plus Family	\$22.68

The renewal dates for medical and dental insurance are on January 1, 2023. The renewal date for vision insurance is on March 1, 2023, and there may or may not be an increase in the premium totals after this date.

Refer to each Summary of Benefits and Coverage (SBC) document for additional information on medical, dental, and vision benefits offered by the Town of Bristol.

MetLife and AD&D Insurance

The Town of Bristol offers all eligible employees upon their date of hire participation in the MetLife and AD&D insurance benefits. Eligible employees include:

- Regular full-time employees

Eligible employees will be provided with a policy equal to a \$50,000 benefit. The Town of Bristol pays 100% of the premium totaling \$21.25 per employee per month. The renewal date for life and AD&D insurance is on January 1, 2023, and there may or may not be an increase in the premium totals after this date. Refer to the Plan Document for additional information on the life and AD&D insurance plan.

Short-Term Disability Insurance

The Town of Bristol provides a short-term disability insurance plan through MetLife at no cost to the employees. Eligible employees include:

- Regular full-time

The Town of Bristol pays 100% of the employees' salary-based premiums totaling \$438.04 per month from the General, Water, and Sewer Fund. The renewal date for short-term disability insurance is on January 1, 2023, and there may or may not be an increase in the premium totals after this date.

Employees may be eligible for short-term disability insurance on the first day of the month following 30-days of employment. Employer Paid Short Term - Elimination Period (Accident) – 0 days &

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Section 10, Item a.

Elimination Period (Sickness) – 7 days. Eligible employees may participate in the short-term disability insurance plan for one event each year. Benefits begin on the seventh day after the onset of a qualifying disability and may continue for up to 26-weeks at a rate of 60-percent of the eligible employee's pre-disability wages. The benefit may be reduced by other income benefits, disability earnings, and the employee's costs related to insurance benefits. All wages for short-term disability will be paid from the particular employee's budget lines as stated in the 2023 Base Pay Rate Schedule.

Refer to the Town of Bristol Employee Handbook for additional information on short-term disability insurance offered by the Town of Bristol.

Long-Term Disability Insurance

The Town of Bristol provides a long-term disability insurance plan through United Healthcare at no cost to the employees. Eligible employees include:

- Regular full-time employees

The Town of Bristol pays 100% of the employees' salary-based premiums totaling \$312.83 per month from the General, Water, and Sewer Fund. The renewal date for long-term disability insurance is on January 1, 2023, and there may or may not be an increase in the premium totals after this date.

Long-term disability insurance becomes effective at the point that the short-term disability leave is exhausted and may continue until the employee reaches the Social Security National Retirement Age.

Vacation, personal leave time, holiday pay, etc., will stop accruing during the time that the employee is out on long-term disability leave. Participation in the Town of Bristol's insurance benefit plans may be continued as determined by the appropriate carrier depending upon their ability to transfer each plan to an individual, non-Town sponsored benefit.

Refer to the Summary Plan Description (SPD) document for additional information on long-term disability insurance offered by the Town of Bristol.

NationWide - Civilian and Police Department Sworn Officers

Civilian

NationWide 457 and 401(a) plans offer eligible employees of the Town of Bristol a voluntary way to save for their retirement through tax-deferred contributions to their own individual accounts. Eligible employees include:

- Regular full-time employees
- Regular part-time employees

Eligible employees may participate in the 457(b)-retirement savings plan or a Roth IRA plan from their first day of employment.

Upon hire and during an employee's first anniversary year, the Town of Bristol will give a \$1,500.00 match to the full-time employee and \$750.00 to the part-time employee if they contribute to the 457(b)-retirement savings plan or a Roth IRA from the General Fund. This match will be deposited

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Section 10, Item a.

into the employee's 401(a) account, divided into 26 or 27 bi-weekly amounts, given the particular year.

After an employee's first anniversary, the Town will contribute \$2,000.00 to the full-time employee's 401(a) account and \$1,000.00 to the part-time employee's account, divided into equal bi-weekly portions for the remainder of the calendar year from the General Fund. Each subsequent calendar year, the Town will contribute \$2,000 to the full-time employee's 401(a) account and \$1,000 to the part-time employee's account, divided into 26 or 27 bi-weekly amounts, given the particular year.

PoliceDepartment–SwornOfficer

Upon hire and during an employee's first anniversary year, the Town of Bristol will give a \$1,500.00 match to the full-time employee and \$750.00 to the part-time employee if they contribute to the 457(b)-retirement savings plan or a Roth IRA from the General Fund. This match will be deposited into the employee's 401(a) account, divided into 26 or 27 bi-weekly amounts, given the particular year.

After an employee's first anniversary, the Town will contribute \$3,000.00 to the full-time employee's 401(a) account and \$2,000.00 to the part-time employee's account, divided into equal bi-weekly portions for the remainder of the calendar year from the General Fund. Each subsequent calendar year, the Town will contribute \$3,000 to the full-time employee's 401(a) account and \$2,000 to the part-time employee's account, divided into 26 or 27 bi-weekly amounts, given the particular year.

The Clerk-Treasurer has been appointed as the administrator of the Plan and is authorized to make deductions from the pay of employees who voluntarily participate, and to make such other arrangements as are necessary to implement the plan. The Town of Bristol bears the incidental expense of collecting the employees' deferrals and other minor administrative expenses.

Refer to the Summary Plan Description (SPD) document for additional information on retirement savings benefits offered by the Town of Bristol.

Vacation Benefits

Vacation benefits with pay are available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Elected officials are exempt from vacation benefits. Employees in the following employment classification(s) are eligible to earn and use vacation benefits as described in this policy:

- Regular full-time employees
- Regular part-time employees who work 30 or more hours per week

The amount of vacation benefits that employees receive each year increases with the length of their employment as shown in the following schedule:

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Section 10, Item a.

Years of Continuous Service	Number of Vacation Hours Earned by Full-Time Employees	Number of Vacation Hours Earned by Part-Time Employees
Upon hire or transfer into an eligible employment classification	One-day (eight-hours) for every two-months (five-days or 40-hour maximum)	One-half day (four-hours) for every two-months (2.5 days or 20-hour maximum)
On January 1 st after an employee's first anniversary	Five-days (40-hours)	Two and one-half days (20-hours)
On the second January 1 st through the fourth January 1 st	Ten-days (80-hours)	Five-days (40-hours)
On January 1 st of years five through nine	15-days (120-hours)	Seven and one-half days (60-hours)
On January 1 st in year ten and thereafter	20-days (160-hours)	Ten-days (80-hours)

Nonexempt employees may use vacation benefits in minimum increments of 15-minutes. Exempt employees may use vacation benefits in minimum increments of four-hours. Vacation benefits are credited for all years of continuous service for eligible employees who are on an active pay status. Vacation benefits are not earned while an employee is in a non-paid status, e.g. leave under the Family and Medical Leave Act (FMLA).

In the event that available vacation is not used by the end of the calendar year, the unused time will be forfeited. In certain situations, the Town Council may approve an extension of up to 40-hours of vacation benefits to be carried over into the next year to be used within the first 30-days of that year. Newly hired employees may carry over up to 40-hours of vacation benefits into the next year, but it must be used within the first 30-days of that year.

Upon voluntary termination of employment, employees will be paid for unused vacation benefits that have been earned through the last day of work. Upon involuntary termination of employment, employees will not be paid for unused vacation benefits that have been earned through the last day of work.

Vacation benefits are paid at the employee's base pay rate at the time of the day off times the number of hours the employee would normally have worked on that day. Vacation benefits are not considered hours worked for purposes of performing overtime calculations.

Refer to the Town of Bristol Employee Handbook for additional information on vacation benefits.

