

**LAPORTE COUNTY REDEVELOPMENT COMMISSION MEETING AGENDA  
WEDNESDAY, OCTOBER 27, 2021, 4:00 P.M.**

**AMENDED NOTICE TO INCLUDE NOTIFICATION OF ELECTRONIC PARTICIPATION AND TO ALLOW THE PUBLIC TO ATTEND ELECTRONICALLY PURSUANT TO STATE EXECUTIVE ORDER.**

If any member of the public wishes to attend the meeting electronically, the meeting will be available on Zoom, which can be accessed for free on the internet at <https://zoom.us/> and then click the "Join a Meeting" tab followed by the meeting ID 94612378195 password 528228. You can also download the free Zoom app to your smartphone and join the meeting via the app.

1. Call the meeting to order.
2. Pledge of Allegiance
3. Roll call.
4. Approval of the agenda
5. Public comment
6. Communications
7. Minutes
8. Treasurer's report
9. Claims

<u>TIF</u>	<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTALS</u>
KIDC	Barnes & Thornburg	Legal Services Inv#2523230	\$2,411.00	
	MCR Partners	October '21 Professional Services	\$3,000.00	
	Thomas & Associates	September '21 Professional Services	\$497.25	
	Friedman & Associates	Litigation Legal Services Inv#10671	\$780.00	
	Friedman & Associates	October '21 Legal Services	\$1,500.00	
		<b>Subtotal</b>		\$8,188.25
US421#1	Mitch Bishop	October '21 Professional Services	\$833.33	
	Herald-Dispatch	September '21 Legal Notices	\$66.11	
	Thomas & Associates	September '21 Professional Services	\$497.25	
	MCR Partners	October '21 Professional Services	\$2,000.00	
		<b>Subtotal</b>		\$3,396.69
39 North	MCR Partners	October '21 Professional Services	\$1,000.00	
	Thomas & Associates	September '21 Professional Services	\$123.50	
		<b>Subtotal</b>		<u>\$1,123.50</u>
			<b>TOTAL OF CLAIMS</b>	<u>\$12,708.44</u>

10. Old Business
  - a. 421/194 TIF project update- Matt Reardon; MCR
  - b. KIP update – Matt Reardon; MCR
  - c. 39N update- Matt Reardon; MCR
  - d. 35/94 TIF– Matt Reardon; MCR
11. New Business:
  - a. BID opening 421 Utility Infrastructure project
  - b. I-80/90-35 Declaratory Resolution- Matt Reardon; MCR Partners
  - c. Responsible Business Practices and Submission Requirements for Project Receiving Economic Incentives from the County of La Porte Resolution – RDC Attorney
12. Other Business:
13. Adjourn

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES  
SEPTEMBER 29, 2021

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The La Porte County Redevelopment Commission in-person and Zoom meeting was held on Wednesday, September 29, 2021, at 4 P.M. (CDT), in Room #3, County Complex.

**CALL TO ORDER**

Meeting called to order by Vice-President; Joe Coar, at 4:00P.M.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was recited.

**ROLL CALL**

Randy Novak – Absent  
Joe Coar – Present  
Rich Mrozinski – Present  
Terry Larson – Present  
Scott Cooley – Present  
Michael Mollenhauer – Present  
Michael Rosenbaum – Present  
Jan Ribordy, Ex-Officio -Present

Others Present: Attorney Shaw Friedman, Matt Reardon; MCR Partners, Tony Rodriguez; Director Office of Community and Economic Development, Mitch Bishop; County Planner, Commissioner Joe Haney, Michael Seitz; Retention & Expansion Coordinator, John Smith; USi Engineering, Mary Jane Thomas; Thomas & Associates, Mark Childress; 39 N. Conservancy District and Danny Nesbaum; Inovateus

**Approval of the Agenda**

Michael Rosenbaum motioned to approve the agenda with an amendment adding Solar Project, and Weaver Consultants land acquisition services proposal for 421 utility infrastructure under New Business. Rich Mrozinski seconded the motion. The motion carried unanimously.

**PUBLIC COMMENT**

None

**COMMUNICATIONS**

-BT invoice printed/ filed  
-Emails 421 bidding process  
- Calls w/ 39 N CD re: EDA grant  
-Calls with 39 CD businesses for EDA Beneficiary forms

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES

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-Emails for Special meeting; RDC members, Bldg. Maintenance

- County Assessor taxing districts tax appeal reports, 2<sup>nd</sup> quarter 2021
- Bishop 421 legal ad bid advertisement
- H-D Isis re: bid advertisement/claims
- Cender/Friedman invoices
- SWIF award announcement
- Bishop Weaver contract for October mtg.
- BT Sept. invoices from BT/Commissioner's office
- Legal notice proof of publication
- Auditor request for Treasurer report

**Approval of Minutes**

Rich Mrozinski motioned to approve the August 25, 2021, meeting minutes as presented. Scott Cooley seconded the motion. The motion carried unanimously. Rich Mrozinski motioned to approve the September 7, 2021, Special Meeting minutes. Michael Mollenhauer seconded the motion. The motion carried on the following vote: 6 Ayes, 0 Nays and 1 Abstention.

**TREASURER'S REPORT**

- KIDC TIF-\$55,174.00
- 421/I-94 TIF #1 -\$510,898.00
- 421/I-94 TIF #2-\$95,536.00
- 39 N TIF-\$73,336.00

Rich Mrozinski motioned to approve the Treasurer's Report as presented. Terry Larson seconded the motion. The motion carried unanimously.

**CLAIMS**

<u>TIF</u>	<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTALS</u>
KIDC	Barnes & Thornburg	Legal Services Inv#2512148	\$687.00	
	MCR Partners	Sept '21 Professional Services	\$3,000.00	
	Thomas & Associates	August '21 Professional Services	\$523.25	
	Herald-Dispatch	August '21 Legal Notice	\$22.68	
	Friedman & Associates	Litigation Legal Services Inv#10660	\$600.00	
	Mitch Bishop	Sept '21 Professional Services	\$833.33	
	Cender & Company	Professional Services Inv#8813	\$1,270.00	
		<b>Subtotal</b>		\$6,936.26
US421#1	Thomas & Associates	August '21 Professional Services	\$523.25	
	MCR Partners	Sept '21 Professional Services	\$2,000.00	
	Cender & Company	Professional Services Inv#8813	\$1,620.00	
	Friedman & Associates	Sept '21 Legal Services	\$1,500.00	
		<b>Subtotal</b>		\$5,643.25
39 North	MCR Partners	Sept '21 Professional Services	\$1,000.00	
		<b>Subtotal</b>		<u>\$1,000.00</u>



# LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES

SEPTEMBER 29, 2021

TOTAL OF CLAIMS      \$13,579.51

Vice-President Coar read the claims as presented for payment for the Kingsbury Industrial Park TIF area on the Claim Docket. After some discussion, Michael Rosenbaum motioned to approve the KIDC TIF area claims in the amount of \$6,936.26. Rich Mrozinski seconded the motion. The motion carried unanimously.

Vice-President Coar read the claims as presented for payment for the US 421 #1 TIF area from the Claim Docket. Michael Mollenhauer motioned to approve the US 421 #1 TIF area claims in the amount of \$5,643.25. Rich Mrozinski seconded the motion. The motion carried unanimously.

Vice-President Coar read the claims as presented for payment for the 39 North TIF area from the Claim Docket. Rich Mrozinski motioned to approve the 39 North TIF area claims in the amount of \$1,000.00. Michael Mollenhauer seconded the motion. The motion carried unanimously.

