

**PLAINFIELD TOWN COUNCIL**

**RESOLUTION NO. 2017-14**

**RESOLUTION PRELIMINARILY DESIGNATING ECONOMIC  
REVITALIZATION AREA AND QUALIFYING CERTAIN PERSONAL PROPERTY  
FOR TAX ABATEMENT –  
SKY BILLIARDS, INC. (dba BEST CHOICE SOLUTIONS)**

WHEREAS, the Town Council of the Town of Plainfield, Indiana (the “Town Council” and “Town,” respectively) adopted a Tax Abatement Procedures Ordinance on March 24, 1997 (the “Ordinance”); and

WHEREAS, pursuant to the Ordinance, Sky Billiards, Inc. dba Best Choice Solutions (the “Applicant”) has filed with the Town Council on March 30, 2017, a Petition for Personal Property Tax Abatement Consideration (the “Application”), pursuant to I.C. 6-1.1-12.1-1 et. seq.; and

WHEREAS, the Application has been reviewed by the staff, the Tax Abatement Committee and the Town Council, and the Town has received from the Applicant the requisite filing fee.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PLAINFIELD, INDIANA, AS FOLLOWS:

1. Declaration of Economic Revitalization Area. The Town Council declares that the location described in Exhibit A, attached to and made part of this resolution (the “Location”), is, and shall hereinafter be, preliminarily deemed an “economic revitalization area” as that phrase is used and intended under the provisions of Indiana Code Sections 6-1.1-12.1-1 et. seq.

2. Personal Property. The Town Council declares that any and all personal property purchased and installed at the Location after the date of the adoption of this resolution by the Town Council, including the personal property described in Exhibit B, shall be eligible for personal property tax abatement pursuant to the provisions of I.C. 6-1.1-12.1-1 et. seq.

3. Compliance with Applicable Resolution and Statutes. The Town Council declares that the Application complies in all respects with the Ordinance and all governing Indiana statutes, and that the Application, in all respects, is preliminarily granted and approved.

4. Findings of Fact. The Town Council states that the Location is now undesirable for, or impossible of, normal development and occupancy because of a 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. The Town Council hereby finds the following:

- (a) The estimate of the value of the Applicant’s Project as stated in the Application is reasonable;

- (b) The employment numbers stated in the Application as a result of the Project, if any, are reasonably expected;
- (c) The salaries related to such employment, if any, are reasonable; and
- (d) The benefits to be received from the Applicant's Project are sufficient to justify the deduction.

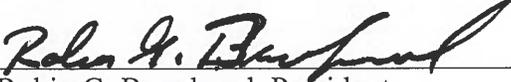
6. Abatement Duration. Based upon the provisions of the Ordinance, the Town Council declares that a seven (7) year abatement duration meets the requirements of the Ordinance.

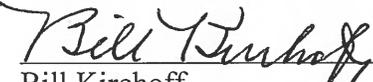
7. Effective Date. This resolution shall be effective immediately upon its passage, subject to the notice and hearing provisions of I.C. 6-1.1-2.1-2.5. The hearing contemplated by said statute shall be held at the time and place of the meeting of the Town Council on April 24, 2017, to wit: Plainfield Town Hall, 206 W. Main Street, Plainfield, Indiana, at 7 p.m. local time. At such meeting the Town Council shall take final action determining whether the qualifications for an economic revitalization area and the personal property abatement 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 I.C. 6-1.1-12.1-1 et. seq.

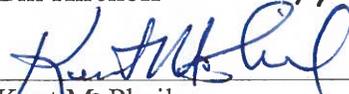
8. Filing With Hendricks County Authorities. Upon the adoption of this resolution, the Clerk-Treasurer of the Town shall cause a certified copy of this resolution, including the description of the previously described location and attached map, to be filed with the Hendricks County Assessor and/or such other Hendricks County Government officials as shall be necessary to make the Applicant eligible to file for personal property tax abatement as to the personal property contemplated by the Application.

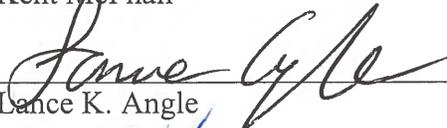
Adopted by the Town Council of the Town of Plainfield, Indiana this 10<sup>th</sup> day of April, 2017.

