

JOHN R. MCNAMARA, P.E., L.S.
County Surveyor
SKY K. MEDORS, P.E.
County Engineer
WILLIAM S. SCHALLIOL, ESQ.
Executive Dir. of Economic Development
ABBY E. WILES, AICP
Executive Dir. of Area Plan Commission



ST. JOSEPH COUNTY
ESTABLISHED 1830

DEPARTMENT OF INFRASTRUCTURE, PLANNING & GROWTH

BOARD OF COMMISSIONERS
ANDREW T. KOSTIELNEY
District 1
DEREK D. DIETER
District 2
DEBORAH A. FLEMING, D.M.D.
District 3

MEETING AGENDA
April 14, 2022, at 9:00 a.m.

**REDEVELOPMENT
COMMISSION**

Members present (In person): Carl Baxmeyer, Jason Critchlow, Tyler Gillean,
Dennis Jordan, Larry Beehler

Members Absent: Thomas Gryp

Staff Present: Bill Schalliol, Chris Brown, Phil Garrett, Shelley Marker

MEMBERS

Dennis Jordan
President
Board of Commissioners Appt.

Thomas Gryp
Vice-President
Council Appointment.

Jason Critchlow
Secretary
Council Appointment

Tyler Gillean
Member
Board of Commissioners Appt.

Carl Baxmeyer
Member
Board of Commissioners Appt.

Larry Beehler 3
Advisory Member
PHM School Corporation Appt.

Phil Garrett, Esq.
Counsel

1. Meeting Called to Order at 9:00 a.m. (Audio position: 0:00:18.7)
 - a. Administration of Oath - Carl Baxmeyer

Phil Garrett swore in Carl Baxmeyer to the Redevelopment Commission as a Commissioner appointed board member.

2. Approval of Minutes (Audio position: 0:01:02.4)
 - a. March 8, 2022 – Meeting of the Redevelopment Commission

Upon a motion by Jason Critchlow, seconded by Carl Baxmeyer and unanimously carried 4-0, the minutes from the March 08, 2022, meeting of Redevelopment Commission was approved.

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|---------------|-----|-----------------|-----|
| Carl Baxmeyer | Aye | Jason Critchlow | Aye |
| Dennis Jordan | Aye | Tyler Gillean | Aye |

3. Economic Development Area Updates
 - b. General Redevelopment Commission
 - i. Budget Information (March report)
 1. Wyatt EDA – Fund 4300
 2. New Carlisle EDA – Fund 4301 (AA #2)
 3. New Carlisle EDA – Fund 4302 (AA #1)
 4. New Carlisle EDA – Fund 4303 (Special Taxing District)
 5. AM General EDA – Fund 4401
 6. Northwest Cleveland Road EDA – Fund 4402
 7. General Redevelopment Commission – Fund 4403
 8. Double Track Bond – Fund 4404

Chris Brown: You have the March budgets and expenses. Looking at Olive Township Department Agreement from 4302. I have held the last payment that we will be able to pay on the Fire Station Project for a total amount of \$650,000. We have continued

expenses for Project Honeysuckle which mostly legal and financial work to move the project forward. Some expenses related to Bendix Woods as well. The Choice Light connection has been completed and paid out. The Bendix Woods main building is now on the Choice Light network/county network and operational.

We had to split the Chamber contract up amongst four areas. There was a small error in 4302 where double the amount was taken out but moving forward with the journal correction to have it contributed to the different accounts.

In Redevelopment, looking at TIF Development presentation that Steve Dalton did last month with the preparation and some of the legal expenses related to agreements for Outlot C easements at the airport.

3. b. New Carlisle Economic Development Area (NCEDA)
 - i. Land Leases/Agreements
 1. **Resolution 2022-02** – Farm Lease (Inland Parcel)
 2. Farm Lease – Inland Parcel (Sebasto Farms)
 3. **Resolution 2022-03** – Farm Lease (31917 State Road 2)
 4. Farm Lease – 31917 State Road 2 (Sebasto Farms)
 5. **Resolution 2022-04** – Release and Indemnification (31991 Edison)
 6. Release and Indemnification – 31991 Edison (Stevens)

Bill Schalliol: The next three items on the agenda under New Carlisle Economic Development Area relate to land leases and agreements. The Redevelopment Commission or the County owns several parcels. One of the things we have done is made a commitment until that parcel is ready for development and if it had been an agricultural related parcel, we will continue to have it farmed. As part of the commitment every year we have two appraisals done on farm lease rates to determine a true value for lease rental.