Personal Leave Time (PLT) Benefits

The Town of Bristol provides personal leave time (PLT) to all eligible employees for periods of temporary absence due to illnesses, injuries, or to take care of personal matters. Eligible employee classification(s):

- Regular full-time employees
- Regular part-time employees who work 30 or more hours per week

Newly hired eligible full-time employees will receive PLT at the rate of one working day (eight- hours) for every four-months of employment (January 1, May 1, and September 1). Newly hired eligible part-time employees will receive PLT at the rate of four-hours for every four-months of employment. All other employees will receive four (4) PLT days on January

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

1st of each year. Employees will not receive PLT if they are on an unpaid leave, or on a disability leave.

PLT may be used in one-half day increments. In the event that available PLT is not used by the end of the calendar year, it may be carried over to be used by the end of the following calendar year, or it will be paid out. Upon termination of employment, employees will not be paid for unused PLT that has been earned through the last day of work.

PLT is paid at the employee's base pay rate at the time of the day off times the number of hours the employee would normally have worked on that day. PLT is not considered hours worked for purposes of performing overtime calculations.

Refer to the Town of Bristol Employee Handbook for additional information on personal leave time (PLT) benefits.

Holidays

The Town of Bristol may grant paid holidays to all eligible employees. Eligible employee classification(s) include:

- Regular full-time employees
- Regular part-time employees who work 30 or more hours per week

Paid holidays in 2023 include the following:

Holiday	Date
New Year's Day	1/1/2023
Martin Luther King Jr. Day	01/16/2023
Presidents Day	02/20/2023
Memorial Day	5/29/2023
Independence Day	7/4/2023
Labor Day	9/4/2023
Columbus Day	10/09/2023
Veterans Day	11/11/2023
Thanksgiving Day	11/23/2023
Day after Thanksgiving	11/24/2023
Christmas Eve Day	12/24/2023
Observed on	12/22/2023
Christmas Day	12/25/2023
New Year's Eve Day	12/31/2023
Observed on	12/29/2023
New Year's Day	01/01/2024

Newly hired employees are eligible to receive holiday pay as soon as their employment begins.

The holiday schedule is determined by the Town Council. However, the holiday schedule may be amended by a Department Head, with written notice distributed to all departments within the municipality. If the holiday falls on a Sunday, it will be observed on the following Monday. If a holiday falls on a Saturday, it will be observed on the preceding Friday.

**TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022**

Section 10, Item a.

AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

If a recognized holiday falls during an eligible employee's approved paid absence such as vacation, personal leave time, or holiday pay will be provided instead of the paid time off benefit that would otherwise have applied. An employee absents without authorization on the workday preceding or following a holiday will not receive holiday pay. An employee scheduled to return from an unpaid leave on the day after a holiday, or whose leave without pay is approved through the end of the last business day preceding a holiday will not be paid for the holiday.

If eligible civilian full-time nonexempt employees work on a recognized holiday, they will receive holiday pay plus wages at a rate of time and one-half for the hours worked on the holiday. Police officers will receive straight-time pay for all hours worked on the holiday and will receive

compensatory time at a rate of time and one-half the police officer's regular rate of pay for all hours work on that day, in lieu of holiday pay.

Paid time off for holidays is paid at the employee's base pay rate at the time of the day off. A holiday is considered an eight-hour day for civilian full-time employees and a four-hour day for civilian part-time employees. Paid time off for holidays is not considered hours worked for purposes of performing overtime calculations.

Refer to the Town of Bristol Employee Handbook for additional information on holidays.

Bereavement Leave

Employees who wish to take time off due to the death of an immediate family member should notify their Supervisor immediately. Employees in the following categories are eligible for bereavement leave:

- Regular full-time employees
- Regular part-time employees who work 30 or more hours per week

Up to three consecutive days of paid bereavement leave may be provided to eligible employees in the event of a death of a spouse, child, parent, sibling, or other resident of the employee's household. Up to two consecutive days of paid bereavement leave may be provided to eligible employees in the event of a death of their grandparent. In the event of the death of a family member not listed above, an employee may use vacation or personal leave time to cover the absence. In extenuating circumstances, a Department Head may approve an extended bereavement leave.

Bereavement leave is paid at the employee's base pay rate at the time of the day off. One day of bereavement leave is considered an eight-hour day for full-time employees and a four-hour day for part-time employees. Paid time off for bereavement leave is not considered hours worked for purposes of performing overtime calculations.

Refer to the Town of Bristol Employee Handbook for additional information on bereavement leave.

Jury Duty

Employees may request up to one-week of paid jury duty leave each time they receive a jury duty summons. Employee classifications that qualify for paid jury duty leave are:

- Regular full-time employees
- Regular part-time employees
- Temporary/seasonal employees

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. The employee shall turn in any compensation received for the jury duty, or employees may request vacation, or personal leave time and retain any compensation earned for jury duty.

Jury duty is paid at the employee's base pay rate at the time of the day off times the number of hours the employee would normally have worked on that day and is not considered hours worked for purposes of performing overtime calculations.

Refer to the Town of Bristol Employee Handbook for additional information on jury duty.

Witness Duty

If a civilian employee has been subpoenaed or otherwise requested to testify as witnesses by the Town of Bristol, they will receive paid time for the entire period of witness duty. Any employee who is called to testify in court by the Town of Bristol will be paid his or her normal rate of pay for the time expended. Police officers who have been subpoenaed will receive paid time for the entire period of witness duty plus one hour of preparation time.

Employees will be granted time off to appear as a witness when requested by a party in a court of law when subpoenaed to do so other than by the Town of Bristol. Employees may utilize any available vacation, personal leave time, or compensatory time to receive compensation for the period of the absence, however, are not required to do so.

Refer to the Town of Bristol Employee Handbook for additional information on witness duty.

Time Off to Vote

Generally, employees can find time to vote either before or after their regular work schedule. If nonexempt employees are unable to vote in an election during their nonworking hours, the Town of Bristol may grant unpaid time off to vote.

Refer to the Town of Bristol Employee Handbook for additional information on time off to vote.

Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. Uniformed Services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable.

Employees will continue to receive full pay while on leave for 15-day training assignments and shorter absences. The portion of any military leaves of absence in excess of 15-days will be unpaid. However, employees may use any available vacation, or personal leave time for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible.

Benefit accruals, such as vacation, personal leave time, or holidays, etc., will be suspended during the leave after the first 30-days and will resume upon the employee's return to active employment.

Refer to the Town of Bristol Employee Handbook for additional information on military leave.

Business Travel Expense Policy

The Town of Bristol may reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022

Section 10, Item a.

AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

advance by the Town Marshal, the Clerk-Treasurer, or the Town Manager. Civilian employees whose travel plans have been approved are responsible for making their own travel arrangements. Arrangements for police officers will be made by the Police Department.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to

accomplishing business travel objectives may be reimbursed by the Town of Bristol. Employees are expected to limit expenses to reasonable amounts. Expenses that generally will be reimbursed include the following:

- Airfare or train fare for travel in coach or economy class or the lowest available fare.
- Car rental fees, only for compact or mid-sized cars.
- Fares for shuttle or airport bus service, where available; costs of public transportation for other ground travel.
- Taxi, Uber, or Lyft fares, only when there is no less expensive alternative.
- Mileage costs for use of personal vehicles, only when less expensive transportation is not available, and payable at the current IRS rate cents per mile, provided the employee demonstrates proof that he or she carries motor vehicle liability insurance as required by law. No mileage reimbursement will be made for travel between an employee's home and their workplace.
- Parking costs and highway-related tolls when an employee is entitled to claim reimbursement for mileage (see above).
- Cost of standard accommodations in low to mid-priced hotels, or similar lodgings, to include room costs, associated local taxes, and necessary business-related charges.
- Reimbursement for meals at a rate of \$45.00 per diem per day.
- The Town of Bristol will not reimburse employees for the purchase of alcoholic beverages under any circumstance.
- Tips not exceeding 15% of the total cost of a meal or 10% of a ground transportation fare.
- Charges for telephone calls, fax, and similar services required for business purposes.