## OLD BUSINESS

### A. 421/194 TIF Project Update – Matt Reardon; MCR Partners

Matt Reardon: MCR Partners reported Loves is moving forward. Michigan City support of the water line extension in the amount of \$250,000.00 is confirmed. Hotel developer at Bob Evans site was urged to acquire adjacent parcels. Should the developer of this site engage in the acquisition of the adjacent parcels, discussions on incentives for the project with the RDC likely to be triggered.

### B. KIP Update – Matt Reardon; MCR Partners

MCR; Matt Reardon reported the Regional Development Authority announced the KIP bridge project made the READI grant list in the amount of \$680,000.00. The Commission was informed Kingsbury Elevator has completed their fertilizer project.

### C. 39 N Update- Matt Reardon; MCR Partners

Matt Reardon: MCR introduced Mary Jane Thomas; MjThomas & Associates for an update on the 39 N. Conservancy District EDA grant application. Ms. Thomas reported signed beneficiary forms have been received from TFCO and Fluid Solutions. In addition, a meeting was held with Enprotech and beneficiary form is in progress. Haynes International has responded to a request for a beneficiary form opening the door for a dialogue on the matter. The 39 N. Conservancy District approved a match resolution for the grant match greater than the minimum match required to be competitive in the grant process. Work will continue on beneficiary forms from La Porte Custom Metals and Hickman Williams.

### D. 35/194 TIF Update - Matt Reardon; MCR Partners

MCR; Matt Reardon reported the economic development plan for the proposed economic development area is being created with input from the County Planner, RDC Attorney, Developer and Cender & Company. The plan will look at the cost of public infrastructure and include estimates of same. Meer Road will be included in the plan. After some discussion, Michael



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Rosenbaum motioned to authorize the engagement of Cender & Company and Barnes & Thornburg for financial advisory services and legal services, respectively in the preparation of the TIF Declaratory and Confirmatory documents. Rich Mrozinski seconded the motion. The motion carried unanimously. In addition, by October 15, 2021, the appropriate zoning for the project is expected to be approved. The project financing likely to be private activity bonds with RDC support. Development agreement discussions are ongoing with the developer.

## **NEW BUSINESS:**

### **A. Solar Project; MCR Partners; Matt Reardon**

Matt Reardon: MCR Partners introduced Danny Nesbaum; Inovateus to brief the Commission on the KIP 900 acre, \$150-\$175,000,000.00 million, 124 megawatt alternating current, solar project scope of work. Inovateus services include procurement, development, maintenance in partnership with NIPSCO for 20-30 years. Inovateus will make efforts to subcontract work with local contractors. Concluding his briefing Mr. Nesbaum requested a letter of support from the Commission for the project. To date, Inovateus has spent a considerable amount of time and money to make sure this injection of electricity is safe. Prior to moving to the next step, which requires additional investment of time and money, Inovateus is seeking reassurance from the RDC of its support of the project in writing. Meetings have and will continue be held with Director of Office of Community and Economic Development, MCR Partners and the RDC Attorney regarding the project. After some discussion, Michael Rosenbaum motioned to support a portion of the NIPSCO settlement that is considered reasonable, to support the KIP solar project, such as the 3.5 million substation upgrades, as this investment in infrastructure benefits the solar project and 3 or 4 current KIP businesses. Rich Mrozinski seconded the motion. The motion carried unanimously The County Plan Commission received and reviewed Inovateus comments on the County Solar Ordinance.

Tony Rodriguez addressed the Commission stating electric vehicles are the future of automobile transportation. Key component to the future is energy availability, especially for successful economic development in the electric vehicle industry.

### **B. Weaver Consultants Land Acquisition Services Proposal 421 Utility Infrastructure Project**

The Commission reviewed the \$34,300.00 Weaver Consultants Land Acquisition Services Proposal. After some discussion, Michael Rosenbaum motioned to approve the Weaver Consultants Land Acquisition Services Proposal in the amount of \$34,300.00 as presented. Rich Mrozinski seconded the motion. The motion carried unanimously.

## **OTHER BUSINESS:**

Matt Reardon updated the Commission the Crossroads Data Center September 2021 announcement. Digital Crossroad is a wholesale colocation company comprised of proven industry veterans who are committed to delivering sustainable data center solutions that reduce environmental and economic cost. He stated the 39 N. TIF district is right there for a fiber connection that will make high speed fiber available for potential developments.

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Tony Rodriguez: Director Office of Community and Economic Development updated the Commission on the ACME \$1,050,000.00 and SURF Broadband \$8,538,000.00 Next Level Connections (NLC) Letters of Intent (LOI) for last mile connectivity to residences and businesses in La Porte County. Fiber connectivity is not an option, it is a utility as the pandemic sheltering in place has shown. 30 – 40 letters of support have been received to support the LPC Rural Broadband Taskforce efforts to bring terrestrial fiber to an estimated 3,400 unserved and underserved in La Porte County. \$5,028,000.00 is requested in NLC grant funding, matched by private funds in the amount of \$4,060,000.00.

Joe Coar thanked Tony Rodriguez and Matt Reardon for their economic development efforts along with their team members Shaw Friedman, Michael Seitz, Mary Jane Thomas and Mitch Bishop, on behalf of La Porte County. This is a good team.

**ADJOURNMENT**

Rich Mrozinski motioned to adjourn the meeting at 4:42PM. Michael Rosenbaum seconded the motion. The motion carried unanimously. The next meeting will be held on October 27, 2021.

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Joe Coar  
Vice- President

Attest:

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Michael Rosenbaum  
Secretary

## OCTOBER 2021 LPCRDC COMMUNICATIONS

- Aug. Agenda to Viviana to update RDC website
- Call Mitch re: signed Weaver Consultants contract/421 concept plan
- Redevelopment Association of Indiana mtg. notice emailed to RDC
- Legal notice proof of publication
- Auditor request for Treasurer report
- City Laporte letter of support 39 N. EDA grant
- Letter support Inovateus
- I-80/94-35 Declaratory Resolution
- Third quarter property tax appeals
- RAI October mtg.
- Radtke TIF Mapping request
- Business inquiry business registration requirements, MC
- Anacostia Rail Holding names Advisory Board
- 421 solicitation for bids advertisements
- LPC ARP H-D article
- Love's H-D article

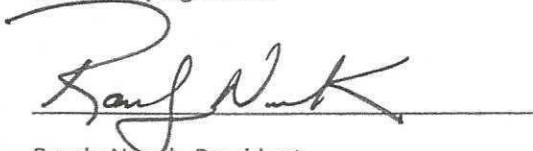


LETTER OF SUPPORT

The members of the La Porte County Redevelopment Commission write this letter to reaffirm the County's support of and to further encourage and promote large scale solar projects and other economic development projects in LaPorte County. Toward that end LaPorte County has adopted amendments to its Ordinances specifically alerting any interested parties of LaPorte County's ongoing interest and desire to advance and encourage solar projects and installations within LaPorte County, Indiana. Renewable energy has the incredible potential to provide a long-term, sustainable source of electric generation through facilities that can be built and operated locally to reliably serve the needs and interests of LaPorte County residents and businesses. Major corporations including Amazon, FedEx, Google, Facebook, and General Motors have all committed to powering their operations with renewable and sustainable energy. Therefore, we believe promoting solar energy in the County and working with Northern Indiana Public Service Company (NIPSCO) will not only directly benefit LaPorte County residents but will also signal to and help promote LaPorte County as being equally supportive of and committed to new businesses and industries in their own energy sustainability goals and objectives.