Last year the average price for non-irrigated was \$137.50 per acre. This year with increase prices and increase demand it is now \$215.00 per acre. Before you today are two resolutions related to Farm Leases and the third is a little different.

3. b. i. 1. **Resolution 2022-02** – Farm Lease (Inland Parcel)

(Audio position: 0:04:16.8)

Bill Schalliol: Resolution 2022-02 is a Farm Lease for a piece of property we call the Inland Parcel that was purchased from Inland Steel. It is located at the southwest corner of Walnut and Edison Road. Approximately 46.7 acres of the land is being farmed by Ken Sebasto and Ken Sebasto, Jr. They have farmed that parcel for almost two decades. We would just continue the Farm Lease with them at a rate of \$215.00 per acre. The second item is the lease itself. There is a map included to show where the parcel is located.

Upon a motion by Jason Critchlow, being second by Dennis Jordan and unanimously carried 4-0, to approve Resolution 2022-02, Farm Lease (Inland Parcel) to continue to be farmed by Sebasto Farms at a rate of \$215.00 per acre, was approved.

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| Carl Baxmeyer | Aye | Jason Critchlow | Aye |
| Dennis Jordan | Aye | Tyler Gillean | Aye |

3. b. i. 3. **Resolution 2022-03** – Farm Lease (31917 State Road 2)

(Audio position: 0:05:43.7)

Bill Schalliol: Resolution 2022-03 is a Farm Lease for property located at 31917 State Road 2. This was acquired a couple of years ago by the Redevelopment Commission. The farmable acreage is 16.1 acres. The Sebasto Family

farms the adjacent property that they own. They would be the tenant farmer of this property at \$215.00 per acre.

Tyler Gillean: Why the dramatic jump in price again?

Bill Schalliol: The average value of the crop's vs the average value of rental prices has continued to climb. It is just not here, if you look at the Purdue index it seems to be the trend.

Upon a motion by Jason Critchlow, being second by Dennis Jordan and unanimously carried 4-0, to approve Resolution 2022-03, Farm Lease (31917 State Road 2) to continue to be farmed by Sebasty Farms at a rate of \$215.00 per acre, was approved.

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| Carl Baxmeyer | Aye | Jason Critchlow | Aye |
| Dennis Jordan | Aye | Tyler Gillean | Aye |

3. b. i. 4. **Resolution 2022-04 – Release and Indemnification (31991 Edison)**

(Audio position: 0:07:03.4)

Bill Schalliol: Resolution 2022-04 is a little different than the previous two. This piece of property is located at 31991 Edison. The Redevelopment Commission purchased the property about six years ago in anticipation of a railroad corridor for the Norfolk Southern Railway into the IEC core development area. The previous owners grew hay on the property, and we had an agreement for some people to come out and harvest the hay. They would use it and give to farmers that need it for horses and give to Reins of Life groups. A lease has never been done on it. We get a certificate of insurance and a Release and Indemnification agreement on it to allow them to do the harvesting of the hay. This will be year four or five of this continued agreement and ask for your approval of this resolution to approve the use. The Release and Indemnification is to allow the Stevens to be on the property to gather the hay.

Carl Baxmeyer: This no way changes, it just continues.

Bill Schalliol: It is done on a yearly basis.

Upon a motion by Jason Critchlow, being second by Carl Baxmeyer and unanimously carried 4-0, to approve Resolution 2022-04, Release, and Indemnification (31991 Edison) to continue to have the hay harvested and the Stevens to be on the property, was approved.

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| Carl Baxmeyer | Aye | Jason Critchlow | Aye |
| Dennis Jordan | Aye | Tyler Gillean | Aye |

Jason Critchlow: Would we have to pay someone to mow it down if they were not doing that?

Bill Schalliol: Yes. Or we would continue to let it grow wild. But now that we have Code Enforcement in the County, we maintain and mow the front half of the property and could let the back half grow wild. But since it has a productive use, we just do this.

3. b. New Carlisle Economic Development Area (NCEDA)
 - ii. Professional Services Agreement
 1. Parcel 1 Appraisal Update - Iverson Grove
 2. Parcel 1 Appraisal Update - Appraisal Specialists, Inc

Bill Schalliol: The next two items on the agenda are related to that same corridor. Back in 2016, we studied the development of a rail corridor for the Norfolk Southern Line into the core development area. There were several

parcels that were deemed to be needed for acquisition to make the corridor happen. One of those pieces of property is owned by PPMS which is the parent company that manages the Energy Center for the ownership group.