Personal expenses incurred in traveling are not reimbursable, including but not limited to: room service, personal telephone calls, laundry, entertainment, in-room movies, and alcoholic beverages.

Per diem rates paid in advance or by reimbursement on a claim form must document the name of the employee, the date(s) for reimbursement, and additional details, as required.

When travel is completed, employees should submit completed travel expense reports to include itemized receipts or other proper documentation, approved by his or her Department Head of the actual expenses incurred to the Clerk-Treasurer. Employees should contact their Department Head for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues. The Town Council in its absolute and sole discretion shall make the final determination as to whether any such claim(s) will be paid.

Refer to the Town of Bristol Employee Handbook for additional information on business and travel expenses.

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Section 10, Item a.

PASSED by the Town Council of the Town of Bristol, Elkhart County, Indiana, this
____ day of April 2023

YAY

NAY

_____	Jeff Beachy, Pres.	_____
_____	Cathy Burke	_____
_____	Gregg Tuholski	_____
_____	Andrew Medford	_____
_____	Doug DeSmith	_____

ATTEST: _____
Cathy Antonelli, Clerk-Treasurer, Town of Bristol, Indiana

TOWN OF BRISTOL, INDIANA
SALARY ORDINANCE NO. 12-15-2022
AMENDED SALARY ORDINANCE NO. 09-02-2023- 27

Appendix #1 - Tenure Incentive Pay (TIP)
Full-Time Sworn Law Enforcement Compensation Matrix

Year(s) of service	1	2	3	4	5	6	7	8	9	10	11	12	13
1 Point	\$ -	\$ 200.00	\$ 300.00	\$ 400.00	\$ 500.00	\$ 600.00	\$ 700.00	\$ 800.00	\$ 900.00	\$ 1,000.00	\$ 1,100.00	\$ 1,200.00	\$ 1,300.00
2 Points	\$ -	\$ 300.00	\$ 400.00	\$ 500.00	\$ 600.00	\$ 700.00	\$ 800.00	\$ 900.00	\$ 1,000.00	\$ 1,100.00	\$ 1,200.00	\$ 1,300.00	\$ 1,400.00
3 Points	\$ -	\$ 400.00	\$ 500.00	\$ 600.00	\$ 700.00	\$ 800.00	\$ 900.00	\$ 1,000.00	\$ 1,100.00	\$ 1,200.00	\$ 1,300.00	\$ 1,400.00	\$ 1,500.00
4 Points	\$ -	\$ 500.00	\$ 600.00	\$ 700.00	\$ 800.00	\$ 900.00	\$ 1,000.00	\$ 1,100.00	\$ 1,200.00	\$ 1,300.00	\$ 1,400.00	\$ 1,500.00	\$ 1,600.00
5 Points	\$ -	\$ 600.00	\$ 700.00	\$ 800.00	\$ 900.00	\$ 1,000.00	\$ 1,100.00	\$ 1,200.00	\$ 1,300.00	\$ 1,400.00	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00
6 Points	\$ -	\$ 700.00	\$ 800.00	\$ 900.00	\$ 1,000.00	\$ 1,100.00	\$ 1,200.00	\$ 1,300.00	\$ 1,400.00	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00
7 Points	\$ -	\$ 800.00	\$ 900.00	\$ 1,000.00	\$ 1,100.00	\$ 1,200.00	\$ 1,300.00	\$ 1,400.00	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00
8 Points	\$ -	\$ 900.00	\$ 1,000.00	\$ 1,100.00	\$ 1,200.00	\$ 1,300.00	\$ 1,400.00	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00
9 Points	\$ -	\$ 1,000.00	\$ 1,100.00	\$ 1,200.00	\$ 1,300.00	\$ 1,400.00	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00
10 Points	\$ -	\$ 1,100.00	\$ 1,200.00	\$ 1,300.00	\$ 1,400.00	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00
11 Points	\$ -	\$ 1,200.00	\$ 1,300.00	\$ 1,400.00	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00
12 Points	\$ -	\$ 1,300.00	\$ 1,400.00	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00
13 Points	\$ -	\$ 1,400.00	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00
14 Points	\$ -	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00
15 Points	\$ -	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00
16 Points	\$ -	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00
17 Points	\$ -	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00
18 Points	\$ -	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00
19 Points	\$ -	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00
20 Points	\$ -	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00
21 Points	\$ -	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00
22 Points	\$ -	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00
23 Points	\$ -	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00
Year(s) of service	14	15	16	17	18	19	20	21	22	23	24	25+	
1 Point	\$ 1,400.00	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	
2 Points	\$ 1,500.00	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	
3 Points	\$ 1,600.00	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	
4 Points	\$ 1,700.00	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	
5 Points	\$ 1,800.00	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	
6 Points	\$ 1,900.00	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	
7 Points	\$ 2,000.00	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	
8 Points	\$ 2,100.00	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	
9 Points	\$ 2,200.00	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	
10 Points	\$ 2,300.00	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	
11 Points	\$ 2,400.00	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00	
12 Points	\$ 2,500.00	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00	\$ 3,600.00	
13 Points	\$ 2,600.00	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00	\$ 3,600.00	\$ 3,700.00	
14 Points	\$ 2,700.00	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00	\$ 3,600.00	\$ 3,700.00	\$ 3,800.00	
15 Points	\$ 2,800.00	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00	\$ 3,600.00	\$ 3,700.00	\$ 3,800.00	\$ 3,900.00	
16 Points	\$ 2,900.00	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00	\$ 3,600.00	\$ 3,700.00	\$ 3,800.00	\$ 3,900.00	\$ 4,000.00	
17 Points	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00	\$ 3,600.00	\$ 3,700.00	\$ 3,800.00	\$ 3,900.00	\$ 4,000.00	\$ 4,100.00	
18 Points	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00	\$ 3,600.00	\$ 3,700.00	\$ 3,800.00	\$ 3,900.00	\$ 4,000.00	\$ 4,100.00	\$ 4,200.00	
19 Points	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00	\$ 3,600.00	\$ 3,700.00	\$ 3,800.00	\$ 3,900.00	\$ 4,000.00	\$ 4,100.00	\$ 4,200.00	\$ 4,300.00	
20 Points	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00	\$ 3,600.00	\$ 3,700.00	\$ 3,800.00	\$ 3,900.00	\$ 4,000.00	\$ 4,100.00	\$ 4,200.00	\$ 4,300.00	\$ 4,400.00	
21 Points	\$ 3,400.00	\$ 3,500.00	\$ 3,600.00	\$ 3,700.00	\$ 3,800.00	\$ 3,900.00	\$ 4,000.00	\$ 4,100.00	\$ 4,200.00	\$ 4,300.00	\$ 4,400.00	\$ 4,500.00	
22 Points	\$ 3,500.00	\$ 3,600.00	\$ 3,700.00	\$ 3,800.00	\$ 3,900.00	\$ 4,000.00	\$ 4,100.00	\$ 4,200.00	\$ 4,300.00	\$ 4,400.00	\$ 4,500.00	\$ 4,600.00	
23 Points	\$ 3,600.00	\$ 3,700.00	\$ 3,800.00	\$ 3,900.00	\$ 4,000.00	\$ 4,100.00	\$ 4,200.00	\$ 4,300.00	\$ 4,400.00	\$ 4,500.00	\$ 4,600.00	\$ 4,700.00	

Rank	Patrolman	Corporal	Sergeant	Detective	Chief Deputy	Marshal
Points earned	1	2	3	3	4	5
Education	AA	BS/BA	MA	Ph.D.		
Points earned	2	4	6	8		
Specialized Training	1 Week	2 Weeks	3-10 Weeks	10-20 Weeks		
Points earned (Max 10 Points)	1	2	3	4		

ORDINANCE NO. 11/2/2023-____
AN ORDINANCE CREATING A 2023 JAG (Justice Assistance Grant Program) FUND
TOWN OF BRISTOL

WHEREAS, the Town of Bristol has received funds through The Indiana Criminal Justice Institute (the ‘State’) designated for specific purposes of (8) APX 8500 All Bank MP Mobile Car Radios, (8) APX 8000 All Band Portable Model 2.5, with Radio charger Impres 2 and Impres XP RSM Dual Mic programming and installation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA, in ELKHART COUNTY THAT there is hereby established a 2023 JAG FUND for money received from THE 2023 Edward Byrne Memorial Justice Assistance Grant Program (JAG).