LaPorte County had the foresight to negotiate for and secure certain commitments from NIPSCO in past regulatory proceedings in the form of a \$3.5 million specific investment towards necessary infrastructure upgrades supportive of economic development projects in LaPorte County. This NIPSCO commitment would include supporting a large-scale solar project. Toward this end, we are aware of and have been supportive of the efforts by Inovateus Solar of South Bend, Indiana in its pursuing, planning, and proposing to locate a large-scale solar project here in LaPorte County. We know that such a large, local solar project will help advance and secure our electric energy needs for decades to come. We also understand that the Inovateus LaPorte County Solar Project has now been presented to NIPSCO for review and to be formally considered and included as part of its long-term future generation portfolio. We further recognize that this letter of support, while preliminary, will provide additional comfort and encouragement to facilitate this NIPSCO-Inovateus Solar Project, as well as the significant LaPorte County capital investments that would be involved which such a solar project. Accordingly, let this letter serve as our re-acknowledgement and ongoing support for such a large-scale solar project to be built and operated here in LaPorte County.

As approved and directed during our meeting of September 29, 2021, and herein adopted by affixing my signature:



Randy Novak, President

La Porte County Redevelopment Commission

**CITY of LA PORTE**  
INDIANA



City Hall  
801 Michigan Avenue  
La Porte, IN 463503

**LEGAL DEPARTMENT**

Nick Otis, City Attorney  
Phone: 219-324-2650  
Fax: 219-325-0656  
notis@cityoflaportein.gov  
[www.cityoflaporte.com](http://www.cityoflaporte.com)

October 22, 2021

To Whom It May Concern:

I serve as the City Attorney for the City of La Porte, Indiana. I write you regarding the Thirty-Nine North Conservancy District's ("39NCD") EDA grant application. The City of La Porte supports this grant application because the City is a partner to 39NCD in providing water and sewer services to the businesses and residents of 39NCD. The grant funds would support a water tower for 39NCD. The water tower is vital to supply adequate water and fire protection to the businesses and residents of 39NCD. Since the formation of the 39NCD there have been many new businesses and residents moving into 39NCD which require this additional water supply.

This grant would fund the water tower, which is one part of the continuing needed upgrades to the entire 39NCD infrastructure. The City believes the water tower is a vital water infrastructure improvement for 39NCD. We hope 39NCD is a recipient of the EDA grant application for the water tower.

Very truly yours,

A handwritten signature in black ink, appearing to read "Nick Otis", written over a horizontal line.

Nick Otis  
City Attorney

/cef

**mjthomas2027@gmail.com**

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**From:** Swan, Denise <dswan@laporteco.in.gov>  
**Sent:** Thursday, October 7, 2021 1:51 PM  
**To:** mjthomas2027@gmail.com  
**Subject:** Taxing District Property Tax Appeal Reports - Third Quarter 2021 - La Porte County  
**Attachments:** Taxing District Qrtly Rpt appeal memo 10-1-2021.doc; Taxing District Quarterly Appeals Report - Third Quarter - September 30, 2021.xlsx

Good afternoon,

Please find attached, the 2021 third-quarter property tax appeal reports for all townships in La Porte County. The property tax appeal report is sent quarterly to the fiscal officer of each taxing unit (including redevelopment commissions). This report is to keep you informed of the parcels that may have an assessment change due to an appeal being filed on the parcel.

Thank you,

Denise Swan  
Secretary of the PTABOA  
Level II Assessor/Appraiser  
La Porte County Assessor  
555 Michigan Ave., Suite 103  
La Porte, IN 46350  
Ph:(219)326-6808 ext. 2542  
Fax(219)326-7084  
dswan@laporteco.in.gov





*LaPorte County Assessor  
Michael R. Schultz  
Level III Assessor/Appraiser  
555 Michigan Ave., Suite 103  
LaPorte, IN 46350-3489*

*Chief Deputy  
Stacey Sweitzer*

October 1, 2021

**Re: Appeal Notifications to Other Political Units**

Enclosed you will find the 2021 third quarter appeal report. This report is to keep you informed of the parcels that may have an assessment change due to an appeal being filed on the parcel.

*Denise Swan*  
Secretary of the PLABOA  
555 Michigan Ave Ste. 103, LaPorte, IN 46350  
Phone: (219)326-6808 Ext 2542  
Fax: (219)326-7084  
[dswan@laportecounty.org](mailto:dswan@laportecounty.org)

**mjthomas2027@gmail.com**

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**From:** Anacostia News <news@anacostia.com>  
**Sent:** Monday, October 25, 2021 12:06 PM  
**To:** Anacostia News  
**Subject:** Anacostia Rail Holdings names Advisory Board

To assist the company in meeting its strategic objectives, Anacostia Rail Holdings Company (ARH) has created an Advisory Board made up of individuals with extensive leadership experience in the railroad industry.

The members of the Advisory Board include Ronald L. Batory, Rodney Case, Andrew Fox, and Dean H. Wise.

For more information click on the link below:

[Anacostia Rail Holdings names Advisory Board](#)

## Anacostia News

Chicago, IL 60604

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# ARP

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or who worked in the field during the pandemic. Retention pay of \$2,000 is proposed for all employees, and \$1,000 for part-time and seasonal employees.

"We believe the distinction is the fairest means of trying to determine eligibility and seeing that all county employees receive some kind of retention pay," Friedman said.

One request in the plan is for \$800,000 for transitional housing to aid those in recovery from drug, alcohol, gambling and other addictions.

"That's actually for a recovery place for individuals. At the listening session, Mitch Peters came in from Porter County shared that he has four facilities that have been quite successful in helping individuals recovering from drug, alcohol and other abuses," Cender said.

Friedman said Peters and his nonprofit will staff and program the facility, but the county needs to allocate the funds to build it.

Also in the plan is \$200,000 for emergency rental assistance to avoid evictions, to be administered by township trustees through the courts.

"I believe \$100,000 has already been appropriated for that because, as we all know, the state and the federal governments have lifted the moratorium," Cender said.

Allocations for infrastructure projects include \$2.5 million for a water and sewer extension at I-94 and U.S. 421 just south of Michigan City.

"That only funds a portion of the project. The Redevelopment Commission would still have to issue Tax Incremental Revenue bonds to fund the balance," Cender said.

Other highlights of the plan include:

- U.S. 35/20 sewer line and connection — \$2.5 million
- Rolling Prairie sewer connection and hookups — \$250,000
- Broadband projects — \$1.5 million
- New EMS/Highway garage in Rolling Prairie — \$1.8 million
- New EMS ambulance



STABOSZ



MROZINSKI

■ La Crosse downtown improvements — \$175,000

■ Hanna sidewalk improvements — \$125,000

■ Senior outreach measures to address isolation including support for Meals on Wheels, adult guardianship and adult protective services — \$500,000

■ Safety net services including culturally sensitive case management and domestic violence services — \$500,000

■ Address/remediate health impact of lead and other toxic substances on underserved communities — \$500,000

■ Earn and Learn Program for students to learn about county careers, develop work-readiness skills and attend training seminars — \$300,000

County Auditor Tim Stabosz said there were problems with how the plan was crafted.

"There is no indication that any legitimate executive authority of La Porte County either authorized, let alone ordered, Mr. Friedman to take on this responsibility. Instead, he fully appears to have taken on these duties himself," Stabosz said.

Stabosz said his concern was that some of the line items may constitute a conflict of interest.

"While the plan before you represents a purported compilation of the results of the recent listening session, one wonders why there are surprising additions that are particularly partial to Mr. Friedman's own policy preferences," Stabosz said.

