

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
JULY 26, 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, July 26, 2023, at 4 P.M. (CDT), in Room #3, County Complex.

CALL TO ORDER

Meeting called to order by President Justin Kiel, at 4:00 P.M.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

ROLL CALL

Justin Kiel – Present

Michael Rosenbaum – Present

Scott Cooley – Present

Tom Fath – Present

Randy Novak – Present

Mark Parkman – Present

Rich Mrozinski – Present

Rhonda Spence, La Porte Community Schools – Ex-Officio – Present

Others Present: Attorney Guy DiMartino, RDC Attorney; Matt Reardon, MCR Partners; and MjThomas & Associates.

APPROVAL OF THE AGENDA

Randy Novak motion to accept the agenda as presented. Mark Parkman seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Rich Mrozinski motioned to approve the June 28, 2023, meeting minutes as presented. Scott Cooley seconded the motion. The motion carried unanimously.

COMMUNICATIONS

- Auditor request for Treasurer report
- H-D re: claims and allowances publication
- D & M pay request #15
- USi Eng re: Pay request #14 signature.
- Auditor's office to prepare July '23 automated PO's.
- Mail-Auditor's office picked up sorted/filed.

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES

JULY 26, 2023

- Auditor's office delivered June PO's
- Auditor, Deputy/ RDC President/Cender re: 421 bond debt service reserve Merchant Bank change of signature card, contacted Merchant Bank for nearest service centers.
- JBC Rail re: Status of KIP bridge fund advance/CSX Switch funding
- Joe Coar re: Rail Committee Membership-He will serve
- H-D re: June '23 claims legal ad.
- MCR re: CSX Switch Joint Agreement for July RDC meeting/CSX invoice
- H-D re: status of April, May, & June invoices
- Invoices MCR, DiMartino, D&M, Cender
- JBC Rail CSX joint agreement schedule
- Debra Commissioner's office cancel CRPC Rm 3 use
- Russ/Mike/Joe CRPC membership
- USi Engineering D&M pay request# 15 review
- Biege Re: Kingsbury Elevator docs for CRPC meeting
- Jim Ventura Re: KIP project
- Merchants Bank Commercial loan payment
- Assessor re: quarterly appeals

TREASURER'S REPORT

TIF Fund Balances:

421/I-94 #1 - \$268,967

421/I-94 #2 - \$0

KIDC - \$109,621

39 North - \$90,554

CLAIMS

<u>TIF</u>	<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTALS</u>
KIDC	MCR Partners	July '23 Professional Services	\$3,000.00	
	Thomas & Associates, LLC	June '23 Professional Services	\$741.00	
	Herald – Dispatch	Legal Claim Publication	\$30.66	
Subtotal				\$3,771.66
US 421 #1	MCR Partners	July '23 Professional Services	\$2,000.00	
	Thomas & Associates, LLC	June '23 Professional Services	\$741.00	
	Guy S. DiMartino	June '23 Legal Services	\$1,500.00	
Subtotal				\$4,241.00
39N	MCR Partners	July '23 Professional Services	\$1,000.00	
Subtotal				\$1000.00
TOTAL OF REGULAR CLAIMS				\$9,012.66

President Kiel read the claims as presented for payment for the Kingsbury Industrial Park (KIDC) TIF area from the Claim Docket. Rich Mrozinski motioned to approve the Kingsbury Industrial Park (KIDC) TIF area claims in the amount of \$3,771.66. Mark Parkman seconded the motion. The motion carried unanimously.

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES

JULY 26, 2023

President Kiel read the claims as presented for payment for the US 421 #1 TIF area from the Claim Docket. Rich Mrozinski motioned to approve the US 421 #1 TIF area claims in the amount of \$4,241.00. Michael Rosenbaum seconded the motion. The motion carried unanimously.

President Kiel 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 Rosenbaum seconded the motion. The motion carried unanimously.

KIDC CSX Switch Claim

DESCRIPTION	AMOUNT	TOTALS
CSX – Lost revenue (funding source: ARP)	\$525,000.00	
TOTAL OF PROJECT CLAIMS		\$525,000.00

President Kiel read the CSX claim as presented for payment for the KIDC CSX Switch from the Claim Docket. Rich Mrozinski motioned to approve the CSX claim in the amount of \$525,000.00. Michael Rosenbaum seconded the motion. The motion carried unanimously.

OLD BUSINESS

1. 421/I94 TIF Project Update – Matt Reardon; MCR Partners

Mr. Reardon reported the US 421/I94 Utility Project has been delayed due to an AT&T utility relocation issue and plans to meet with D&M Excavating and Mr. Mitch Bishop, County Planner, to wrap up the project very soon. Mr. Reardon reported the \$75,000 contribution to the project has not been paid by 421 Partners. Vice President Novak mentioned the Love’s Travel Center is under construction. Mr. Reardon responded that no water or sewer service connection will be allowed until payment is made.

Mr. Reardon stated there has been no movement on the potential warehouse project.

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

Mr. Reardon reported the Construction Rail Planning Committee met earlier to review the Joint Agreement between JBC Rail Services, Kingsbury Elevator and the LaPorte County Redevelopment Commission for the reimbursement of funding the CSX rail connection.

