

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
FEBRUARY 22, 2023

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 893 1850 4963, Passcode 626962. You can also download the free Zoom app to your smartphone and join the meeting via the app.

The La Porte County Redevelopment Commission in-person and Zoom meeting was held on Wednesday, February 22, 2023 at 4 P.M. (CDT), in Room #3, County Complex.

CALL TO ORDER

Meeting called to order by President Joe Haney, at 4:00 P.M.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

ROLL CALL

Joe Haney – Present

Justin Kiel – Present

Michael Rosenbaum – Absent

Scott Cooley – Present

Tom Fath – Present

Randy Novak – Present

Mark Parkman – Present

Others Present: Attorney Guy DiMartino, RDC Attorney; Attorney Phil Facenda, Barnes & Thornburg; Matt Reardon, MCR Partners; Mitch Bishop, County Planner; John Smith, USI Consultants, and MjThomas & Associates.

OATH OF RDC MEMBERS

President Joe Haney announced the Redevelopment Commission members would be sworn in. He stated either the RDC attorney or secretary could swear in the members as was the indication given by the former attorney. Attorney DiMartino asked if the oath language was available. As it was not, President Haney announced, without objection, the swearing in would be tabled until next month. No objections were made.

Later in the meeting, Attorney Phil Facenda provided Attorney Guy DiMartino with the language to administer the oaths. Scott Cooley motioned to add the "Oath of RDC Members" back to the agenda. Tom Fath seconded the motion. The motion carried unanimously. Attorney DiMartino and all members, except Michael Rosenbaum (absent), recited the Oath of the La Porte County Redevelopment Commission as follows:

" I, (Commission Member's Name) do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the LaPorte County Redevelopment Commission to the best of my ability and according to law, so help me God."

Attorney DiMartino added he will provide the completed Certificate of Oath to each member after the meeting.

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
FEBRUARY 22, 2023

APPROVAL OF THE AGENDA

Randy Novak motioned to approve the presented agenda. Scott Cooley seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

None

COMMUNICATIONS

- Auditor request for Treasurer report
- H-D re: claims and allowances publication
- D & M pay request #10
- USi Eng re: Pay request #10 review and signature request
- Picked up POs for RDC President signature from Auditor's office
- Auditor's office to prepare February '23 automated PO's
- Mail - OCED/Auditor's office picked up sorted/filed
- IT request for LPCRDC Special/Regular February Meeting ZOOM credentials
- Auditor's office delivered Jan. Po's
- Friedman KIP solar project email
- H-D, Co.Bar Assoc., Westville Indicator/ Regional News, IT transmitted Legal Counsel News Brief
- ED 2022 report from MCR
- Worthley /DiMartino/ Timm/ Jones/Friedman/ legal counsel responses
- Communicated legal counsel interview Times
- USi invoices
- Paxton Media invoicing
- Cender TIF accounting email

APPROVAL OF MINUTES

Randy Novak motioned to approve the January 25, 2023 meeting minutes as presented. Tom Fath seconded the motion. The motion carried unanimously. Randy Novak motioned to approve the February 9, 2023 special meeting minutes as presented. Tom Fath seconded the motion. The motion carried unanimously.

TREASURER'S REPORT

TIF Fund Balances:

421/I-94 #1 - \$276,799

421/I-94 #2 - \$96,425

KIDC - \$76,263

39 North - \$75,179

Randy Novak motioned to accept the Treasurer's Report. Tom Fath 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	MCR Partners	Feb '23 Professional Services	\$3,000.00	
	Thomas & Associates, LLC	Jan '23 Professional Services	\$822.25	
			Subtotal	\$3,822.25

**LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
FEBRUARY 22, 2023**

	MCR Partners	Feb '23 Professional Services	\$2,000.00	
	Thomas & Associates, LLC	Jan '23 Professional Services	\$822.25	
	Herald – Dispatch	Legal Publication claims	\$24.91	
	USi Consultants	Project Engineer Apr-June '22 Inv#16013	\$32,814.14	
US	USi Consultants	Project Engineer July 2022 Inv#16249	\$3,416.74	
421#	USi Consultants	Project Engineer Aug 2022 Inv#16491	\$17,881.54	
1	USi Consultants	Project Engineer Sept 2022 Inv#16740	\$23,915.40	
	USi Consultants	Project Engineer Oct 2022 Inv#16960	\$20,468.65	
	USi Consultants	Project Engineer Nov 2022 Inv#17177	\$15,118.22	
	USi Consultants	Project Engineer Dec 2022 Inv#17399	\$7,950.82	
	Friedman & Associates	February 2023 Legal Services	\$1,500.00	
		Subtotal		\$125,912.67
39N	MCR Partners	Feb '23 Professional Services	\$1,000.00	
		Subtotal		\$1,000.00
		TOTAL OF REGULAR CLAIMS		<u>\$130,734.92</u>

Scott Cooley motioned to approve the MCR Partner claim in the amount of \$3,000.00 for the Kingsbury Industrial Park TIF (KIDC) area. Tom Fath seconded the motion. The motion carried unanimously.

Scott Cooley motioned to approve the Thomas & Associates, LLC claim in the amount of \$822.25 for the Kingsbury Industrial Park TIF (KIDC) area. Randy Novak seconded the motion. The motion carried unanimously.

President Haney read the claims as presented for payment for the US 421 #1 TIF area from the Claim Docket. Randy Novak motioned to approve the US 421 #1 TIF area claims in the amount of \$125,912.67. Tom Fath seconded the motion. The motion carried unanimously.

President Haney read the claims as presented for payment for the 39 North TIF area from the Claim Docket. Justin Kiel motioned to approve the 39 North TIF area claims in the amount of \$1,000.00. Scott Cooley seconded the motion. The motion carried unanimously.

US 421 Project Claims

DESCRIPTION	AMOUNT	TOTALS
D & M Excavating, Inc – Pay Application #10 (funding source: County ARP Fund)	\$479,691.85	
TOTAL OF BOND PROCEED CLAIMS		<u>\$479,691.85</u>

President Haney read the D & M Excavating, Inc claim as presented for payment for the US 421 Project from the Claim Docket. Randy Novak motioned to approve the D & M Excavating, Inc Pay Application #10 claim in the amount of \$479,691.85. Justin Kiel seconded the motion. The motion carried unanimously.

I-94 US 35 Utility Infrastructure Design Services

DESCRIPTION	AMOUNT	TOTALS
HWC Engineering – Inv#2022-217-S-0000001 (funding source: Economic Development LIT)	\$11,500.00	
TOTAL OF BOND PROCEED CLAIMS		<u>\$11,500.00</u>

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
FEBRUARY 22, 2023

President Haney read the HWC Engineering claim as presented for payment of I-94 US 35 Utility Infrastructure Design Services from the Claim Docket. Randy Novak motioned to approve the HWC Engineering claim in the amount of \$11,500.00. Justin Kiel seconded the motion. The motion carried unanimously.

OLD BUSINESS

A. 421/I94 TIF Project Update – Matt Reardon; MCR Partners

Mr. Reardon provided an update for the 421/I94 TIF area. He informed the board there was discussion last night at the City of Michigan City Council meeting related to a proposed distribution warehouse, along with some commercial office development that would occur adjacent to the City of Michigan City. At the meeting, he informed the City of Michigan City Council that if the project would occur within the TIF district, that any new tax revenue would be collected by the county and then remitted to pay off the debt. Mr. Reardon expressed the Redevelopment Commission is supportive of investment and development in the county and will work with Michigan City to promote partnership between the city and the Redevelopment Commission.