"In the most egregious example for a conflict of interest, as attorney for the 39 North Conservancy District, Mr. Friedman is proposing \$2 million for a water tower for that district. The talk amongst the actually elected officials is proposing the county possibly putting \$500,000 into that project," Stabosz said.

Haney, also citing the conservancy district, said the plan should be looked at closer.

"One of the things I have concerns with the county doing is, with this or anything else, if what we're doing is going to benefit and become a source of profit for another entity, we need to make sure we are being as frugal as we can with the taxpayer dollars..."

"If the city (La Porte) is going to be servicing it, it's going to be benefiting their municipal water system. They should have some buy-in," Haney said.

Friedman, however, said nothing regarding the ARP plan would affect his firm's compensation.

"... yes, I'm counsel to the 39 North Conservancy District; yes I'm counsel for the Redevelopment Commission. We represent those boards; those boards have interests that are consistent with those of the county."

"The same thing with Swanson Center. I've served on that board for 30 years. I don't receive a dime in compensation," Friedman said.

One proposed allocation is \$200,000 for the Swanson Center for telehealth access for students in area schools.

"Whether that passes or not, it doesn't affect my compensation, it doesn't affect anything, but it does affect the good of this county," Friedman said.

Matias said many of the ideas came from county department heads and internal parties.

"(They) all had input into the plan ... To say that this is a Friedman plan is quite bizarre. We're trying to figure out ways to spend this money that can transform this community," Matias said.

Haney questioned why there weren't more listening sessions.

Board president Rich Mrozinski, who stressed the plan is still a draft, said they have had conversations back and forth with everyone who offered ideas.

"Yeah, we're going to have more listening sessions. We have to do something because we've got about \$10 million — and \$13 million worth of requests. It's like hitting the lot..."

La PORTE — La Porte County's plan to utilize its \$21 million share of American Rescue Plan Funds is taking shape, but not without some dissent.

The Board of Commissioners on Wednesday approved by a 2-1 vote taking a draft of the ARP spending plan under advisement and forwarding it to the County Council and department heads for review. Commissioner Joe Haney was the dissenting vote.

"It should definitely go forward as a draft — a proposal — so that there's no need for people to think everything in here is set in stone. I think that would then enable us to have a joint meeting with the council in a couple of weeks after they've had time to digest it, suggest other things," Commissioner Sheila Matias said.

The county received \$10.65 million in ARP funds in July, with a second equal installment to be received in 2022. According to the Association of Indiana Counties, the commissioners are to prepare a spending plan, ARP financial advisor Karl Cender said.

Commissioners and the council members held a listening session Sept. 7 where ideas were collected from department heads and residents. The plan will then go to the County Council.

A portion of the plan includes premium and retention pay for county employees who worked a minimum of 90 days between March 20, 2020, and Sept. 30, 2021.

The plan will allocate an estimated \$1.8 million for front-line workers and \$700,000 for other workers.



HANEY



MATIAS



FRIEDMAN



CENDER

County  
aps o  
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S, new EN  
big ticket



# Love's plans to build on U.S. 421

## Travel stop hoping to open doors in 2022, just south of I-94 at CR-300N near MC

By **AMANDA HAVERSTICK**  
Staff Writer

La PORTE — The intersection of U.S. 421 and CR-300N could be getting a lot busier as plans to build a Love's Travel Stop just south of Michigan City are moving forward.

Love's project manager Frank Ille told the La Porte

County Board of Commissioners in September that they hope to have the store built and operating in 2022.

"We're really excited about this project — that's pretty clear by how long we've been pursuing it. A lot of different obstacles have come up," Ille said.

The board accepted the La Porte County Plan

Commissioner's recommendation to approve the planned unit development at its Sept. 15 meeting.

The site of the proposed travel plaza is on the northwest corner of U.S. 421 and CR-300N, just north of Harley-Davidson of



ILLE



Photo by Jeff V

A Love's Travel Stop is planned for the northwest corner (right) of U.S. 421 and CR-300N, just south of I-94 and Michigan City. Plans are for the gas station, store and truck maintenance shop to open in 2022.

See LOVE'S, page A2

### LOVE'S

From page A1

Michigan City and existing Speedway plaza.

"You people are the most patient people I have ever had to deal with," board president Rich Mrozinski said.

David Teyber, project manager with CESO Inc., explained that they initially brought the planned unit development to the board last fall.

"We had some issues with the gas line, had to make some adjustments to the site plan, had to change the plat a little bit. The general idea is the project is very similar to what we proposed the last time," Teyber said.

County attorney Shaw Friedman said that none of the delays in the project are attributable to Love's or the county.

"This has been attributable to the issues with the pipeline owner. The county economic team has been working very close with Love's to help make this happen," Friedman said.

"All of you, I know, agree about the economic impact of this project. I think everyone's enthused about the fact that with the additional TIF dollars there, it will help in the water and sewer project as you go south of I-94," he added.

The development, said Teyber, will be done in two phases, with Love's being primarily phase one.



MROZINSKI



TEYBER



FRIEDMAN



MATIAS

Plans for the store along U.S. 421 include Chester's Chicken, Godfather's Pizza, Taco John's and a Speedway Tire Shop for light maintenance truck repair.

"The site will have separate areas for trucks to fill and park overnight, and a separate area for automobiles to fill up and go inside for snacks and beverages," Teyber said.

For the second phase of the development, the land is being retained by the seller.

"They do have some long-term plans for potentially some warehouses or a hotel. That is being held by them and any construction would be on their terms," Teyber said.

Access, he said, is identical to what they presented a year ago.

"There are some turn lane improvements and right turns that will be installed for the Love's. There's two driveways for Love's. One is off of CR-300N. There's



Photo pr

Aerial map shows the intersection of U.S. 421 and CR-300N, just south of I-94 in Coolspring Town. A Love's Travel stop is planned for the northwest corner (top left), while Harley-Davidson of Michigan City is at the southwest corner, and Bosak Chevrolet Buick GMC is at the northeast corner.

property will be dedicated to the county," Teyber said.

Commissioner Sheila Matias asked if Love's has a standard building plan they use.

"I guess my question is more aesthetic. It's a gateway property to the Westville community and it's also a gateway property into the Michigan City community," Matias said.

Teyber said the building is like other Love's facilities off major interstates in terms of size.

far as landscaping and signage, we do have as part of the PUD a high-rise sign that will be placed out by the interstate," Teyber said.

He added that there will be signage near the main intersection at U.S. 421 and CR-300N, and the site will also have landscaping on three sides where there is a public road.

The project, said Teyber, will also have some infrastructure and utility upgrades to help plan for phase two.

chronize the Love's construction, so they get completed around the same time," Teyber said.

Mrozinski said the La Porte County Redevelopment Commission held an emergency meeting on Sept. 7 to re-bid the sewer extension project, which initially went out to bid last year.