TOWN COUNCIL, TOWN OF PLAINFIELD  
HENDRICKS COUNTY, INDIANA

  
\_\_\_\_\_  
Robin G. Brandgard, President

  
\_\_\_\_\_  
Bill Kirchoff

  
\_\_\_\_\_  
Kent McPhail

  
\_\_\_\_\_  
Lance K. Angle

  
\_\_\_\_\_  
Dan Bridget

Attested by:

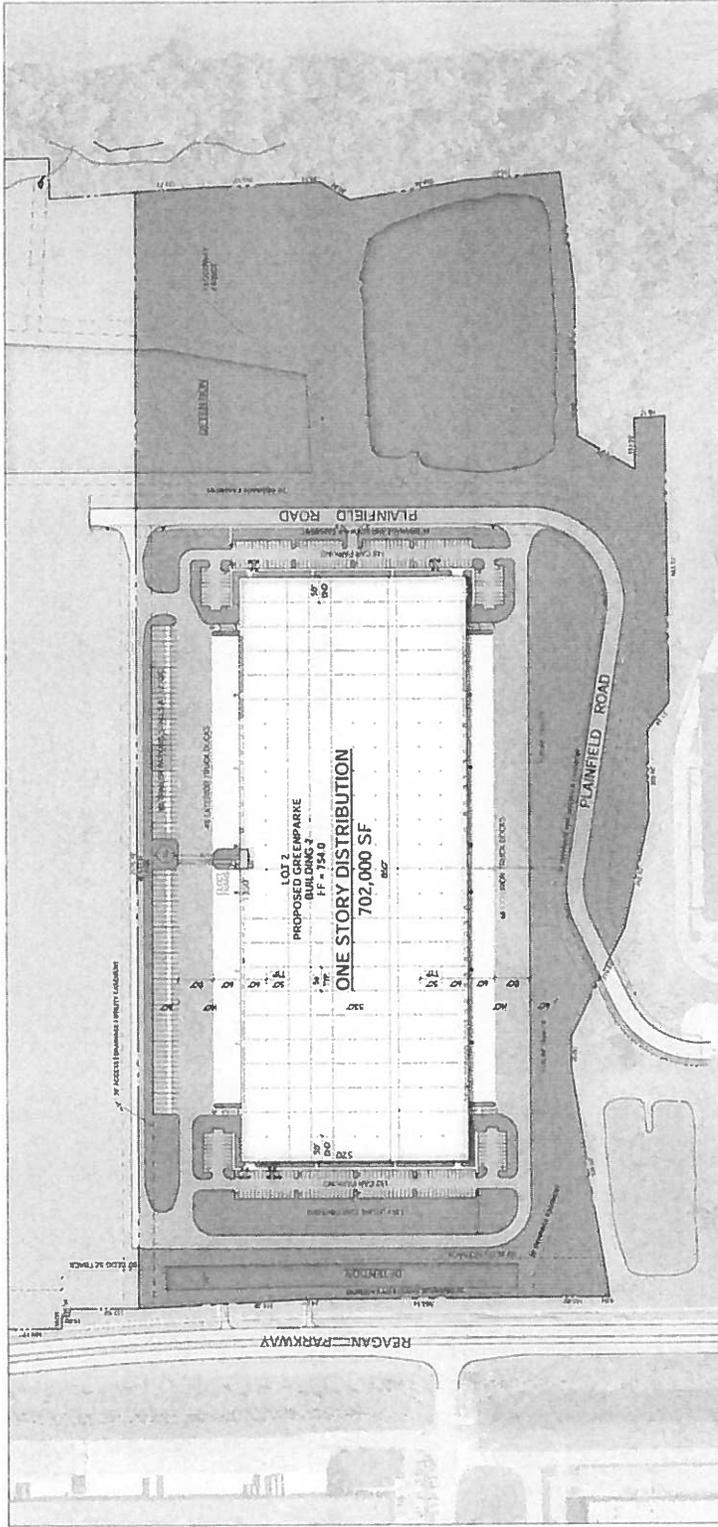
  
\_\_\_\_\_  
Wesley R. Bennett, Clerk-Treasurer of  
the Town of Plainfield, Indiana