BE IT FURTHER RESOLVED that Appropriations from the 2023 JAG Fund shall be made only for the purpose of expenditures authorized or provided for by guidelines established in the Grant Agreement Edward Byrne Memorial Justice Assistance Grant Program (JAG) Exhibit B (see attached).

Adopted by the Bristol Town Council of the Town of Bristol, Indiana, this third day of November, 2023, with _____ ayes and _____ nays.

Jeff Beachy, Council President

Cathy Burke, Member

Gregg Tuholski, Member

Andrew Medford, Member

Doug DeSmith, Member

ATTEST:

Cathy Antonelli, Clerk-Treasurer

ANNEXATION FISCAL PLAN FOR THE TOWN OF BRISTOL, INDIANA

HTIW Properties, LLC Phase I Annexation

October 26, 2023

Prepared by:



TABLE OF CONTENTS

	<u>Page(s)</u>
Introduction	1 - 2
Section I Area Description	
A. Location, Area Size and Contiguity	3
B. Current Land Use	3
C. Zoning	3
D. Current Population	3
E. Real Property Assessed Valuation	3
Section II Non-Capital Services	
A. Cost of Services	4
B. Police Protection	4
C. Fire Protection	4
D. Emergency Medical Services	5
E. Street Maintenance	5
F. Storm Water and Drainage	5
G. Parks	5
H. Governmental Administrative Services	6
Section III Capital Improvements	
A. Cost of Services	7
B. Water Service	7
C. Wastewater Service	7
D. Storm Water and Drainage	8
E. Street Construction	8
Section IV Fiscal Impact	9
Section V Assumed Indebtedness	10
Appendix I Estimated Assessed Value and Tax Rate Impact	11
Parcel List	12
Appendix II Map and Legal Description of Annexation Area	

INTRODUCTION

The following fiscal plan (the "Fiscal Plan") is for the proposed annexation of a parcel to the south of the existing corporate limits on the south side of Bristol (the "Annexation Area"). The Annexation Area is adjacent to the Town of Bristol, IN (the "Town"). The requirements of the Indiana Code mandate the development and adoption of a written fiscal plan and the establishment of a definite policy by resolution of the Town Council. The Indiana Code 36-4-3-13(d) states that this Fiscal Plan must include and provide:

- 1) The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency;
- 2) The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants and other funding to be used;
- 3) The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin;
- 4) That planned services of a non-capital nature, including police protection, fire protection, street and road maintenance, and other non-capital services normally provided within the corporate boundaries will be provided within one (1) year after the effective date of annexation, and that they will be provided in a manner equivalent in standard and scope to those non-capital services provided in areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density;
- 5) That services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria;
- 6) The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the proposed annexation applies, including the expected tax rates, tax levies, expenditure levels, service levels, and annual debt service payments in those political subdivisions for four (4) years after the effective date of the annexation;
- 7) The estimated effect the proposed annexation will have on municipal finances, specifically how municipal tax revenues will be affected by the annexation for four (4) years after the effective date of the annexation;

(Cont'd)

INTRODUCTION

- 8) Any estimated effects on political subdivisions in the county that are not part of the annexation and on taxpayers located in those political subdivisions for four (4) years after the effective date of the annexation; and
- 9) A list of all parcels of property in the annexation territory and the following information regarding each parcel:
 - (A) The name of the owner of the parcel.
 - (B) The parcel identification number.
 - (C) The most recent assessed value of the parcel.
 - (D) The existence of a known waiver of the right to remonstrate on the parcel.

This Fiscal Plan may include additional materials in connection with the foregoing. It was developed through the cooperative efforts of the Town's various administrative offices and the Town's financial advisors, Baker Tilly. This Fiscal Plan is the result of an analysis of the proposed Annexation Area.

The Annexation Area is contiguous to the Town for the purposes of Indiana Code 36-4-3-1.5, and there is a written Fiscal Plan, herein provided, that has been approved by the Town Council.

SECTION I**AREA DESCRIPTION****A. Location, Area Size and Contiguity**

The proposed Annexation Area is located on the south side of the existing corporate boundaries on the south side of the Town. A map and legal description of the area to be annexed have been included in attached Appendix II.

The Annexation Area is approximately 20 acres. The perimeter boundary of the Annexation Area is over 12.5% contiguous to the existing corporate boundaries of the Town.

B. Current Land Use

The Annexation Area consists of a parking lot.

C. Zoning

Existing Zoning: Agriculture (A-1)

Proposed Zoning: General Manufacturing (M-2)

D. Current Population

The current population of the Annexation Area is estimated at 0, as there does not appear to be any occupied homes within the Annexation Area.

E. Real Property Assessed Valuation

The estimated net assessed valuation for land and improvements in the Annexation Area is \$263,900. This represents the assessed value as of January 1, 2022 for taxes payable 2023.

SECTION II

NON-CAPITAL SERVICES

A. Cost of Services

The current standard and scope of non-capital services being delivered within the Town and the Annexation Area were evaluated by each municipal department to determine the personnel and equipment necessary to provide such non-capital services in a manner equivalent in standard and scope to services that are currently provided within the existing Town's municipal boundary.

The Town will provide all non-capital services to the Annexation Area within one (1) year after the effective date of the annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the Town regardless of topography, patterns of land use, and population density.

B. Police Protection

The Elkhart County Sheriff's Department currently provides police protection and law enforcement services to the Annexation Area. However, all non-capital services of the Bristol Police Department will be made available in the Annexation Area within 1 year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the Town.

The Town of Bristol Police Department's ("BPD") primary purpose is the prevention of crime. The BPD patrols within the boundaries of the Town on a daily basis and responds to all alarm calls. In addition, the BPD provides other services such as detection and apprehension of offenders, traffic control and preservation of civil order. The BPD does not distinguish between different areas of the Town. The same services are provided throughout the Town. Due to the location and character of the Annexation Area, the BPD does not anticipate additional costs as a result of the annexation.

C. Fire Protection

The Annexation Area is currently served by the Bristol Fire Department ("BFD"). The BFD serves the Town of Bristol, Washington Township and York Township through contractual agreements. Given the relatively small Annexation Area, it is anticipated that any increase in the cost of the contractual arrangement for fire services will be negligible.

SECTION II**(Cont'd)****NON-CAPITAL SERVICES****D. Emergency Medical Services**

Currently, the BFD provides emergency medical services to the Annexation Area. These services include, but are not limited to, emergency medical response. Given the relatively small Annexation Area, it is anticipated that any increase in the cost of the contractual arrangement for emergency medical services will be negligible.

E. Street Maintenance

There are no streets within the Annexation Area for which the Town will be responsible for maintenance; therefore, there will be no additional costs for the provision of street maintenance services upon annexation. However, all non-capital services of the Bristol Street Department will be made available in the Annexation Area within 1 year of the effective date of the annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other Areas within the corporate boundaries of the Town.

