

MINUTES

WHITLEY COUNTY REDEVELOPMENT COMMISSION

Tuesday, January 24, 2017

WHITLEY COUNTY GOVERNMENT CENTER
COUNTY COMMISSIONERS/COUNTY COUNCIL MEETING ROOM

MEMBERS PRESENT

Jim Argerbright
Bill Overdeer
George Schrupf
Michael Schrader
Jill Western

MEMBERS ABSENT

Frank Kessler

LEGAL COUNSEL

Andy Boxberger

STAFF

Jon Myers
Nathan Bilger
Jennifer Stephenson
Jana Schinbeckler

GUESTS

Scott Wagner – Whitley County Health Department

CALL TO ORDER: President Jim Argerbright called the meeting to order at 8:00am.

IN THE MATTER OF MINUTES: The minutes for the December 13, 2016 meeting were presented for review. Mr. Argerbright noted a correction regarding the discussion about continuing using Region 3A and replacing it with discontinuing using Region 3A. Mr. Schrader motioned the January 10, 2017 minutes be approved with the correction; Mr. Overdeer seconded the motion; motion passed with all in favor.

RDC / EDC AGENCY AGREEMENT DISCUSSION: EDC President Jon Myers presented the updated Agency Agreement that included the indemnification clause that EDC Attorney Matt Shipman and RDC Attorney Andy Boxberger had worked together on. Mr. Overdeer motioned to approve the Agency Agreement; seconded by Mr. Schrupf; motion passed with all in favor.

CARSON BOXBERGER FEE SERVICES AGREEMENT: The Fee Services Agreement was presented which included a \$10.00/hour increase in services. Mr. Boxberger explained that they had been operating on an engagement letter from roughly 2011. Mr. Bilger noted that in two places within the agreement, a misspelling of Whitley County was found. Attorney Boxberger will make the corrections. Mr. Schrupf motioned to approve the Fee Services Agreement with the mentioned corrections; seconded by Mr. Schrader; motion passed with all in favor.

COESSE SEWER DISCUSSION: Mr. Scott Wagner, from the Whitley County Health Department spoke regarding a sewer issue in Coesse. The Redevelopment Commission had previously paid for seven sewer connections in Coesse in 2015 due to an existing tile leak on the

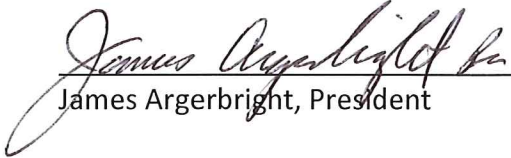
equine hospital property. In spring of 2016, Mr. Downing was having infiltration into the basement of his mother's former home, which is directly south of Coesse School. The County Commissioners authorized \$907.75 to Premier Earth, Inc. (Mr. Wigent) for the exploration of that tile. Mr. Wagner explained that when Crosby Excavating excavated 500 East from North Street south to McJunkin Street, they discovered a clay drainage tile that needed to be removed to put the sewer deep enough. The County paid for the change order of \$2,000 to replace the existing drain tile. Upon Mr. Wigent's excavation last week, it was discovered that the drain tile was not installed at the proper depth. Mr. Downing's basement cannot be connected to the drain tile without further excavation downhill to the north. Mr. Wagner did approach Coesse School regarding their catch basin located outside the road right of way, however they refuse to let the tile be connected. Mr. Wagner is looking for authorization from the Redevelopment Commission to pay for the excavation. Mr. Overdeer wanted verification that the County Commissioners did pay for the original work with the Redevelopment Commission reimbursing them. Mr. Wagner stated that was correct. Mr. Schrupf asked if there would be any health or safety issues at Coesse School if the tile was able to tap into their line. Mr. Wagner stated there was not, the school just does not want to take on the liability of having someone's basement connected to their property. Ms. Western mentioned possibly approaching the school with an indemnity clause stating the school would not have any liability if there were problems. After discussion, there was a motion by Mr. Overdeer to allow the County Commissioners to act on behalf of the Redevelopment Commission regarding the Downing drainage correction, including negotiations with the school and pursuing recompensation of damages from GAI Consultants and Crosby Excavating, with the Redevelopment Commission reimbursing the County in the amount up to \$8,000; seconded by Mr. Schrader; motion passed with all in favor.

MISCELLANEOUS MATTERS: EDC President Jon Myers explained that the City has been in negotiations with bringing fiber optic internet service to the city and to the businesses in the TIF district. The agreement would currently call for the Redevelopment Commission contributing \$100,000 at the outset of the project and another \$100,000 at completion. They would also like to ask the County Council for a 10-year, 100% tax abatement for the equipment that would be located in the county. Mr. Myers assumes that this would be approximately \$14,000 - \$15,000 per year in tax revenue with only part of that being within the TIF district. Mr. Myers would request that the Redevelopment Commission authorize a member on behalf of the commission to enter into an agreement up to \$200,000 and recommend the tax abatement to the County Council. The City will be considering this tonight at the City Council meeting. The first installment of \$100,000 would be February 15, 2017. After discussion, Mr. Overdeer moved that the Redevelopment Commission agree to move forward with the fiber optic internet service including: giving Mr. Schrupf authority to represent the commission and execute any agreements on its behalf, committing up to \$200,000, recommending that the County Council grant a 10-year, 100% tax abatement, allowing Mr. Boxberger time to look over the agreement with the agreement then coming back before the board for ratification; seconded by Mr. Schrader; motion passed with all in favor.

FINANCIAL LEDGER/BONDS TRAINING: Auditor, Jana Schinbeckler presented a training session explaining the Redevelopment Commission ledger for 2016. Discussion followed regarding the Series A & Series B bonds.

There being no further business or public comment, the meeting was adjourned at 9:18am.

Whitley County Redevelopment Commission


James Argerbright, President

Attest:


Michael Schrader, Secretary