EXHIBIT A [description of location deemed an economic revitalization area]

Greenparke 2 Description

A part of the Northeast and Northwest Quarters of Section 29, Township 15 North, Range 2 East, Guilford Township, Hendricks County, Indiana, more particularly described as follows:

Commencing at the northeast corner of the Northeast Quarter of said section, marked by a Harrison Monument, proceed thence South 01 degrees 24 minutes 31 seconds East (assumed bearing) along the east line of said Northeast Quarter 664.57 feet to the northeast corner of the South Half of the North Half of said Northeast Quarter, marked by a 5/8" rebar with cap stamped "Banning Eng FIRM #0060" (hereafter referred to as "capped rebar"); thence continue along said line South 01 degrees 24 minutes 31 seconds East 664.57 feet to a capped rebar marking the South corner of said south half; thence South 88 degrees 45 minutes 45 seconds West 93.26 feet to a capped rebar; thence South 04 degrees 55 minutes 06 seconds East 195.76 feet to the POINT OF BEGINNING; thence South 04 degrees 55 minutes 06 seconds East 122.71 feet to a rebar with cap stamped "Firm #0018"; thence South 03 degrees 32 minutes 38 seconds East 300.28 feet to a rebar with cap stamped "Firm #0018"; thence South 30 degrees 01 minutes 21 seconds West 80.84 feet to a rebar with cap stamped "Firm #0018"; thence South 10 degrees 14 minutes 40 seconds East 269.86 feet to a rebar with cap stamped "Firm #0018"; thence South 05 degrees 17 minutes 34 seconds East 216.02 feet to a capped rebar; thence South 82 degrees 31 minutes 30 seconds West 271.55 feet to a rebar with cap stamped "Firm #0018"; thence South 88 degrees 45 minutes 35 seconds West 229.33 feet to a capped rebar; thence South 86 degrees 55 minutes 07 seconds West 110.07 feet to a capped rebar; thence South 29 degrees 50 minutes 08 seconds West 151.24 feet to the south line of said quarter, marked by a capped rebar; thence North 88 degrees 34 minutes 25 seconds East along the south line of said quarter 117.93 feet to a United Surveying rebar; thence South 04 degrees 38 minutes 20 seconds East 70.12 feet to a capped rebar; thence South 88 degrees 34 minutes 26 seconds West 661.17 feet to a capped rebar; thence North 53 degrees 22 minutes 41 seconds West 81.13 feet to a capped rebar; thence South 88 degrees 34 minutes 26 seconds West 200.00 feet to a capped rebar; thence North 78 degrees 11 minutes 57 seconds West 262.72 feet to a capped rebar; thence North 64 degrees 46 minutes 31 seconds West 279.87 feet to a capped rebar; thence South 89 degrees 11 minutes 55 seconds West 70.00 feet to a capped rebar; thence South 80 degrees 07 minutes 11 seconds West 536.69 feet to the eastern right of way for Ronald Reagan Parkway, marked by a capped rebar; thence along said right of way for the following three (3) calls: 1) thence North 00 degrees 46 minutes 44 seconds West 174.06 feet to a capped rebar; 2) thence North 01 degrees 03 minutes 34 seconds West 503.14 feet to a capped rebar; 3) thence North 03 degrees 46 minutes 40 seconds West 397.80 feet; thence North 89 degrees 11 minutes 55 seconds East 2,576.78 feet to the POINT OF BEGINNING, and containing 64.623 acres of land, more or less.