Originally when we designed the rail corridor (map enclosed in the packet on the second page) a smaller piece of property (19.238 acres) had been identified as the place where we put in the spur and make the connection off the main line into the park. In conversations with PPMS, they wanted us to get a value for the whole site for the potential for a whole acquisition of the parcel verses just partial acquisition. They have no need for the property and they have some easements that run through it that provide gas and electric service to the power plant.

We have two appraisal proposals and would ask for your approval on both. The first proposal is with Iverson Grove in the amount of \$2,000 and the second proposal is in the amount of \$1,800 to Appraisal Specialists, Inc. Anytime we buy property we are required to get two independent appraisals. This is for the total property of about 56 acres.

Jason Critchlow: Reason they are different is because each company is charging something different?

Bill Schalliol: Yes. Same scope of work.

Dennis Jordan: We still propose this land ultimately could be used for a rail spur?

Bill Schalliol: Yes. It is an interesting piece of property. The property that we would use as the rail property (shaded in yellow) is generally flat, level, and free of obstructions. The additional property that we might have the potential to buy does provide some additional acreage that could be developed in conjunction with a piece of property owned by the Town of New Carlisle. If they ever need to grow their facility center. The rest of the property is unusable because there is no good access, frontage, or has easements. We are working to set two comparable values for negotiation purposes.

Jason Critchlow: This is in the IEC.

Bill Schalliol: Yes, and in the New Carlisle Economic Development area.

Upon a motion by Carl Baxmeyer, being second by Tyler Gillean and unanimously carried 4-0, to approve Appraisal Update – Iverson Grove, was approved.

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| Carl Baxmeyer | Aye | Jason Critchlow | Aye |
| Dennis Jordan | Aye | Tyler Gillean | Aye |

Bill Schalliol: We need to vote on both of those, Iverson Grove and Appraisal Specialists, Inc. If the first vote was for Iverson Grove a second vote is needed for Appraisal Specialists, Inc.

Phil Garrett: We can amend the motion for it be for both.

Upon a motion by Jason Critchlow, being second by Carl Baxmeyer, was approved for both Iverson Grove and Appraisal Specialists, Inc. amended motion.

3 c. St. Joseph County Economic Development Area No. 3 (AM General EDA)

3 d. Wyatt Economic Development Area No. 1 (Wyatt EDA)

3 e. Northwest Cleveland Road Economic Development Area (NWCR EDA)

Bill Schalliol: There are no specific updates on the remaining three Economic Development Area items. Chris, can you please provide additional information on Project Honeysuckle before we move down to Additional Business?

Chris Brown: The original intent for moving this meeting was that we were working to finalize a Development Agreement with the company who is in charge of Project Honeysuckle. Unfortunately, with some of the discussions we have had over the last couple of weeks regarding labor and local construction. We didn't have enough time to really get a firm handle on that piece and the company and us have agreed we would push that back a month. We are looking to take it to the County Council on May 10, 2022, as the public hearing.

Unfortunately, we might have to reschedule the May RDC meeting in a similar fashion as we did today. To make sure that Council has the first say on that Development Agreement and subsequent the RDC and then the Board of Commissioners.

We are working through some of those labor issues right now. There is a path forward just need to figure out what that path is. We should have better updates towards the end of the month moving forward on that project.

Tyler Gillean: What are the labor issues?

Chris Brown: Basically looking at the amount of local labor that would be participating in the construction both on union and non-union side. Because of some of the connections, the operator's union, operators engineer union, and IBEW who are just inquiring about how much work they could be a part of. We are trying to understand from a cost standpoint on the developer's side what that marginal rate would be between union and non-union. How does that affect their financial budget? Our incentive has not changed. It really is on their side to understand what those additional costs could be given the workforce we do have here is pretty heavy unionized. We are trying to understand and is there a middle ground where the company, Council, and Unions are comfortable with the amount of work that will be provided on the project.

Jason Critchlow: Taking the Union out of it. The agreement has a small clause in there that they will try and use local labor. The focus just on local, union, non-union but will they make any guarantees that it will be local workforce?

Chris Brown: In some of the discussions we have gone through and said, "we would like to see St. Joseph County and adjacent counties". That is some of the language we are putting in the development agreement. The developer and Phil, you can correct me, the developers are comfortable with that. Whenever you talk about unions, we worry that because it is such a large job you could have other unions from Chicago, Milwaukee and those large cities that are coming. While it is union labor which is great it is still non-local labor. We are really trying to push, especially the incentive that we are giving, we really want to see as much local labor as possible both union and non-union. Is there a percentage where we can say the labor unions are happy with the percentage of work that they would be receiving and then the non-unions too.