"The time limit on the bid had expired. We did vote to move ahead to re-bid the project. We're in communication with the bidders. We don't want this thing held



LaPorte County Redevelopment Commission  
 Monthly Financial Snapshot – October 27, 2021  
 Claims Approved per RDC Docket

	US 421 AA#1	US 421 AA#2 (RESTRICTED)	KIDC	39 N AA
<i>This report includes claims being considered on the October 27<sup>th</sup> meeting's agenda.</i>	YTD Revenue/ Expenditures	YTD Revenue/ Expenditures	YTD Revenue/ Expenditures	YTD Revenue/ Expenditures
<b>Beginning Balance – Jan 1, 2021</b>	\$414,910	\$226,941	\$112,735	\$71,664
<b>YTD Revenues</b>				
TIF Revenues	\$146,302	\$158,670	\$99,148	\$20,254
Other Revenues, Interest Income, etc.				
<b>Revenue Sub – Total</b>	\$146,302	\$158,670	\$99,148	\$20,254
<b>YTD Expenditures</b>				
Cender – RDC Financial Advisory Services (\$20,000 annually)	\$4,215		\$1,270	\$1,066
Cender – Financial Serv-421 Bond Financing				
SEH – Financial Serv-I94/421 Project				
RQAW – 421 Watermain Design				
RQAW – 421 Sanitary Design (Estimate) (Amendment #1)				
*RQAW – 421 Surveyor Related Work (Amendment #1)				
*RQAW – 421 Appraisals (Amendment #1)				
RQAW - Reimbursables				
Weaver Group (Amended)–421 Geo & Easements	\$908			
Lochner – 421 Construction Engineering				
Friedman – Monthly Retainer (\$1,500/mo)	\$6,000		\$4,500	\$4,500
Friedman/Clark/Beall NIPSCO Proceedings				
The Antero Group – 421 Utility Design Review				
Ice Miller – 421/94 Bond Counsel (\$340-\$645/hr)				
PiperJaffray – 421/94 Bond Underwriter				
Cardno – KIP Wetland Monitoring				
MCR Partners, LLC	\$35,000		\$15,000	\$10,000
Thomas & Associates, LLC – Administrative/Grant Services	\$4,917		\$2,830	\$4,114
Mitch Bishop	\$2,500		\$833	
Other Legal Services, i.e...litigation, out of pocket, etc.			\$225	
<b>Other Services and Charges</b>				
Legal Ad/Publication Fees (Herald – Argos, etc.)	\$170		\$80	\$25
KIP Condemnation (appraisal, court, legal services, etc)			\$126,891	
Dues, Membership Fees				
Fund Reimbursement -North American Sign Company			\$12,478	
<b>Debt Service</b>		<sup>(1)</sup> \$290,075		
<b>Capital</b>				
<b>Loans</b>			<sup>(2)</sup>	
<b>Expenditure Sub – Total</b>	\$53,710	\$290,075	\$164,107	\$19,705
<b>Ending Balance – October 27, 2021</b>	\$507,502	\$95,536	\$47,776	\$72,213

(1) Payments on debt service will be limited to TIF revenues collected (2) RDC is deferring repayment of Major Moves Loan for KIP until such time as a major development occurs



**LaPorte County Redevelopment Commission**

**Approved/Budgeted Contract Completion Status – October 27, 2021**

<i>This report includes claims being considered on the October 27<sup>th</sup> meeting's agenda.</i>	<b>Budgeted / Approved</b>	<b>2018 Paid</b>	<b>2019 Paid</b>	<b>2020 Paid</b>	<b>2021 Paid</b>	<b>Remaining on Contract/Approved Amt</b>
<b>Professional Services Contracts or Approved</b>						
<b>US 421 AA#1</b>						
Cender – Financial Serv-Bond Financing	\$34,000	\$13,830	\$893	\$450		\$18,827
RQAW – Watermain Design	\$210,000	\$178,500	\$31,500			\$0
*RQAW – Sanitary Design (Estimate) (Amendment	\$100,000		\$141,919			-\$41,919
*RQAW – Surveyor Related Work (Amendment	\$77,350	\$68,950	\$8,400			\$0
*RQAW – Appraisals (Amendment	\$26,000		\$15,300			\$10,700
**Weaver Group (Amended) – Geo & Easements	\$42,050	\$1,091	\$21,262		\$908	\$18,789
Weaver Group – Land Acquisition Sept '21	\$34,300					\$34,300
The Antero Group – Utility Design Review	\$8,500		\$8,500			\$0
Lochner – Construction Engineering	\$241,500					\$241,500
PiperJaffray – Bond Underwriter	\$36,000					\$36,000
<b>Total</b>	<b>\$809,700</b>	<b>\$262,371</b>	<b>\$227,774</b>	<b>\$450</b>	<b>\$908</b>	<b>\$318,197</b>
<b>KIDC</b>						
Cardno – KIP Wetland Monitoring	\$4,200	\$2,912	\$191			\$1,097
Kingsbury Utility Corp. (Annual charge)	\$4,200					\$4,200
Friedman/Beall NIPSCO Proceedings	\$7,000	\$6,116	\$3,380			-\$2,496
<b>Total</b>	<b>\$15,400</b>	<b>\$9,028</b>	<b>\$3,571</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,801</b>

\*See table below for the RQAW 421 Contract Amendment #1 detail of payments

\*\*See table below for the Weaver Consultants Group 421 Contract Amendment #1 detail of payments

**RQAW Contract Amendment #1 (dated 11/19/18)**

<b>Task</b>	<b>Amendment #1 Contract Amount</b>	<b>Paid Amount to Date</b>
Survey (Estimate)	\$61,600 + easement requirements (Estimated @ \$77,350)	\$77,350
Appraisal (Estimate)	\$26,000 (Estimate)	\$15,300
Sanitary Design	Time & Materials, tasks as directed by the County Engineer (RQAW has increased estimated amount on 2/28/19 invoice from \$100,000 to \$125,000, RQAW has increased estimated amount on 3/31/19 invoice from \$125,000 to \$150,000, RQAW has increased estimated amount on 6/30/19 invoice from \$150,000 to \$166,665)	\$141,919

**Weaver Consultants Group Contract Amendment #1 (dated 11/16/18)**

<b>Task</b>	<b>Amendment #1 Contract Amount (Total \$42,050)</b>	<b>Paid Amount to Date</b>
Geotechnical Fees	\$12,700 (Completed prior to amendment)	\$12,700
Land Acquisition Fees	\$25,850 – Perform Land Acquisition Scope for 21 parcels on a Time & Material basis NOT TO EXCEED based on <i>time commencing on 11/26/18</i>	\$10,561
	\$3,500 – Lift Station Property Acquisition	\$0.00

- The following amounts represent services provided and billed prior to the Weaver contract amendment and are not included in Weaver table above : Survey Fees \$1,709.00 Land Acquisition \$9,793.55



# LA PORTE COUNTY REDEVELOPMENT COMMISSION

October 27, 2021

## CLAIM DOCKET

<u>TIF</u>	<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTALS</u>
KIDC	Barnes & Thornburg	Legal Services Inv#2523230	\$2,411.00	
	MCR Partners	October '21 Professional Services	\$3,000.00	
	Thomas & Associates	September '21 Professional Services	\$497.25	
	Friedman & Associates	Litigation Legal Services Inv#10671	\$780.00	
	Friedman & Associates	October '21 Legal Services	\$1,150.00	
		<b>Subtotal</b>		\$8,188.25
US421#1	Mitch Bishop	October '21 Professional Services	\$833.33	
	Herald-Dispatch	September '21 Legal Notices	\$66.11	
	Thomas & Associates	September '21 Professional Services	\$497.25	
	MCR Partners	October '21 Professional Services	\$2,000.00	
		<b>Subtotal</b>		\$3,396.69
39 North	MCR Partners	October '21 Professional Services	\$1,000.00	
	Thomas & Associates	September '21 Professional Services	\$123.50	
		<b>Subtotal</b>		\$1,123.50
<b>TOTAL OF CLAIMS</b>				<b><u>\$12,708.44</u></b>

### ALLOWANCE OF CLAIMS

We have examined the claims listed above, consisting of one (1) page, and except for Claims which may be listed below; such vouchers are allowed in the total amount of \$12,708.44. The Allowance of Claims, related motions and/or discussions by Committee Members will be included in the La Porte County Redevelopment Commission meeting minutes.