PROPOSED DISTRIBUTION FACILITY FOR:  
**GREENPARKE II**  
**GREENPARKE AT AIR WEST**  
 ADDRESS:  
 20000 GREENFIELD, INDIANA  
 NE & HWY 111 STC. 29-1159-RFE GULFORD TOWNSHIP, HENDRICKS CO  
 APRIL 27, 2016 0' 50' 100' 200' 400'  
**FOR MUNICIPAL APPROVAL**  
**SITE PLAN**



PARKING	
CAR PARKING PROVIDED	300 CARS
FUTURE CAR PARKING	136 CARS
TOTAL FUTURE CARS	436 CARS
DRIVE IN OVERHEAD DOORS	4 DOORS
EXTERIOR DOCKS	
PROVIDED (1.7-500 SF)	56
POTENTIAL DOCKS	49
TOTAL FUTURE DOCKS	145 DOCKS

± TDV S.F.	
SITE AREA (±TBV AC.)	
BUILDING AREA	(2) AT 6,000 SF = 12,000 SF
OFFICE	792 SF
MECHANICAL/ELECTRICAL ROOM:	
WAREHOUSE	689,208 SF
TOTAL BUILDING AREA	702,000 SF
CLEAR HEIGHT	36'-0"
TRAILER PARKING PROVIDED	88 STALLS

**HARRIS ARCHITECTS, INC.**  
 WWW.HARRISARCHITECTS.COM 847.333.1155

EXHIBIT B

TOWN OF PLAINFIELD  
PETITION FOR PERSONAL PROPERTY TAX ABATEMENT CONSIDERATION

The undersigned owner (s) of real property, located within the Town of Plainfield, Hereby petition the Town Council of the Town of Plainfield for personal property tax abatement consideration and pursuant to I.C. 6 – 1.1 – 12. 1 – 1, et. Seq, and Town of Plainfield Ordinance No. 5 – 97 for this petition state the following:

- 1. Describe the proposed project, including information about the new manufacturing equipment personal property ("equipment") to be installed, the amount of land to be used, if any, an estimate of the cost of the project, the proposed use of the equipment, and a general statement as to the importance of the project to your business:

Sky Billiards, Inc. dba Best Choice Products (BCP) has been in Plainfield for just a little over a year and currently operates fulfillment operations out of two separate facilities - occupying approximately 450,000 SF in total. Subleases for the larger of the two spaces are up this summer. To best meet customer demands, aside from solely combining their existing Plainfield operations, BCP is planning to have customer service, IT, HR and administrative operations at one, centralized, Midwest location. BCP anticipates the need for another 250,000 - 300,000 SF (for a total of 700,000SF - 800,000SF) in order to accommodate the additional operations roles they would add to their existing distribution and fulfillment operation. The personal property to be purchased for the new facility will include warehouse racking, forklifts, pallet wrappers, compactors and box assembly machines.

- 2. The project itself will create 175 new, full-time jobs, representing a new annual payroll of \$6,435,520.00 and will maintain 33 existing permanent full-time jobs with an annual payroll of \$960,960.00 and will maintain N/A existing permanent part-time jobs with an annual payroll of \$ N/A.

The project annual salaries for each new position created are estimated to be as follows:

\$36,774.40

- 3. Estimate the dollar value of the equipment:

\$2,500,000

- 4. (a) The equipment is owned or to be owned by the following individuals or corporations (If the business organization is publicly held, indicate also the name of the corporate parent, if any, and the name under which the corporation has filed with the Securities and Exchange Commission):

<u>NAME</u>	<u>ADDRESS</u>	<u>INTEREST</u>
Sky Billiards, Inc.	2370 East Perry Road, Plainfield, IN 46168	Owner

(b) The following other persons lease, intend to lease, or have an option to buy the equipment (include corporate information as required in (4 (a) above, if applicable) : N/A

- (c) A brief description of the overall nature of the business and of the operations occurring at the location for which tax abatement is requested:

BCP is a seller of direct-from-manufacturer products for children, pets and households. Headquartered in Ontario, California, BCP was founded in 2002 and is exclusively an e-commerce retailer. The company was originally founded by selling pool tables online, and over the course of the last 15 years, has moved to selling a wide variety of products with over 1,400 unique SKUs to date. BCP has continued to improve

14. The real property where the equipment will be installed is located in the following Allocation Area (if any) declared and confirmed by the Plainfield Redevelopment Commission:

N/A

15. Describe actual or anticipated public financing for the project: N/A

16. Describe how and why the manufacturing equipment to be replaced or the facility in which equipment will be added is currently technologically, economically or energy obsolete and how and why that obsolescence may lead to a decline in employment and tax revenue:

BCP's current distribution operation occurs in multiple locations is not sustainable. Without the ability to bring all distribution operations as well as customer service, IT, HR and Administrative operations together in one facility, operational efficiencies will be lost. BCP will not be able to continue to reduce costs for their customers leading to a decline in total sales. A loss in customers will result the loss of revenue as well as the projected 175 new positions.