Mr. Reardon also reported that MCR Partners responded to four (4) larger-scale projects with interest inside the Kingsbury Industrial Park. One of these projects has visited KIP and the community three (3) times to evaluate site possibilities.

3. 39 N Update – Matt Reardon; MCR Partners

Mr. Reardon reported MCR Partners continues to work with 2 potential companies with an interest in the 39 North TIF area. Negotiations are currently ongoing for the purchase of the property as well as the availability of water and sewer service from the City of LaPorte and/or the 39 North Conservancy District.

4. 35/I94 Update – Matt Reardon; MCR Partners

Mr. Reardon reported projects are on hold until the City of Michigan City makes a decision related to the extension of water & sewer utilities.

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES

JULY 26, 2023

NEW BUSINESS

1. Consideration of the Construction Rail Planning Committee (CRPC) Report

Attorney Doug Biege, Drayton, Biege, Sirugo & Elliott, LLP, reported the Construction Rail Planning Committee (CRPC) reviewed CN's rail plans and found them to be sufficient. Therefore, Mr. Biege requested approval of the CRPC Report related to the favorable recommendation of the CN rail plans. Rich Mrozinski motioned to approve the CRPC Report related to the favorable recommendation of the CN rail plans. Mark Parkman seconded the motion. The motion carried unanimously.

2. Confirmation of Joint Agreement Kingsbury Industrial Park CSX Rail Connection Reimbursement LaPorte County Redevelopment Commission, JBC Rail Services, Inc. and Kingsbury Elevator, Inc.

Attorney Doug Biege also explained the need for a 100-year Easement Agreement between Kingsbury Elevator and La Porte County, with Kingsbury Elevator maintaining the track. Attorney DiMartino added this easement agreement removes the County from the rail business and he recommended approval of the easement agreement pending his second review of the document. Michael Rosenbaum motioned to approve the Kingsbury Elevator/ La Porte County 100-year Easement Agreement after a second legal review by Attorney DiMartino. Rich Mrozinski seconded the motion. The motion carried unanimously.

3. Consideration of KIP TIF creation from Jim Ventura, Kingsbury Biofuels

Mr. Reardon explained Kingsbury Biofuels has received the proper approvals from the La Porte County Plan Commission and Board of Zoning Appeals for the operation of the business on a prospective parcel in the KIP, in addition all required permits have been issued by IDEM. Kingsbury Biofuels is requesting incentives for the project such as private use of a TIF with the developer purchasing the bonds. Mr. Reardon also stated Kingsbury Biofuels is most likely eligible for an environmental tax-exempt waiver on personal and property taxes and if they refuse the waiver, the county will continue to receive personal and real property taxes. Mr. Ventura responded they would refuse the waiver in exchange for incentives for the project.

Jim Ventura, Kingsbury Biofuels, and Ted Niblock, Vice President of Nexus W2V, gave a presentation on the operation of Kingsbury Biofuels. Mr. Niblock stated Kingsbury Biofuels has contracted with a long term purchaser for the renewable energy that will be produced and nearly completed the discussions with the construction contractors. The facility will be an anaerobic digester facility. An anaerobic digester uses organic material which is placed in a 2,000,000-gallon tank that deprives it of oxygen, and the bacteria that grows on the organic material consumes the waste and produces methane. The methane is captured, cleaned to pipeline-grade gas, and injected into a carrier's gas pipeline system. Methane gas displaces a small amount of natural gas from fossil sources. The cost of injecting the methane gas into NIPSCO's natural gas pipeline is approximately \$5.4 million. Mark Parkman asked if the methane gas product burns like natural gas. Mr. Niblock responded yes. Mr. Parkman asked how much will be produced. Mr. Niblock responded 200,000 Mmcft per year. Ms. Rhonda Spence asked who the customer is. Mr. Niblock responded their customer is a very large Canadian energy company and a 10-year fixed price is locked into the contract. Secretary Michael Rosenbaum asked how many jobs would be created by the project. Mr. Niblock

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES

JULY 26, 2023

responded approximately 88-93 jobs. Michael Rosenbaum asked how many trucks entering and exiting the facility per day. Mr. Niblock responded with about 8 trucks per day, 6 days per week. Michael Rosenbaum asked if the company plans to use rail. Mr. Niblock responded there are no plans to use rail but would be a possibility in the future. Michael Rosenbaum asked if the facility requires additional fire protection. Mr. Niblock responded additional fire protection is not usually needed but they will contact the area's fire departments. Michael Rosenbaum asked if unpleasant smells come with the operation of the facility. Mr. Niblock responded that any smell would not normally exceed the fence line, although unpleasant smells could occur from trucks entering and exiting the building. President Kiel thanked both gentlemen for attending the meeting and explaining the potential project.

OTHER BUSINESS

None

ADJOURNMENT

Vice President Novak motioned to adjourn the meeting at 4:44pm. Michael Rosenbaum seconded the motion. The motion carried unanimously. The next meeting will be held on August 23, 2023.



Justin Kiel
President

Attest:



Michael Rosenbaum
Secretary