F. Storm Water and Drainage

Storm water and drainage facilities throughout the Annexation Area will be consistent with the Town's current storm water and drainage system throughout the Town. The Town and County have maintained their drainage areas very similarly, therefore it is not anticipated that there will be any additional cost to the Town. Any future development in the area will have to have its storm water plan approved by the Town, and any associated storm water and drainage costs will be borne by the developers. Nevertheless, all non-capital storm water services will be made available in the Annexation Area within 1 year of the effective date of the annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the Town.

G. Parks

There are currently four downtown parks in the Town of Bristol. Hermance Park has a rental pavilion and Congdon Park has a rental gazebo. Raber Golf Course is town-owned and is located across from Bay Ridge on the west end of Town. It is anticipated that no additional parks will be added as a result of annexation, therefore there will be no additional costs to the Town.

SECTION II**(Cont'd)****NON-CAPITAL SERVICES****H. Governmental Administrative Services**

The Town does not anticipate that the addition of the Annexation Area will result in a demand for Governmental Administrative Services that cannot be met by the existing staffing of the Town's offices, agencies and departments. All non-capital services of the administration of the Town will be made available in the Annexation Area on the date the annexation becomes effective and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the Town.

The Governmental Administrative Services of the Town include, but are not limited to, the services provided by the following:

- Town Council
- Clerk-Treasurer's Office
- Town Manager

SECTION III

CAPITAL IMPROVEMENTS

A. Cost of Services

The Annexation Area was evaluated to determine the services and facilities required to provide the same type of services in the same manner as services that are currently provided within the existing Town's corporate limits.

The Town will provide the following capital services to the Annexation Area no later than three (3) years after the effective date of the annexation in the same manner as those capital services provided to areas within the Town regardless of topography, patterns of land use, and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria. It is currently assumed that the annexation will be effective as soon as practically possible, but not later than December 31, 2023.

B. Water Service

The Annexation Area is currently not being served. The Bristol Municipal Water Utility provides water service in the surrounding area and has the capacity and capability to serve the Annexation Area if and when connection is desired. It is anticipated that new customers will pay the applicable tap fee and water assessment charges. It is important to note that the Water Utility is a separate proprietary fund of the Town that maintains separate books and records, and extensions in service are typically borne by the respective property owner or developer. Regardless, all capital services of the Water Department will be extended to the Annexation Area within 3 years of the effective date of the annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

C. Wastewater Service

The Annexation Area is currently not being served. The Bristol Municipal Sewage Works provides wastewater service in the surrounding area and has the capacity and capability to serve the Annexation Area if and when connection is desired. It is anticipated that new customers will pay the applicable tap fee and sewer assessment charges. It is important to note that the Sewage Works is a separate proprietary fund of the Town that maintains separate books and records, and extensions in service are typically borne by the respective property owner or developer. Regardless, all capital services of the Wastewater Department will be extended to the Annexation Area within 3 years of the effective date of the annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION III**(Cont'd)****CAPITAL IMPROVEMENTS****D. Storm Water and Drainage**

Storm water and drainage facilities throughout the Annexation Area will be consistent with the Town's current storm water and drainage system throughout the Town. Any future development in the Annexation Area will have to have their storm water plan approved by the Town, and any associated storm water and drainage costs will be borne by the developers, therefore it is not anticipated that there will be any additional cost to the Town. Regardless, all capital storm water services of the Town will be extended to the Annexation Area within three (3) years of the effective date of the annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

E. Street Construction

Construction of any new streets within the Annexation Area will be the responsibility of the appropriate developer in accordance with the applicable Town Code. There are currently no existing streets within the Annexation Area for which the Town will be responsible. Regardless, all capital services of the Street Department, including evaluation and construction services, will be extended to the Annexation Area within 3 years of the effective date of the annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION IV

FISCAL IMPACT

As a result of the annexation, based on the estimated assessed values as of January 1, 2024, the net assessed value for the Town is anticipated to increase by \$263,900, or approximately 0.09%. The net impact of increasing the Town's net assessed value will result in additional property tax revenues to the Town, which may be used to offset the cost of providing services to the Annexation Area.

It is assumed that the effective date of this annexation will be as soon as practically possible, but no later than December 31, 2023. Based on the assumed effective date, the property owner of the Annexation Area will not pay property taxes to the Town until 2024 payable 2025. However, the Town will begin providing non-capital municipal services to the property owners within one (1) year after the effective date, and it will begin providing capital municipal services to the property owners within three (3) years after the effective date.

It is anticipated that there will be no additional costs to the Town as a result of the annexation.

It is anticipated that the Town will realize an increase in its levy of approximately \$1,935 as a result of the annexation. However, the percentage increase in the levy will not exceed the percentage increase in the Town's assessed value; therefore, there is no anticipated tax rate increase as a direct result of the annexation. If there is a shortfall in revenue from the annexation, the services described in this plan can be provided using funds on hand.

Based on the assumed annual growth factors noted on page 11, the additional levy will be approximately \$2,030 in 2026, \$2,127 in 2027 and \$2,218 in 2028. The estimated impacts on other taxing units will be negligible, as there will be no circuit breaker losses tied to the parcel within the Annexation Area.

SECTION V**ASSUMED INDEBTEDNESS**

As required by Indiana Code 36-4-3-10, the Town will assume and pay any unpaid bonds or other obligations of Washington Township existing at the effective date of the annexation in the same ratio as the assessed valuation of the property in the Annexation Area bears to the assessed valuation of all property in Washington Township, as shown by the most recent assessment for taxation before the annexation, unless the assessed property within the Town is already liable for the indebtedness.

There is no debt currently outstanding for Washington Township.

Appendix I

TOWN OF BRISTOL, INDIANA

Section 11, Item a.

Annexation

ESTIMATED ASSESSED VALUE AND TAX RATE IMPACT

Assumes first year of tax collections from Annexation Area is 2024 payable 2025

<u>Assessment Year</u>	<u>Estimated Net Assessed Value of Annex. Area</u>	<u>Estimated Net Assessed Value of Town</u>	<u>Total Est. Net Assessed Value of Town</u>	<u>Est. Property Tax Levy of Town</u>	<u>Est. Property Tax Rate</u>
	(1)	(2)	(3)	(4),(5),(6)	(7)
2022 Pay 2023	N/A	\$241,522,326	\$241,522,326	\$2,100,761	\$0.8698
2023 Pay 2024	N/A	278,139,050	278,139,050	2,198,270	0.7903
2024 Pay 2025	\$263,900	292,046,003	292,309,903	2,289,658	0.7833
2025 Pay 2026	263,900	306,648,303	306,912,203	2,401,991	0.7826
2026 Pay 2027	263,900	321,980,718	322,244,618	2,517,586	0.7813
2027 Pay 2028	263,900	338,079,754	338,343,654	2,626,963	0.7764

- (1) Based on the current net assessed value of the real property in the Annexation Area as gathered from the Elkhart County Assessor's office.
- (2) Assumes the assessed value for the Town of Bristol, excluding the Annexation Area, grows at a rate of 5%.
- (3) Represents the net assessed value for the Town, including the Annexation Area, used to calculate the tax rate.
- (4) Assumes controlled property tax levies increase by an annual growth factor as follows:

<u>Year</u>	<u>Controlled Levy Growth</u>
2024	4.0%
2025	4.0%
2026	4.9%
2027	4.8%
2028	4.3%

- (5) Assumes the CCD and Cumulative Fire rates remain constant, which results in additional levy to both funds due to NAV growth.
- (6) Assumes the Town receives an automatic increase in its levy equal to its percentage increase in net assessed value as a result of annexation.
- (7) Based on the Est. Property Tax Levy of Town divided by the Total Est. Net Assessed Value of Town.