17. The new manufacturing equipment will be used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property and that the equipment was never before used by its owner for any purpose in Indiana. The signature below is verification of this statement:

18. The following person (s) should be contacted as the petitioner's agent regarding additional information and public notifications:

Name: Katie Culp  
Address: 800 E. 96<sup>th</sup> Street  
City, State, Zip Code: Indianapolis, IN 46240  
Telephone: 317-580-2000

WHEREFORE, Petitioner requests that the Town Council of the Town of Plainfield, Indiana, adopt a declaratory resolution designating the area described herein to be an economic revitalization area for purposes of personal property tax abatement consideration, and after publication of notice and public hearing, determine qualifications for an economic revitalization area have been met and confirm such Resolution. Petitioner hereby verifies that the required \$250.00 filing fee to cover processing and administrative costs pursuant to Ordinance 5 - 97 of the Town of Plainfield has been paid in full.

Name of Property Owner (s):

Sky Billiards, Inc. dba Best Choice Products

By: Joseph Guido  
(Signed Name)

Joseph Guido, Director of Operations  
(Type or printed name and capacity of  
signed by an agent or representative  
of the owner.)



**STATEMENT OF BENEFITS  
PERSONAL PROPERTY**

State Form 51704 (R4 / 11-15)  
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

**PRIVACY NOTICE**

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

**INSTRUCTIONS**

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
- To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
- Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
- For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1 TAXPAYER INFORMATION													
Name of taxpayer Sky Billiards, Inc. dba Best Choice Products					Name of contact person Joe Guido								
Address of taxpayer (number and street, city, state, and ZIP code) 2370 East Perry Road, Plainfield, IN 46168							Telephone number ( 701 ) 330 - 0470						
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT													
Name of designating body Town Council of the Town of Plainfield							Resolution number (s)						
Location of property 3375 Plainfield Road, Plainfield, IN 46168				County Hendricks		DLGF taxing district number 32-012							
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.) Sky Billiards, Inc. dba Best Choice Products will be purchasing warehouse racking equipment and other distribution equipment to be used in their shipping and distribution process - including but not limited to forklifts, pallet wrappers, compactors and box assembly machines.					ESTIMATED								
										START DATE		COMPLETION DATE	
					Manufacturing Equipment								
					R & D Equipment								
					Logist Dist Equipment					04/15/2017		12/31/2022	
IT Equipment													
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT													
Current number 33		Salaries \$960,960.00		Number retained 33		Salaries \$960,960.00		Number additional 175		Salaries \$6,435,520.00			
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT													
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (?) the COST of the property is confidential.				MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT			
				COST		ASSESSED VALUE		COST		ASSESSED VALUE			
Current values													
Plus estimated values of proposed project								2,500,000					
Less values of any property being replaced													
Net estimated values upon completion of project													
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER													
Estimated solid waste converted (pounds) _____					Estimated hazardous waste converted (pounds) _____								
Other benefits:													
SECTION 6 TAXPAYER CERTIFICATION													
I hereby certify that the representations in this statement are true.													
Signature of authorized representative 							Date signed (month, day, year) 03/24/2017						
Printed name of authorized representative Joe Guido					Title Director of Operations								

**FOR USE OF THE DESIGNATING BODY**

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

A. The designated area has been limited to a period of time not to exceed \_\_\_\_\_ 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 <i>Check box if an enhanced abatement was approved for one or more of these types.</i>
2. Installation of new research and development equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
3. Installation of new logistical distribution equipment.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
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 Number of years approved: _____ <i>(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)</i>
<input type="checkbox"/> Year 6	<input type="checkbox"/> Year 7	<input type="checkbox"/> Year 8	<input type="checkbox"/> Year 9	<input type="checkbox"/> Year 10	

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?  Yes  No  
If yes, attach a copy of the abatement schedule to this form.  
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: (signature and title of authorized member of designating body)	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.