Mr. John Smith, USi Consultants, provided an update on the infrastructure construction. He reported D&M Excavating has gone underneath US 421 through both casings with the water and sanitary. The sanitary is completely tied in. He stated the sanitary will not be able to go West until the AT & T relocation is complete. A NIPSCO meeting is scheduled for this Friday, February 24th related to the AT & T relocation. He anticipates the relocation will be complete by the end of March. President Haney thanked Mr. Smith for his report.

Mr. Reardon reported Michigan City Sanitary has some challenges related to new federal regulations referred to as “forever chemicals” and waste streams that come from or contribute from landfills. He had a very productive call with Waste Management and Michigan City Sanitary last month and plans to meet with the group again, along with Mitch Bishop, County Planner, next week. He noted Waste Management has pledged \$150,000 towards the US 421 utility improvement project and this new development has delayed the contribution. Attorney DiMartino added he received a call today from Waste Management’s legal counsel stating the Michigan City Sanitary District was having a meeting today and they were going to bring up this issue and attempt to move it forward.

B. Kingsbury Industrial Park (KIP) Update – Matt Reardon; MCR Partners

Mr. Matt Reardon provided a brief history of the Build, Operate, Transfer (BOT) contract executed by the Commission in 2020 for rail improvements which was partially supported by an Indiana Economic Development Corporation (IEDC) \$1M grant. At this time, Mr. Reardon suggested the BOT be amended to add the Indiana READI grant agreement and the READI funding which will allow the rail switcher, JBC Rail, to complete the construction of 4,000 feet of rail track and rail bridge which will finalize connectivity between CSX and CN. He added after investing a great amount of time into understanding the government’s process of procurement related to the READI grant requirements, he is confident to move forward with the process.

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
FEBRUARY 22, 2023

Attorney Phil Facenda, Barnes and Thornburg, explained the BOT was originally executed in 2020 and the current proposed amendment would attach the Indiana READI grant agreement and grant funds so that both would control how the funds are spent. President Haney asked would any project cost above the amount of the grant funds be JBC Rail's responsibility. Attorney Facenda responded yes, correct. Randy Novak motioned to approve the Resolution providing authorization to amend the BOT as presented. Tom Fath seconded the motion. The motion carried unanimously.

Mr. Reardon reported a third party agreement between JBC Rail, Lindborg (Kingsbury Elevator), and La Porte County has been prepared which states the county will fund \$550,000 to install a CSX connection. The CSX connection will provide CSX mainline access into the park which will allow for unit train cars to be brought in. If the new unit rail car revenue isn't enough to repay the county within three years, JBC Rail and Lindborg must reimburse the county. Mr. Reardon plans to attend the next County Council meeting to request funding if the agreement has been executed by all parties. It was noted that Mitch Bishop, County Planner, would be responsible to ensure the funds are repaid to the county.

C. 39 N Update – Matt Reardon; MCR Partners

No update provided.

D. 35/194 Update – Matt Reardon; MCR Partners

Mr. Reardon reported communication with the City of Michigan City is ongoing to identify the preferred route to extend the utilities for development. He added we will continue to work with Michigan City on those efforts.

NEW BUSINESS

A. Consideration of Guy S. DiMartino, P.C. 2023 contract

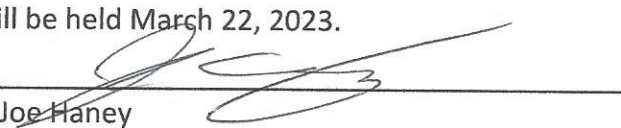
Randy Novak motioned to approve the Guy S. DiMartino, P.C. 2023 contract as presented. Justin Kiel seconded the motion. The motion carried unanimously.

OTHER BUSINESS

None


ADJOURNMENT

Scott Cooley motioned to adjourn the meeting at 4:32PM. Tom Fath seconded the motion. The motion carried unanimously. The next meeting will be held March 22, 2023.



Joe Haney
President

Attest:



Michael Rosenbaum
Secretary