Dated this 27<sup>th</sup> day of October, 2021

\_\_\_\_\_  
 Randy Novak, President  
 La Porte County Redevelopment Commission

*Please list any denied or tabled claims:*

\_\_\_\_\_

## **LAPORTE COUNTY REDEVELOPMENT COMMISSION CLAIMS AND ALLOWANCES**

La Porte County Redevelopment Commission claims, and allowances will be considered by the La Porte County Redevelopment Commission at their meeting on October 27, 2021.

KIDC Project TIF-\$2,411.00 Barnes & Thornburg, legal services #2523230

KIDC Project TIF- \$3,000.00 MCR Partners October 2021

KIDC Project TIF-\$497.25 Thomas & Associates, LLC, September 2021 professional services

KIDC Project TIF-\$780.00 Friedman & Associates, litigation legal services Invoice # 10671

KIDC Project TIF-\$1,500.00 Friedman & Associates, legal services October 2021

I-94/421 Project TIF-\$833.33 Mitch Bishop September 2021 professional services

I-94/421 Project TIF-\$66.11 Herald-Dispatch September 2021 legal notice

I-94/421 Project TIF-\$ 497.25 Thomas & Associates, LLC, September 2021 professional services

I-94/421 Project TIF-\$2,000.00 MCR Partners, October 2021, Professional Services

39 N Project TIF-\$1,000.00 MCR Partners, October 2021 Professional Services

39 N Project TIF-\$123.50 Thomas & Associates, LLC September 2021 professional services

Complete details of budget expenditures by fund and /or department may be seen at the La Porte County Auditor's Office.

Please publish one time on Saturday, October 16, 2021, in Herald – Dispatch.

Bill: La Porte County Redevelopment Commission C/O Office of Community and Economic Development, 555 Michigan Avenue, Suite #203, La Porte, IN 46351

**RESOLUTION NO. \_\_\_\_-2021**

**RESOLUTION OF THE LAPORTE COUNTY REDEVELOPMENT COMMISSION  
DECLARING AN AREA IN LAPORTE COUNTY, INDIANA  
AS AN ECONOMIC DEVELOPMENT AREA AND  
APPROVING A DEVELOPMENT PLAN FOR SAID AREA**

WHEREAS, the LaPorte County Redevelopment Commission (the "Commission"), governing body of the LaPorte County Department of Redevelopment (the "Department"), and the Redevelopment District (the "District") of LaPorte County, Indiana (the "County"), pursuant to Indiana Code 36-7-14, as amended (the "Act"), has thoroughly studied that area of the County, as described on Exhibit A attached hereto and designated as the "I 80-94 US 35 Economic Development Area" (the "Economic Development Area"); and

WHEREAS, the existing public infrastructure is inadequate to service anticipated demand in or near the Economic Development Area; and

WHEREAS, there has been presented to this meeting for consideration and approval of the Commission a development plan (the "Plan") for the Economic Development Area and entitled "Economic Development Plan for the I 80-94 US 35 Economic Development Area," a copy of which is attached hereto as Exhibit B; and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Economic Development Area, which includes the property that would be affected by the establishment of the Economic Development Area, and the location of various parcels of property, streets, alleys, and other features affecting the replatting, replanning, rezoning, or redevelopment of the Economic Development Area, and the parts of the Economic Development Area that are to be devoted to public ways, sewerage and other public purposes under the Plan; and



WHEREAS, the Commission has caused to be prepared estimates of the costs of the development projects as set forth in the Plan; and

WHEREAS, the Plan and supporting data was reviewed and considered at this meeting; and

WHEREAS, Section 39 of the Act has been created and amended to permit the creation of “allocation areas” to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said section; and

WHEREAS, Sections 41 and 43 of the Act have been created to permit the creation of “economic development areas” and to provide that all of the rights, powers, privileges and immunities that may be exercised by this Commission in a redevelopment area or urban renewal area may be exercised in an economic development area, subject to the conditions set forth in the Act; and

WHEREAS, the Commission deems it advisable to apply the provisions of said Sections 39, 41, and 43 of the Act to the Plan and financing of the Plan.

NOW, THEREFORE, BE IT RESOLVED by the LaPorte County Redevelopment Commission, governing body of the LaPorte County Department of Redevelopment, as follows:

1. The Recitals set forth above are incorporated herein and are approved as if set forth herein.
2. The Plan for the Economic Development Area promotes significant opportunities for the gainful employment of its citizens, attracts major new business enterprises to the County, may result in the retention or expansion of significant business enterprises existing in the boundaries of the County, and meets other purposes of Sections 2.5, 41 and 43 of the Act, including

without limitation benefiting public health, safety and welfare, increasing the economic well-being of the County and the State of Indiana (the “State”), and serving to protect and increase property values in the County and the State.

3. The Plan for the Economic Development Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of lack of local public improvements, including without limitation the cost of the projects contemplated by the Plan.

4. The public health and welfare will be benefited by accomplishment of the Plan for the Economic Development Area.

5. The accomplishment of the Plan for the Economic Development Area will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base and other similar public benefits.

6. The Plan for the Economic Development Area conforms to other development and redevelopment plans for the County.

7. The Plan, as described herein, is reasonable and appropriate when considered in relation to the Declaratory Resolution, this Resolution and the purposes of the Act.

8. In support of the findings and determinations set forth in Sections 1 through 7 above, the Commission hereby adopts the specific findings set forth in the Plan.

9. The Plan contains the list of the various parcels of property that are affected by the establishment of the Economic Development Area, which are located within the Economic Development Area. While the Plan contemplates the possibility of property acquisition as a part of the economic development strategy, neither the Department nor the Plan proposes to acquire

any specific parcel of land or interests in land within the boundaries of the Economic Development Area at this time. At the time the Department proposes to acquire specific parcels of land, the required procedures for amending the Plan under the Act will be followed, including notice by publication to affected property owners and a public hearing.

10. The Commission finds that no residents of the Economic Development Area will be displaced by any project resulting from the Plan, and therefore finds that it does not need to give consideration to transitional and permanent provisions for adequate housing for the residents.

11. The Plan is hereby in all respects approved, and the secretary of the Commission is hereby directed to file a certified copy of the Plan with the minutes of this meeting. The Economic Development Area is hereby designated as an “economic development area” under Section 41 of the Act.

12. The entire Economic Development Area is hereby designated as an “Allocation Area” pursuant to Section 39 of the Act to be known as the “I 80-94 US 35 Economic Development Area Allocation Area” for purposes of the allocation and distribution of property taxes on real property for the purposes and in the manner provided by said Section, with the related allocation fund to be known as the “I 80-94 US 35 Economic Development Area Allocation Fund.” The base assessment date for the I 80-94 US 35 Economic Development Area Allocation Area shall be **[January 1, 2022]**. The Commission hereby specifically finds and determines, based upon its review of the proposed Economic Development Area and its reasonable expectations relating to expected growth of assessed value in the Economic Development Area following the completion of local public improvements as set forth in the Plan, that the adoption of the allocation provision as provided herein will result in new property taxes in the Economic Development Area that would not have been generated but for the adoption of the allocation provision. Any property taxes



subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the District and when collected paid into an allocation fund for said allocation area that may be used by the District to do one (1) or more of the things specified in Section 39(b)(3) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. This allocation provision shall expire on the later of twenty-five (25) years from the date of issuance of debt secured by the allocated property taxes, or at such time as no bonds payable from allocated property taxes are outstanding. The officers of the Commission are hereby directed to make any and all required filings with the Indiana Department of Local Government Finance and the LaPorte County Auditor in connection with the creation of the allocation area.

13. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(4) of the Act.