TOWN OF BRISTOL, INDIANA

*Annexation***PARCEL LIST**

<u>Parcel ID</u>	<u>Owner</u>	<u>2022 pay 2023 Net Assessed Value</u>	<u>Remonstrance Waiver</u>
20-03-34-400-001.000-030	HTIW Properties, LLC	<u>\$263,900</u>	No

Appendix II

RESOLUTION NO. 11-2-2023-25

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
BRISTOL, INDIANA, ADOPTING A FISCAL PLAN FOR THE
ANNEXATION OF CERTAIN TERRITORY INTO THE TOWN
OF BRISTOL, INDIANA

WHEREAS, the Town Council (the “Council”) of the Town of Bristol, Indiana (the “Town”) is considering the voluntary annexation of certain territory into the Town; and

WHEREAS, the area to be annexed is legally described and depicted in Appendix II to the Fiscal Plan (as defined herein) (the “Annexation Territory”); and

WHEREAS, pursuant to Indiana Code § 36-4-3-3.1(d), the Council is required to adopt a written fiscal plan and establish a definitive policy, by resolution, that meets the requirements set forth in Indiana Code § 36-4-3-13 for the Annexation Territory, prior to adopting an annexation ordinance; and

WHEREAS, the required fiscal plan, included as Exhibit A (the “Fiscal Plan”) and attached hereto and made a part hereof, has been prepared and presented to this Council for consideration; and

WHEREAS, the Fiscal Plan has been reviewed and complies with the requirements of Indiana Code § 36-4-3-13.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bristol, Indiana meeting in regular session as follows:

- Section 1. The foregoing Recitals are fully incorporated herein by this reference.
- Section 2. The Fiscal Plan is hereby approved and adopted for the Annexation Territory.
- Section 3. This Resolution shall be in full force and effect immediately upon its adoption.

* * * * *

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA THIS
2nd DAY OF NOVEMBER, 2023.

TOWN COUNCIL
OF THE TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Andrew Medford

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer

KD_14862372_1.docx

EXHIBIT A

FISCAL PLAN

(To be attached)

ANNEXATION FISCAL PLAN FOR THE TOWN OF BRISTOL, INDIANA

HTIW Properties, LLC Phase I Annexation

October 26, 2023

Prepared by:



TABLE OF CONTENTS

	<u>Page(s)</u>
Introduction	1 - 2
Section I Area Description	
A. Location, Area Size and Contiguity	3
B. Current Land Use	3
C. Zoning	3
D. Current Population	3
E. Real Property Assessed Valuation	3
Section II Non-Capital Services	
A. Cost of Services	4
B. Police Protection	4
C. Fire Protection	4
D. Emergency Medical Services	5
E. Street Maintenance	5
F. Storm Water and Drainage	5
G. Parks	5
H. Governmental Administrative Services	6
Section III Capital Improvements	
A. Cost of Services	7
B. Water Service	7
C. Wastewater Service	7
D. Storm Water and Drainage	8
E. Street Construction	8
Section IV Fiscal Impact	9
Section V Assumed Indebtedness	10
Appendix I Estimated Assessed Value and Tax Rate Impact	11
Parcel List	12
Appendix II Map and Legal Description of Annexation Area	

INTRODUCTION

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- 3) The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin;
- 4) That planned services of a non-capital nature, including police protection, fire protection, street and road maintenance, and other non-capital services normally provided within the corporate boundaries will be provided within one (1) year after the effective date of annexation, and that they will be provided in a manner equivalent in standard and scope to those non-capital services provided in areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density;
- 5) That services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria;
- 6) The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the proposed annexation applies, including the expected tax rates, tax levies, expenditure levels, service levels, and annual debt service payments in those political subdivisions for four (4) years after the effective date of the annexation;
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(Cont'd)

INTRODUCTION

- 8) Any estimated effects on political subdivisions in the county that are not part of the annexation and on taxpayers located in those political subdivisions for four (4) years after the effective date of the annexation; and
- 9) A list of all parcels of property in the annexation territory and the following information regarding each parcel:
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 - (B) The parcel identification number.
 - (C) The most recent assessed value of the parcel.
 - (D) The existence of a known waiver of the right to remonstrate on the parcel.

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The Annexation Area is approximately 20 acres. The perimeter boundary of the Annexation Area is over 12.5% contiguous to the existing corporate boundaries of the Town.

B. Current Land Use

The Annexation Area consists of a parking lot.

C. Zoning

Existing Zoning: Agriculture (A-1)

Proposed Zoning: General Manufacturing (M-2)

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The current population of the Annexation Area is estimated at 0, as there does not appear to be any occupied homes within the Annexation Area.

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SECTION II

NON-CAPITAL SERVICES

A. Cost of Services

The current standard and scope of non-capital services being delivered within the Town and the Annexation Area were evaluated by each municipal department to determine the personnel and equipment necessary to provide such non-capital services in a manner equivalent in standard and scope to services that are currently provided within the existing Town's municipal boundary.

The Town will provide all non-capital services to the Annexation Area within one (1) year after the effective date of the annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the Town regardless of topography, patterns of land use, and population density.

B. Police Protection

The Elkhart County Sheriff's Department currently provides police protection and law enforcement services to the Annexation Area. However, all non-capital services of the Bristol Police Department will be made available in the Annexation Area within 1 year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the Town.

The Town of Bristol Police Department's ("BPD") primary purpose is the prevention of crime. The BPD patrols within the boundaries of the Town on a daily basis and responds to all alarm calls. In addition, the BPD provides other services such as detection and apprehension of offenders, traffic control and preservation of civil order. The BPD does not distinguish between different areas of the Town. The same services are provided throughout the Town. Due to the location and character of the Annexation Area, the BPD does not anticipate additional costs as a result of the annexation.

C. Fire Protection

The Annexation Area is currently served by the Bristol Fire Department ("BFD"). The BFD serves the Town of Bristol, Washington Township and York Township through contractual agreements. Given the relatively small Annexation Area, it is anticipated that any increase in the cost of the contractual arrangement for fire services will be negligible.

SECTION II

(Cont'd)

NON-CAPITAL SERVICES

D. Emergency Medical Services

Currently, the BFD provides emergency medical services to the Annexation Area. These services include, but are not limited to, emergency medical response. Given the relatively small Annexation Area, it is anticipated that any increase in the cost of the contractual arrangement for emergency medical services will be negligible.

E. Street Maintenance

There are no streets within the Annexation Area for which the Town will be responsible for maintenance; therefore, there will be no additional costs for the provision of street maintenance services upon annexation. However, all non-capital services of the Bristol Street Department will be made available in the Annexation Area within 1 year of the effective date of the annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other Areas within the corporate boundaries of the Town.

F. Storm Water and Drainage

Storm water and drainage facilities throughout the Annexation Area will be consistent with the Town's current storm water and drainage system throughout the Town. The Town and County have maintained their drainage areas very similarly, therefore it is not anticipated that there will be any additional cost to the Town. Any future development in the area will have to have its storm water plan approved by the Town, and any associated storm water and drainage costs will be borne by the developers. Nevertheless, all non-capital storm water services will be made available in the Annexation Area within 1 year of the effective date of the annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the Town.

G. Parks

There are currently four downtown parks in the Town of Bristol. Hermance Park has a rental pavilion and Congdon Park has a rental gazebo. Raber Golf Course is town-owned and is located across from Bay Ridge on the west end of Town. It is anticipated that no additional parks will be added as a result of annexation, therefore there will be no additional costs to the Town.

SECTION II**(Cont'd)****NON-CAPITAL SERVICES****H. Governmental Administrative Services**

The Town does not anticipate that the addition of the Annexation Area will result in a demand for Governmental Administrative Services that cannot be met by the existing staffing of the Town's offices, agencies and departments. All non-capital services of the administration of the Town will be made available in the Annexation Area on the date the annexation becomes effective and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the Town.

