

INDIANA
STATE ETHICS COMMISSION

DEC 18 2018



**CONFLICTS OF INTEREST – CONTRACTS
ETHICS DISCLOSURE STATEMENT**
State Form 53345 (R2 / 6-16)
OFFICE OF THE INSPECTOR GENERAL
IC 4-2-6-10.5

Mail to:
OFFICE OF INSPECTOR GENERAL
315 West Ohio Street, Room 104
Indianapolis, IN 46202
Telephone: (317) 232-3850
E-mail scanned copy to: info@ic.in.gov

Check if you are making a correction to a previously filed statement.

A state officer, employee, or special state appointee may not knowingly have a financial interest in a contract made by an agency. The term financial interest is defined in IC 4-2-6-1. This prohibition, however, does not apply to an officer, employee, or special state appointee who (1) does not participate in or have contracting responsibility for the contracting agency and (2) meets the criteria in IC 4-2-6-10.5(b)(2) and (c)(1)-(5). One criterion is that the officer, employee, or special state appointee must file a written statement with the Inspector General before the officer, employee, or special state appointee executes the contract with the state agency.

The foregoing consists only of excerpts from IC 4-2-6-10.5. Care should be taken to review IC 4-2-6-10.5 in its entirety to ensure compliance with all criteria set forth in the statute. This disclosure will be posted on the Inspector General's website.

PART 1 – GENERAL INFORMATION

Last name: Schumacher	First name Amy	Middle initial M.
Address of office (number and street, city, state, and ZIP code): 5400 West 86th Street		
Title or position within agency Board Member (special state appointee)	Name of agency Indiana Economic Development Corporation (IEDC)	

PART 2 – CONTRACT

List the name for each entity (i.e. vendor, contractor, consultant, subcontractor, or subconsultant) in which you have a financial interest that has a contract with a state agency. Also, list the name of the state agency the entity is contracting with (use a different form for each contract).

Business name of entity The Heritage Group	Name of entity contact person (first name and last name) Amy Schumacher
---	--

This contract was (check one):

- made after public notice and, if applicable, through competitive bidding; or
 not subject to notice and bidding requirements

If the contract was not subject to notice and bidding requirements, please provide the basis for that conclusion here. Industrial Recovery Tax Credit ("IRTC") agreements are not subject to public bidding requirements as taxpayers apply to the IEDC for the tax credit. See Indiana Code chapter 6-3.1-11. This tax credit agreement, however, was subject to approval of the IEDC Board of Directors, and was initially presented and reviewed by the Board's Business Development Committee at its public meeting on December 11, 2018. Due to Ms. Schumacher's conflict and pursuant to IEDC policy and the Ethics Commission's Advisory Opinion 17-I-2, the matter was considered by the entire IEDC Board at its public meeting on December 11, 2018. Ms. Schumacher was completely screened from any discussion, decision, or vote related to the matter at both the Business Development Committee and IEDC Board meetings, and her recusal will be noted in the minutes of both meetings.

Description(s) of Contract(s): (Describe the type of contract involved and the effective date and term of the contract if reasonably determinable.)

The IRTC is intended to encourage investment in once active industrial facilities requiring significant rehabilitation expenses. The IRTC agreement specifies the terms of the tax credit against the taxpayer's Indiana state tax liability.

Description of the Financial Interest: *(Describe in what manner the state officer, employee, or special state appointee expects to derive a financial interest from or otherwise has a pecuniary interest in, the above contract. State the approximate dollar value of the interest if reasonably determinable. Attach extra pages if additional space is needed.)*

On December 11, 2018, the IEDC Board of Directors and its Business Development Committee considered an application from Waelz Sustainable Products LLC ("WSP") for the approval of an IRTC to support its proposed project in East Central Indiana. Ms. Schumacher serves as an IEDC Board member and as a member of the Business Development Committee. WSP is a joint venture that includes Heritage Environmental Services LLC, a subsidiary of The Heritage Group ("THG"). Prior to the meeting, Ms. Schumacher notified the IEDC's General Counsel & Ethics Officer that she is the President of THG. Ms. Schumacher, by virtue of her senior leadership position with THG, has a potential financial interest (as defined in Indiana Code section 4-2-6-1(a)(11)) in WSP's application to the IEDC for an IRTC. The IEDC's General Counsel & Ethics Officer identified this as a potential financial interest requiring an ethical screen and disclosure.

The approximate dollar value of the financial interest to THG related to the pending IRTC agreement is not discernible. However, the proposed value of the IRTC to WSP is not expected to exceed \$5,000,000.00. In the interests of transparency and out of an abundance of caution, Ms. Schumacher has taken the appropriate steps to recuse herself and be completely screened from any discussion, decision, and vote on the pending IRTC agreement.

ONLY COMPLETE PART 3 IF CONTRACT IS FOR PROFESSIONAL SERVICES

PART 3 – AGENCY CERTIFICATION

Approval of appointing authority

Being the _____ of _____
(Title of Appointing Authority) *(Name of Contracting Agency)*

I hereby affirm that no other state officer, employee, or special state appointee of _____
(Name of the Contracting Agency)

is available to perform those services as part of the regular duties of the state officer, employee, or special state appointee.

Signature of Appointing Authority

Date signed (month, day, year)

Name of Appointing Authority

PART 4 – AFFIRMATION

I submit this statement to the Inspector General pursuant to 42 IAC 1-5-7 (IC 4-2-6-10.5) to disclose my financial interest in a contract with an agency. This contract can be performed without compromising the performance of my official duties and responsibilities as a state officer, employee or special state appointee. I affirm that I do not participate in or have contracting responsibility for the contracting agency. I further affirm that the contract was made after public notice or competitive bidding, if applicable. I also affirm, under penalty of perjury, the truth and completeness of the statements made above and that I am the above named state officer, employee, or special state appointee.

Signature

Amy Schumacher

Date signed (month, day, year)

12.14.18