Jason Critchlow: There is a lot of work out there right now. Can any of these contractors make any guarantees that they can fill? I mean 200 construction jobs is a lot.

Chris Brown: That is a little bit of a concern we brought that up. In previous discussions with unions it has been that they have worked on a lot of the solar projects in and around this area already. This project is six to seven times the size of those. A much larger job than AEP's 20 mega watt which is their largest one on Bittersweet. We have brought that question to the table and given all the other work that is going on in the subsequent counties. The Amazon building there is a lot of electrical work being done there. We are just trying to figure out along with the developer what those additional costs could be. Really trying to hone in on what that percentage of local labor can be to get the job done.

Jason Critchlow: Phil, isn't there often a clause where if they can't fill it with the local labor force and they have tried. Then they can move onto Chicago if they had too?

Phil Garrett: We are still trying to see what the availability is for everything before we get that language specified in the agreement. They have made some commitments to some percentages of local labor and are doing their homework regarding how this gets done.

4. Additional Business (Audio position: 0:19:18.5)

- 4. a. County Property Project – update
- b. Professional Service Contract Discussion – update
- c. 2022 Department of Infrastructure, Planning & Growth Annual Report

Bill Schalliol: Items A and B on the agenda under "Additional Business". The County Project is what we are looking through as to what the county owns and doesn't own along with what could be sold.

New planner on staff Kylie Abrams will be working with the GIS team and myself to go through that list.

The professional service contract item B we are providing information that is the average values of contracts. We are continuing to work backwards in time to put together a list, but it has been tabled based on other workload issues we had this past month.

Item C is our annual report. The last two documents in the annual report you had seen before. One is the South Bend Regional Chambers' report and the other one is Steve Dalton's report. We thought those were good supplemental materials to add to the report that we do. Our report is combined in with the Department of Infrastructure, Planning & Growth report that includes the Public Works, the Survey, the GIS and the Area Plan Commission reports. Those are not part of this those agencies are still finishing their reports. That is included for your review.

5. Public Comment (3-minute limit) (Audio position: 0:21:27.2)

Dan Caruso, 305 Compton Street, New Carlisle, IN: If I could it was not officially on the agenda. The solar project in New Carlisle if I could speak on that. I was at the meeting that Chris handled at the Methodist Church right across the street from my house. I think there has been a little bit of miss understanding. What labor wants and it was clear. What labor wants is whatever job is available use local labor, only local labor. Until there is nobody available. I have friends that are electricians and plumbers who are sitting on the bench. I don't want to hear that there is not labor available. We have plenty of labor available, use them.

It came out at that meeting, someone in the back of the room indicated that to complete a project in southern Indiana tied in with the University of Illinois. The BP brought in a construction team from San Diego. Which to me have lived in San Diego his day workers are getting on a bus and bringing them over for \$2.00 an hour.

I have a friend that is a plumber that goes over to work in Porter, Lake, and Chicago area all the time for that prevailing wage for number one. But is okay labor, we don't mind that labor if we don't have enough people here then yes you go to the next immediate area which is what they are doing now. They are getting our labor to go over there and work and sometimes they don't have people to do their jobs.

I want it to be understood that every single person, painters (I know painters that are sitting on the bench). I know that is not going to be involved with Project Honeysuckle. But there is a lot of labor in this area that is not used right now and that is all labor is saying. "Use every bit of local labor before you go looking somewhere else".

Because you are looking in Chicago doesn't mean you are scraping the bottom of the barrel which is what has happened before in the past with bringing in labor from Georgia, North Carolina. Guys who are tired of fishing and want to dig holes for a while.

Jason Critchlow: Dan, I was unable to attend that meeting I heard a lot of good feedback from it. Besides the labor piece did you feel like everything else was answered?

Dan Caruso: A lot of information came out and there was a lot of people that were there that I don't think had been exposed to any of the information. They were just there to get informed. I apologize because people after the meeting said, "can you let somebody else ask questions"? I'm sorry I raised my hand and they called on me so yes, I'll talk. I've talked to several people who were at that meeting and a couple were against the solar. They didn't want to see it coming in and they came away okay that makes a little bit of sense. It is not going to be this big invasion other than the construction phase that is going to take over the area. It is quite you are not going to have machines and will not be another shredder. I received a lot of positive feedback from that meeting.