The Governmental Administrative Services of the Town include, but are not limited to, the services provided by the following:

- Town Council
- Clerk-Treasurer's Office
- Town Manager

SECTION III

CAPITAL IMPROVEMENTS

A. Cost of Services

The Annexation Area was evaluated to determine the services and facilities required to provide the same type of services in the same manner as services that are currently provided within the existing Town's corporate limits.

The Town will provide the following capital services to the Annexation Area no later than three (3) years after the effective date of the annexation in the same manner as those capital services provided to areas within the Town regardless of topography, patterns of land use, and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria. It is currently assumed that the annexation will be effective as soon as practically possible, but not later than December 31, 2023.

B. Water Service

The Annexation Area is currently not being served. The Bristol Municipal Water Utility provides water service in the surrounding area and has the capacity and capability to serve the Annexation Area if and when connection is desired. It is anticipated that new customers will pay the applicable tap fee and water assessment charges. It is important to note that the Water Utility is a separate proprietary fund of the Town that maintains separate books and records, and extensions in service are typically borne by the respective property owner or developer. Regardless, all capital services of the Water Department will be extended to the Annexation Area within 3 years of the effective date of the annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

C. Wastewater Service

The Annexation Area is currently not being served. The Bristol Municipal Sewage Works provides wastewater service in the surrounding area and has the capacity and capability to serve the Annexation Area if and when connection is desired. It is anticipated that new customers will pay the applicable tap fee and sewer assessment charges. It is important to note that the Sewage Works is a separate proprietary fund of the Town that maintains separate books and records, and extensions in service are typically borne by the respective property owner or developer. Regardless, all capital services of the Wastewater Department will be extended to the Annexation Area within 3 years of the effective date of the annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION III**(Cont'd)****CAPITAL IMPROVEMENTS****D. Storm Water and Drainage**

Storm water and drainage facilities throughout the Annexation Area will be consistent with the Town's current storm water and drainage system throughout the Town. Any future development in the Annexation Area will have to have their storm water plan approved by the Town, and any associated storm water and drainage costs will be borne by the developers, therefore it is not anticipated that there will be any additional cost to the Town. Regardless, all capital storm water services of the Town will be extended to the Annexation Area within three (3) years of the effective date of the annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

E. Street Construction

Construction of any new streets within the Annexation Area will be the responsibility of the appropriate developer in accordance with the applicable Town Code. There are currently no existing streets within the Annexation Area for which the Town will be responsible. Regardless, all capital services of the Street Department, including evaluation and construction services, will be extended to the Annexation Area within 3 years of the effective date of the annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION IV

FISCAL IMPACT

As a result of the annexation, based on the estimated assessed values as of January 1, 2024, the net assessed value for the Town is anticipated to increase by \$263,900, or approximately 0.09%. The net impact of increasing the Town's net assessed value will result in additional property tax revenues to the Town, which may be used to offset the cost of providing services to the Annexation Area.

It is assumed that the effective date of this annexation will be as soon as practically possible, but no later than December 31, 2023. Based on the assumed effective date, the property owner of the Annexation Area will not pay property taxes to the Town until 2024 payable 2025. However, the Town will begin providing non-capital municipal services to the property owners within one (1) year after the effective date, and it will begin providing capital municipal services to the property owners within three (3) years after the effective date.

It is anticipated that there will be no additional costs to the Town as a result of the annexation.

It is anticipated that the Town will realize an increase in its levy of approximately \$1,935 as a result of the annexation. However, the percentage increase in the levy will not exceed the percentage increase in the Town's assessed value; therefore, there is no anticipated tax rate increase as a direct result of the annexation. If there is a shortfall in revenue from the annexation, the services described in this plan can be provided using funds on hand.

Based on the assumed annual growth factors noted on page 11, the additional levy will be approximately \$2,030 in 2026, \$2,127 in 2027 and \$2,218 in 2028. The estimated impacts on other taxing units will be negligible, as there will be no circuit breaker losses tied to the parcel within the Annexation Area.

SECTION V**ASSUMED INDEBTEDNESS**

As required by Indiana Code 36-4-3-10, the Town will assume and pay any unpaid bonds or other obligations of Washington Township existing at the effective date of the annexation in the same ratio as the assessed valuation of the property in the Annexation Area bears to the assessed valuation of all property in Washington Township, as shown by the most recent assessment for taxation before the annexation, unless the assessed property within the Town is already liable for the indebtedness.

There is no debt currently outstanding for Washington Township.

Appendix I

TOWN OF BRISTOL, INDIANA

Section 11, Item a.

Annexation

ESTIMATED ASSESSED VALUE AND TAX RATE IMPACT

Assumes first year of tax collections from Annexation Area is 2024 payable 2025

<u>Assessment Year</u>	<u>Estimated Net Assessed Value of Annex. Area</u>	<u>Estimated Net Assessed Value of Town</u>	<u>Total Est. Net Assessed Value of Town</u>	<u>Est. Property Tax Levy of Town</u>	<u>Est. Property Tax Rate</u>
	(1)	(2)	(3)	(4),(5),(6)	(7)
2022 Pay 2023	N/A	\$241,522,326	\$241,522,326	\$2,100,761	\$0.8698
2023 Pay 2024	N/A	278,139,050	278,139,050	2,198,270	0.7903
2024 Pay 2025	\$263,900	292,046,003	292,309,903	2,289,658	0.7833
2025 Pay 2026	263,900	306,648,303	306,912,203	2,401,991	0.7826
2026 Pay 2027	263,900	321,980,718	322,244,618	2,517,586	0.7813
2027 Pay 2028	263,900	338,079,754	338,343,654	2,626,963	0.7764

- (1) Based on the current net assessed value of the real property in the Annexation Area as gathered from the Elkhart County Assessor's office.
- (2) Assumes the assessed value for the Town of Bristol, excluding the Annexation Area, grows at a rate of 5%.
- (3) Represents the net assessed value for the Town, including the Annexation Area, used to calculate the tax rate.
- (4) Assumes controlled property tax levies increase by an annual growth factor as follows:

<u>Year</u>	<u>Controlled Levy Growth</u>
2024	4.0%
2025	4.0%
2026	4.9%
2027	4.8%
2028	4.3%

- (5) Assumes the CCD and Cumulative Fire rates remain constant, which results in additional levy to both funds due to NAV growth.
- (6) Assumes the Town receives an automatic increase in its levy equal to its percentage increase in net assessed value as a result of annexation.
- (7) Based on the Est. Property Tax Levy of Town divided by the Total Est. Net Assessed Value of Town.