14. The Officers of the Commission are hereby directed to make any and all required filings with the State Department of Local Government Finance and the Lake County Auditor in connection with the actions described herein.

15. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

16. Any Member of the Commission is hereby authorized to take such actions as are necessary to implement the purposes of this Resolution, and any such action taken prior to the date hereof is hereby ratified and approved.

17. This Resolution, together with any supporting data and together with the Plan, shall be submitted to the LaPorte County Plan Commission (the "Plan Commission") and the LaPorte County Commissioners (the "County Commissioners") as provided in the Act, and if approved by the Plan Commission and the County Commissioners shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

18. This Resolution shall take effect immediately upon its approval by the Commission.



Adopted the \_\_\_\_ day of \_\_\_\_\_, 2021.

LAPORTE COUNTY REDEVELOPMENT  
COMMISSION

\_\_\_\_\_  
President

\_\_\_\_\_  
Vice President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

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I affirm, under penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document unless required by law and this document was prepared by Philip J. Faccenda, Jr., Barnes & Thornburg LLP, 201 S. Main Street, Suite 400, South Bend, IN 46601.

\_\_\_\_\_  
Philip J. Faccenda, Jr.

**EXHIBIT A**

**Parcel List and Descriptions of Parcels in I 80-94 US 35 Economic Development Area**

*(See Attached)*



**EXHIBIT B**

**Economic Development Plan (Including Maps of the Area)**

*(See Attached)*

**RESOLUTION NO. 2021-\_\_**

**Responsible Business Practices and Submission Requirements  
for Projects Receiving Economic Incentives from the County of LaPorte**

**WHEREAS**, for the same sound exercise of fiduciary duty the Board of Commissioners of LaPorte County, Indiana saw fit to pass Ordinance No. 2021-7 establishing adherence to “Responsible Bidding Practices and Submission Requirements” for contractors submitting bids to perform construction work on public works projects, this Resolution helps to ensure businesses approved by the LaPorte County Redevelopment Commission (“Redevelopment Commission”) to receive taxpayer subsidized economic incentives on construction projects are responsible businesses.

**WHEREAS**, the Redevelopment Commission is authorized to grant or approve various economic incentives to support and encourage economic development projects in the County;

**WHEREAS**, development in the Redevelopment Commission remains robust and on growth trajectory indicative of continued utilization of economic incentives, including but not limited to tax abatements; and

**WHEREAS**, the Redevelopment Commission has determined that establishing criteria to enhance its ability to identify responsible businesses applying for tax abatements and other economic incentives will promote the County's economic health and welfare, will promote public safety and workforce development, and is in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the LaPorte County Redevelopment Commission that:

SECTION 1. This Resolution No. 2021-\_\_\_\_, entitled “Responsible Business Practices and Submission Requirements for Projects Receiving Economic Incentives,” is hereby enacted and shall read as follows:

**I. Application and Process**

- (a) This Resolution shall apply to any construction project financed in whole or in part with economic development incentives, including but not limited to tax increment financing, tax credit, tax deduction, tax exemption, property tax abatement, a grant, loan, loan guarantee, or other financial or economic development assistance; and
- (b) The process for managing, tracking, and verifying documents submitted under this Resolution shall be established by the LaPorte County Redevelopment Commission.

**II. Requirements**

- (a) Upon approval of an application for an economic development incentive, and prior to issuing any building permit for the project, the Applicant shall submit a list of contractors and subcontractors, including independent contractors, who will perform work on the project, along with documentation of the following verified under oath by each contractor and subcontractor:



- (1) A copy of a print-out of the Indiana Secretary of State's on-line records for the business dated within sixty (60) days of the submission of said document showing that the business is in existence, current with the Indiana Secretary of State's Business Entity Reports, and eligible for a certificate of good standing;
- (2) A list identifying all former business names;
- (3) Any determinations by a court of governmental agency for violations of federal, state, or local laws including, but not limited to violations of contracting or antitrust laws, tax or licensing laws, environmental laws, the Occupational Safety and Health Act (OSHA), or federal Davis-Bacon and related Acts;
- (4) A statement on staffing capabilities, including labor sources;
- (5) Evidence of participation in apprenticeship training programs, approved by and registered with the United States Department of Labor Office of Apprenticeship or successor organization, applicable to the work to be performed on the project; and evidence that all apprenticeship programs have graduated at least five (5) apprentices in each of the past five (5) years for each of the construction crafts the contractor or subcontractor will perform on the project. Evidence of graduation rates are not required for apprenticeable crafts dedicated exclusively to the transportation of material and equipment to and from the public works project.

The required evidence includes but is not limited to a copy of all applicable apprenticeship standards and apprenticeship agreement(s) for any apprentice(s) who will perform work on the public works project; and documentation from each applicable apprenticeship program certifying that it has graduated at least five (5) apprentices in each of the past five (5) years for each construction craft the contractor or subcontractor will perform on the project. Additional evidence of participation and graduation requirements may be requested by the Redevelopment Commission at its discretion.

- (6) A copy of a written plan for employee drug testing that: (i) covers all employees of the contractor/subcontractor who will perform work on the public works project; and (ii) meets, or exceeds, the requirements set forth in IC 4-13-18-5 or IC 4-13-18-6;
- (7) The name and description of the experience of each of the contractors or subcontractors project managers and superintendents expected to work on the project;
- (8) Proof of any professional or trade license required by law for any trade or specialty area in which a contractor or subcontractor will perform work; and disclosure of any suspension or revocation within the previous five (5) years of any professional or trade license held by the company, or of any director, officer, or manager employed by the company;

- (9) Evidence that the contractor or subcontractor is utilizing a surety company on the United States Department of Treasury's Listing of Approved Sureties;
  - (10) A written statement of any federal, state, or local tax liens or tax delinquencies owed to any federal, state, or local taxing body in the last five years;
  - (11) A statement that all individuals who will perform work on the project on behalf of contractors or subcontractors will be properly classified as either (i) an employee or (ii) an independent contractor under all applicable state and federal laws and local ordinances;
  - (12) A list of projects of similar size and scope of work that the contractor or subcontractor has performed in the State of Indiana within three (3) years prior to the date on which the bid is due;
- (b) Applicant shall notify the **Redevelopment Commission** of any change to the list of contractors and subcontractors performing work on the project within five (5) calendar days of such change, and shall provide the County with the documentation required in section II (a) within ten (10) calendar days of such change.
  - (c) Upon request by the **Redevelopment Commission**, Applicant shall obtain payroll information from any contractor or subcontractor on the project and provide the information to the County within five (5) days of being requested.
  - (d) The **County** shall not issue a building permit for the project until the Applicant submits all documentation requested in section II(a) and the **LaPorte County Redevelopment Commission** has verified the information provided.
  - (e) The requirements of section II shall be included in the **economic development incentive agreement** entered into by the **Redevelopment Commission** and Applicant.

### III. Public Records

The documentation submitted pursuant to this Resolution, including payroll records, are public records subject to review pursuant to the Indiana Access to Public Records Law.

### IV. Termination and Repayment

The **County** may terminate and require repayment of the economic incentive where applicable, if Applicant fails to comply with the requirements of Section II. The County will follow the procedures set forth in the parties' **economic development incentive agreement** for termination and repayment of benefits, or other applicable **agreement**.



**V. Severability**

If any provision of this Resolution is found to be invalid, the remaining provisions of this Resolution shall not be affected by such a determination. These other provisions of this Resolution shall remain in full force and effect with the invalid provision.

