



# CITY OF FRANKLIN

Community Development Department

## Memorandum

**To:** City of Franklin Economic Development Commission  
**From:** Dana Monson, Community Development Specialist  
**Date:** March 12, 2024  
**Re:** Case C 2025-22: Malarkey Roofing 24-01

### Summary:

1. On May 20, 2024, the Franklin Common Council passed Resolution No. 2024-01 approving a 10-year Real propertytax abatement for Malarkey Roofing located on Essex Drive and Paul Hand Road.
2. Actual and estimated benefits, as projected for 2024:

	Estimated on SB-1	Actual in 2024	Difference
Employees Retained	0	50	0
Salaries	0	0	0
New Employees	215	0	-215
Salaries	\$12,040,000	\$0	-\$12,040,000
Total Employees	215	0	-215
Total Salaries	\$12,040,000	\$0	-\$12,040,000
Average Hourly Salaries	\$26.93	\$26.93	\$0
Real Property Improvements	\$93,000,000	\$0	-\$93,000,000

3. Malarkey purchased the property and anticipated construction to begin in 2025. Site work has begun for real property.
4. employees will be hired when facility is complete.
5. The real property tax abatement is scheduled to expire in tax year 2036 payable in 2037. The final compliance review will take place in 2036.

**Staff Recommendation:** Approval



February 17, 2025

Mrs. Dana Monson, Community Development Specialist  
Dept. of Community Development  
70 E. Monroe Street  
Franklin, IN 46131

RE: Tax Abatement Compliance for Herbert Malarkey Roofing Company

Dear Mrs. Monson:

Enclosed please find Form CF-1 (Compliance with Statement of Benefits) regarding compliance with the Real and Personal property tax abatements which were granted to Herbert Malarkey Roofing Company in 2024 under City of Franklin Economic Development Commission Resolutions 2024-01 and 2024-02.

As can be seen from reviewing the enclosed documents, our company is still in the initial stages of preparing the site for development and beginning the process of erecting the new Midwest facility. Job creation for the proposed site has not yet commenced but plans are still to create the committed jobs for the new site upon receipt of the Certificate of Occupancy.

Please review the enclosed documents, and if you have any questions or concerns regarding this matter, please contact our consulting firm, Ginovus, or feel free to contact me.

Sincerely,

DocuSigned by:  
  
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Dave Wachsmuth  
Vice President of Finance  
Herbert Malarkey Roofing Company

CC: Chad Sweeney, Sr. Principal, Ginovus  
Gerald Frazier, Principal – Compliance, Ginovus



**COMPLIANCE WITH STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS**

State Form 51766 (R6 / 4-23)

Prescribed by the Department of Local Government Finance

20 <u>25</u> PAY 20 <u>26</u>
<b>FORM CF-1 / Real Property</b>

<b>PRIVACY NOTICE</b>
The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.3 (k) and (l).

**INSTRUCTIONS:**

1. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
2. This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
3. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15 or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.3(j))
4. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

**SECTION 1 TAXPAYER INFORMATION**

Name of Taxpayer <b>Herbert Malarkey Roofing Company</b>		County <b>Johnson</b>
Address of Taxpayer (number and street, city, state, and ZIP code) <b>P.O. Box 17217, Portland, Oregon 97217</b>		DLGF Taxing District Number <b>41-064</b>
Name of Contact Person <b>Dave Wachsmuth</b>	Telephone Number <b>(503) 240-7828</b>	Email Address <b>dwachsmuth@malarkeyroofing.com</b>

**SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY**

Name of Designating Body <b>City of Franklin</b>	Resolution Number <b>2024-01</b>	Estimated Start Date (month, day, year) <b>7/1/2024</b>
Location of Property <b>A portion of Parcel 41-05-34-041-001.000-064</b>		Actual Start Date (month, day, year)
Description of Real Property Improvements <b>Construction of a new Midwest roofing materials production facility. Employment estimates are through December 31, 2029.</b>		Estimated Completion Date (month, day, year) <b>12/31/2027</b>
		Actual Completion Date (month, day, year)

**SECTION 3 EMPLOYEES AND SALARIES**

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current Number of Employees	0	
Salaries	0.00	
Number of Employees Retained	0	
Salaries	0.00	
Number of Additional Employees	215	
Salaries	12,040,000.00	

**SECTION 4 COST AND VALUES**

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values Before Project	\$	\$
Plus: Values of Proposed Project	\$ 84,000,000.00	\$ Project has just started construction.
Less: Values of Any Property Being Replaced	\$	\$
Net Values Upon Completion of Project	\$	\$
ACTUAL	COST	ASSESSED VALUE
Values Before Project	\$	\$
Plus: Values of Proposed Project	\$ 5,097,315	\$
Less: Values of Any Property Being Replaced	\$	\$
Net Values Upon Completion of Project	\$	\$

**SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER**

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of Solid Waste Converted	-	
Amount of Hazardous Waste Converted	-	
Other Benefits:	-	

**SECTION 6 TAXPAYER CERTIFICATION**

I hereby certify that the representations in this statement are true.

Signature of Authorized Representative <i>David Wachsmuth</i>	Title <b>VP of Finance</b>	Date Signed (month, day, year) <b>2/17/2025</b>
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**OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1)**

**INSTRUCTIONS:** (IC 6-1.1-12.1-5.3 and IC 6-1.1-12.1-5.9)

1. Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination, including the date, time, and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property), and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:			
<input type="checkbox"/>	The Property Owner <b>IS</b> in Substantial Compliance		
<input type="checkbox"/>	The Property Owner <b>IS NOT</b> in Substantial Compliance		
<input type="checkbox"/>	Other (specify) _____		
Reasons for the Determination (attach additional sheets if necessary)			
Signature of Authorized Member			Date Signed (month, day, year)
Attested By		Designating Body <b>City of Franklin</b>	
If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)			
Time of Hearing	<input type="checkbox"/> AM <input type="checkbox"/> PM	Date of Hearing (month, day, year)	Location of Hearing

HEARING RESULTS (to be completed after the hearing)			
<input type="checkbox"/> Approved		<input type="checkbox"/> Denied (see Instruction 4 above)	
Reasons for the Determination (attach additional sheets if necessary)			
Signature of Authorized Member			Date Signed (month, day, year)
Attested By		Designating Body <b>City of Franklin</b>	
APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]			
A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the clerk of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.			