TOWN OF BRISTOL, INDIANA

*Annexation***PARCEL LIST**

<u>Parcel ID</u>	<u>Owner</u>	<u>2022 pay 2023 Net Assessed Value</u>	<u>Remonstrance Waiver</u>
20-03-34-400-001.000-030	HTIW Properties, LLC	<u>\$263,900</u>	No

Appendix II

MAP OF THE ANNEXATION TERRITORY



ORDINANCE NO. 11-2-2023-26

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN
OF BRISTOL, INDIANA ANNEXING CERTAIN TERRITORY
AND DECLARING THE SAME TO BE A PART OF THE TOWN
OF BRISTOL, INDIANA

WHEREAS, the Town Council (the “Council”) of the Town of Bristol, Indiana (the “Town”) has the authority to annex lands into the Town pursuant to Indiana Code § 36-4-3 (the “Act”); and

WHEREAS, the Council received a petition for voluntary annexation into the Town (the “Petition”); and

WHEREAS, the Petition requests that one parcel located at 54567 SR 15, Washington Township, Elkhart County, Indiana and identified in the Elkhart County, Indiana property records as Parcel Number 20-03-34-400-001.000-030, consisting of approximately 20 acres (the “Annexation Territory”), be annexed by the Town; and

WHEREAS, the Petition has been signed by one hundred percent (100%) of the owners of land within the Annexation Territory; and

WHEREAS, a legal description and map of the Annexation Territory are attached hereto as Exhibit A and Exhibit B, respectively, and incorporated herein by reference; and

WHEREAS, the Annexation Territory is contiguous to the current boundaries of the Town in accordance with Section 1.5 of the Act and has not been previously annexed; and

WHEREAS, the Annexation Territory is currently zoned under Elkhart County zoning as Limited Manufacturing (M-1); and

WHEREAS, the Council has adopted, by resolution, a fiscal plan for the annexation of the Annexation Territory in accordance with Section 3.1(d) of the Act; and

WHEREAS, the Council has conducted a public hearing on October 19, 2023, as required by law with regard to the annexation of the Annexation Territory; and

WHEREAS, the Council now finds that the statutory criteria under the Act for annexation have been met.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bristol, Indiana, as follows:

- Section 1. The foregoing Recitals are fully incorporated herein by this reference.
- Section 2. In accordance with Section 5.1 of the Act, the Annexation Territory is hereby annexed to and declared to be part of the Town and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.
- Section 3. The Annexation Territory is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the Annexation Territory pursuant to Section 2.5 of the Act.
- Section 4. The Annexation Territory shall not be assigned to any Town Council District as the Town has abolished the Town’s Council Districts under Indiana Code 36-5-2-4.1.
- Section 5. The Annexation Territory shall retain the Limited Manufacturing (M-1) zoning classification following the annexation into the Town upon the effective date of this Ordinance.
- Section 6. This Ordinance shall be in full force and effect upon its passage by the Council, and its publication and filing, upon the passage of the applicable thirty (30) day waiting period, in the absence of remonstrance and appeal, all as provided by the Act.
- Section 7. That all ordinances or parts thereof in conflict herewith are hereby repealed.

* * * * *

ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA,
ON THIS 2nd DAY OF NOVEMBER, 2023.

TOWN COUNCIL
OF THE TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Andrew Medford

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer

Prepared by and return after recording to:

Scott C. Frissell
Krieg DeVault LLP
12800 North Meridian Street, Suite 300
Carmel, IN 46032-5407
Phone: (317) 238-6246

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. Scott C. Frissell

EXHIBIT A

LEGAL DESCRIPTION

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 6 EAST, WASHINGTON TOWNSHIP, ELKHART COUNTY, INDIANA; THENCE DUE SOUTH, ASSUMED BEARING, ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 2017.77 FEET; THENCE NORTH 89 DEGREES 44'29" EAST 657.13 FEET TO THE POINT OF BEGINNING HEREIN DESCRIBED: THENCE CONTINUING NORTH 89 DEGREES 44'29" EAST 672.00 FEET TO THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE SOUTH 00 DEGREES 14'16" EAST, ON SAID EAST LINE, 650.59 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE SOUTH 00 DEGREES 24'18" EAST, ON THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 327.00 FEET TO THE SOUTH LINE OF THE NORTH 10 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE NORTH 89 DEGREES 51'10" WEST, ON SAID SOUTH LINE, 1332.71 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE NORTH 00 DEGREES 15'00" WEST, ON SAID WEST LINE, 327.00 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE SOUTH 89 DEGREES 51'10" EAST, ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 659.81 FEET; THENCE NORTH 00 DEGREES 14'16" WEST 645.83 FEET TO THE POINT OF BEGINNING. CONTAINING 20.00 ACRES, MORE OR LESS.

EXHIBIT B
MAP OF THE ANNEXATION TERRITORY



ORDINANCE NO. 11-02-2023-24

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN
OF BRISTOL, INDIANA AMENDING CHAPTER 51 OF THE
TOWN OF BRISTOL, INDIANA CODE OF ORDINANCES TO
AUTHORIZE A NEW WATER UTILITY RATE FOR CERTAIN
SPRINKLER SYSTEM SERVICES

WHEREAS, the Town of Bristol, Indiana (the “Town”) is a duly formed municipal corporation within the State of Indiana governed by its duly elected Town Council (the “Council”); and

WHEREAS, Indiana Code authorizes the Town to exercise powers to regulate the furnishing of water to the public; establish, maintain, and operate waterworks; and regulate the furnishing of such service within four (4) miles of the Town’s corporate boundaries; and

WHEREAS, the Town owns and operates a municipal waterworks system for the treatment and distribution of potable water to the inhabitants of the Town of Bristol (the “Water Utility”); and

WHEREAS, Indiana Code authorizes the Council to adopt by ordinance nondiscriminatory, reasonable, and just rates and charges for water services rendered by the Town’s utilities; and

WHEREAS, by Ordinance No. 6-15-2023-12, the Town Council has established rates and charges for the Water Utility for customers connected to the Town’s municipal water system; and

WHEREAS, pursuant to Indiana Code, the Council may modify or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, it has been determined by the Council that to meet the demands of increasing economic growth in the Town, a rate for building sprinkler systems serviced by ten (10) inch diameter water service lines should be established, at such rate as advised by Baker Tilly Municipal Advisors, LLC following a recent rate study; and

WHEREAS, the Council now determines that proper notice has been duly given as required by Indiana Code § 8-1.5-3-8.1, and that a public hearing on the proposed schedule of rates and charges has been duly held on November 2, 2023;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bristol, Indiana, meeting in regular session, and after considering the needs of the Town’s Water Utility, determines it is necessary to make changes and amend the water rates and charges in the Town of Bristol, Elkhart County, Indiana in the following manner:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. As of the effective date of this Ordinance, Section 51.06 of the Code, entitled “Rates for Sprinkler Systems and Public Drinking Fountains,” shall

be amended and replaced in its entirety with the new Section 51.06 attached as Exhibit A hereto and incorporated herein.

Section 3. All ordinances and parts of ordinances, and all Titles, Chapters and/or Sections of the Bristol Code of Ordinances that conflict with the provisions contained herein are hereby specifically repealed as of the effective date of this Ordinance.

Section 4. If any portion on this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.

Section 5. The rates and charges herein set forth shall be in full force and effect for all billings of Water Utility services at the first full monthly billing therefor following the final passage and adoption of this Ordinance. All other provisions of this Ordinance shall be in full force and effect from and after its adoption and publication as required by law. All acts pursuant to the adoption of this Ordinance are hereby ratified.

* * * * *

ADOPTED THIS ____ DAY OF _____, 2023.

TOWN COUNCIL OF THE
TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Andrew Medford

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer

EXHIBIT A**§ 51.06 RATES FOR SPRINKLER SYSTEMS AND PUBLIC DRINKING FOUNTAINS.**

(A) The rates for sprinkler systems and public drinking fountains shall be determined by the town.

(B) Until otherwise modified, the rate for building sprinkler systems as determined by the diameter of the service line for the system is as follows:

Size of Line	Annual Fee	
	Inside Town	Outside Town ¹
4 inch	\$130.29	\$148.53
6 inch	\$378.45	\$431.43
8 inch	\$806.51	\$919.42
10 inch	\$1,450.37	\$1,655.13

¹ Represents a 14% increase from Inside Town rates.

('97 Code, § 9-15) (Ord. 5-21-1966, passed 5-2-66; Amended by Ord. 12-11-97(A), passed 12-11-97; Ord. 10-21-99(A), passed 10-21-99; Ord. 2-21-13, passed 2-21-13; Ord. 6-15-2023-12, passed 6-15-23; Ord. 11-02-2023-24, passed 11-02-23.)