SECTION 2. It is hereby found and determined that all formal actions of the Redevelopment Commission relating to the passage of this Resolution were adopted in open meeting(s) of this Commission and that all deliberations of this Commission that resulted in such formal actions, were meetings open to the public, in compliance with all legal requirements and that the reading and adoption of this Resolution complies with the County Code, as amended.

SECTION 3. This Resolution shall be in full force and effect from and after the date of adoption by the LaPorte County Redevelopment Commission.

REDEVELOPMENT COMMISSIONERS

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Randy Novak, President

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Terry Larson

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Joe Coar

---

Scott Cooley

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Rich Mrozinski

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Mike Mollenhauer

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Mike Rosenbaum

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Jan Ribordy

ATTEST:

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Secretary

Presented to the Redevelopment Commission of LaPorte, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.



incentives on construction projects are responsible businesses.

**WHEREAS**, the **Redevelopment Commission** is authorized to grant or approve various economic incentives to support and encourage economic development projects in the County;

**WHEREAS**, development in the **Redevelopment Commission** remains robust and on growth trajectory indicative of continued utilization of economic incentives, including but not limited to tax abatements; and

**WHEREAS**, the **Redevelopment Commission** has determined that establishing criteria to enhance its ability to identify responsible businesses applying for tax abatements and other economic incentives will promote the County's economic health and welfare, will promote public safety and workforce development, and is in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the **LaPorte County Redevelopment Commission** that:

SECTION 1. This Resolution No. 2021-\_\_\_\_, entitled "Responsible Business Practices and Submission Requirements for Projects Receiving Economic Incentives," is hereby enacted and shall read as follows:

**I. Application and Process**

- (a) This Resolution shall apply to any construction project financed in whole or in part with economic development incentives, including but not limited to tax increment financing, tax credit, tax deduction, tax exemption, **property tax abatement**, a grant, loan, loan guarantee, or other financial or economic development assistance; and
- (b) The process for managing, tracking, and verifying documents submitted under this Resolution shall be established by the **LaPorte County Redevelopment Commission**.

**II. Requirements**

- (a) Upon approval of an application for an economic development incentive, and prior to issuing any building permit for the project, the Applicant shall submit a list of contractors and subcontractors, including independent contractors, who will perform work on the project, along with documentation of the following verified under oath by each contractor and subcontractor:

**RESOLUTION NO. 2021-\_\_**

**Responsible Business Practices and Submission Requirements  
for Projects Receiving Economic Incentives from the County of LaPorte**

**WHEREAS**, for the same sound exercise of fiduciary duty the Board of Commissioners of LaPorte County, Indiana saw fit to pass Ordinance No. 2021-7 establishing adherence to “Responsible Bidding Practices and Submission Requirements” for contractors submitting bids to perform construction work on public works projects, this Resolution helps to ensure businesses approved by the **LaPorte County Redevelopment Commission** (“Redevelopment Commission”) to receive taxpayer subsidized economic



- (1) A copy of a print-out of the Indiana Secretary of State's on-line records for the business dated within sixty (60) days of the submission of said document showing that the business is in existence, current with the Indiana Secretary of State's Business Entity Reports, and eligible for a certificate of good standing;
- (2) A list identifying all former business names;
- (3) Any determinations by a court of governmental agency for violations of federal, state, or local laws including, but not limited to violations of contracting or antitrust laws, tax or licensing laws, environmental laws, the Occupational Safety and Health Act (OSHA), or federal Davis-Bacon and related Acts;
- (4) A statement on staffing capabilities, including labor sources;
- (5) Evidence of participation in apprenticeship training programs, approved by and registered with the United States Department of Labor Office of Apprenticeship or successor organization, applicable to the work to be performed on the project; and evidence that all apprenticeship programs have graduated at least five (5) apprentices in each of the past five (5) years for each of the construction crafts the contractor or subcontractor will perform on the project. Evidence of graduation rates are not required for apprenticeable crafts dedicated exclusively to the transportation of material and equipment to and from the public works project.

The required evidence includes but is not limited to a copy of all applicable apprenticeship standards and apprenticeship agreement(s) for any apprentice(s) who will perform work on the public works project; and documentation from each applicable apprenticeship program certifying that it has graduated at least five (5) apprentices in each of the past five (5) years for each construction craft the contractor or subcontractor will perform on the project. Additional evidence of participation and graduation requirements may be requested by the Redevelopment Commission at its discretion.

- (6) A copy of a written plan for employee drug testing that: (i) covers all employees of the contractor/subcontractor who will perform work on the public works project; and (ii) meets, or exceeds, the requirements set forth in IC 4-13-18-5 or IC 4-13-18-6;
- (7) The name and description of the experience of each of the contractors or subcontractors project managers and superintendents expected to work on the project;
- (8) Proof of any professional or trade license required by law for any trade or specialty area in which a contractor or subcontractor will perform work; and disclosure of any suspension or revocation within the previous five (5) years of any professional or trade license held by the company, or of any director, officer, or manager employed by the company;

- (9) Evidence that the contractor or subcontractor is utilizing a surety company on the United States Department of Treasury's Listing of Approved Sureties;
  - (10) A written statement of any federal, state, or local tax liens or tax delinquencies owed to any federal, state, or local taxing body in the last five years;
  - (11) A statement that all individuals who will perform work on the project on behalf of contractors or subcontractors will be properly classified as either (i) an employee or (ii) an independent contractor under all applicable state and federal laws and local ordinances;
  - (12) A list of projects of similar size and scope of work that the contractor or subcontractor has performed in the State of Indiana within three (3) years prior to the date on which the bid is due;
- (b) Applicant shall notify the **Redevelopment Commission** of any change to the list of contractors and subcontractors performing work on the project within five (5) calendar days of such change, and shall provide the County with the documentation required in section II (a) within ten (10) calendar days of such change.
  - (c) Upon request by the **Redevelopment Commission**, Applicant shall obtain payroll information from any contractor or subcontractor on the project and provide the information to the County within five (5) days of being requested.
  - (d) The **County** shall not issue a building permit for the project until the Applicant submits all documentation requested in section II(a) and the **LaPorte County Redevelopment Commission** has verified the information provided.
  - (e) The requirements of section II shall be included in the **economic development incentive agreement** entered into by the **Redevelopment Commission** and Applicant.

### III. Public Records

The documentation submitted pursuant to this Resolution, including payroll records, are public records subject to review pursuant to the Indiana Access to Public Records Law.

### IV. Termination and Repayment

The **County** may terminate and require repayment of the economic incentive where applicable, if Applicant fails to comply with the requirements of Section II. The County will follow the procedures set forth in the parties' **economic development incentive agreement** for termination and repayment of benefits, or other applicable **agreement**.

**V. Severability**

If any provision of this Resolution is found to be invalid, the remaining provisions of this Resolution shall not be affected by such a determination. These other provisions of this Resolution shall remain in full force and effect with the invalid provision.

SECTION 2. It is hereby found and determined that all formal actions of the Redevelopment Commission relating to the passage of this Resolution were adopted in open meeting(s) of this Commission and that all deliberations of this Commission that resulted in such formal actions, were meetings open to the public, in compliance with all legal requirements and that the reading and adoption of this Resolution complies with the County Code, as amended.

SECTION 3. This Resolution shall be in full force and effect from and after the date of adoption by the LaPorte County Redevelopment Commission.

REDEVELOPMENT COMMISSIONERS

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Randy Novak, President

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Terry Larson

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Joe Coar

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Scott Cooley

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Rich Mrozinski

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Mike Mollenhauer

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Mike Rosenbaum

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Jan Ribordy



ATTEST:

\_\_\_\_\_  
Secretary

Presented to the Redevelopment Commission of LaPorte, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.