(Audio position: 0:25:19.5)

Charlotte Wolfe, 21439 Osborne Road, Lakeville, IN: I don't come to these meetings a lot. It is a lot to get away from my learning farm where I work. I do feel that these issues are extremely important and so I am here today.

I appreciate the fact that you all seem sincerely committed to job creation in the County and using local labor. But in my humble opinion you are on the exact wrong track. There is a huge disconnect between the idea of development and the actual creation of jobs in our County which includes South Bend. The name of this commission is "Redevelopment Commission", but it is in fact a development commission. Whenever you are talking about buying farmland, leasing farmland until you can do whatever it is development not redevelopment. You are not fooling anyone you are just getting things past people who are not tuned in. And the reason they are not tuned in is these important meetings should be held in the evenings when the media and the working people can attend.

More and more of us are getting tuned in even thou it is difficult for us to get here at 9:00 a.m. on a weekday. These decisions affect every aspect of the lives of our county citizens. You even termed it "TIF development" by so doing you are acknowledging that you are decisions are being made of how to spend County citizens money and that includes people who live in South Bend. I am happy to know that you are going to be leasing this farmland parcels this year. By leasing and having an option eventually selling these properties that the County will have no need for once the Council really study research that would be best for job creation in the county.

Putting a hold on infrastructure development not redevelopment I remind you it is development. Is the correct approach until these properties can be returned to farm ownership? Please refrain from purchasing any additional properties which will limit your options for redevelopment. As this body is supposed to be doing.

Finally, regarding this research. Please research healthier and morally justifiable investment and employment options for our County that can still turn a profit and is more equitable shared among employees of these companies. Small, distributed companies, give employees of these industries financially and viable and sole satisfying work. Provide training if needed. Something is diffidently wrong when many of my friends are working low paying retail just for health insurance. Can they get out to a big low paying jobs eventually in New Carlisle area, no. They live in South Bend and maybe they don't even have a car. They need jobs in South Bend. Thank you.

(Audio position: 0:28:36.5)

Debra Durall, 21677 Auten Road, South Bend, IN: The last time I was here I read from Joel Salatin who made the point about integrating our progressive and responsible development. I had Shelley pass out to you a Venn diagram that I feel illustrates part of why the citizens and even maybe some of the developers feel that St. Joseph County is stumbling over how to do development now. We've been working for about five years with the County

and while we have South Bend, IUSB, Notre Dame, Saint Mary's and Holy Cross all have sustainability office within their academic setting. All of those people there including the students are learning about how sustainability works now. I checked with several people in the County and found out that this diagram really has not been shared or worked with in a formal way.

I want to propose this is maybe a starting point to help reach out to some of these academic professionals. I am just an informed citizen and concerned. But I do see again, like several of have shared there is quite a disconnect with the knowledge that is available in this area that is not showing up in these meetings and in the policy decisions. I think a lot of the citizens why we were so galvanized about the way the IEC was being described is because we had already been working with this diagram for about ten years. It was clear that the concept of the IEC had no understanding about how these three pieces really need to be formally addressed. In order to make sure that development processes in a responsible way in all of these three important areas. I would like to suggest that the RDC reach out to some of our local professionals for instance we have one right here that could explain this diagram. More thoroughly and efficiently than I can but we also have in each one of these colleges professors who are doing research and in-depth study on these things.

Phil Garrett: Ms. Durall thank you for your comments your time is up.

Debra Durall: But you can't say that in three minutes. So, I like to suggest that you invite. Start with a professional to explain this diagram to you. Thank you.

6. Adjournment

Upon a motion by Jason Critchlow, being seconded by Carl Baxmeyer and unanimously carried 4-0, for adjournment of the Redevelopment Commission meeting at 9:33 a.m.

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| Carl Baxmeyer | Aye | Jason Critchlow | Aye |
| Dennis Jordan | Aye | Tyler Gillean | Aye |

Next Meeting Date: May 10, 2022, at 9:00 am

The Title VI Coordinator has made available at this meeting/hearing a voluntary Public Involvement Survey to collect demographic data to monitor and demonstrate St. Joseph County's compliance with its non-discrimination obligations under Title VI and Federal Regulation 23CFR 200.9(b)(4), and more importantly, ensure that affected communities and interested persons are provided equal access to public involvement. Compliance is voluntary. However, in order to demonstrate compliance with the federal regulation, the information requested must be documented when provided. It will not be used for any other purpose, except to show that those who are affected or have an interest in proceedings, or the proposed project have been given an opportunity to provide input throughout the process.