

**MINUTES**  
**WHITLEY COUNTY REDEVELOPMENT COMMISSION**  
**Tuesday, October 26, 2021**

**WHITLEY COUNTY GOVERNMENT CENTER**  
**1<sup>st</sup> FLOOR-COMMISSIONERS/COUNCIL MEETING ROOM**

<b>MEMBERS</b>	<b>PRESENT</b>	<b>ABSENT</b>	<b>STAFF</b>	
Jim Argerbright	X		Nathan Bilger	Dale Buuck
Frank Kessler	X		Cami Hippenhammer	Tiffany Deakins
Michael Schrader	X		Brent Bockelman	Scott Wagner
George Schrumph	X			
Kim Wheeler	X			
Jill Western	X			
<b>GUESTS IN ATTENDANCE</b>			<b>LEGAL COUNSEL</b>	
Steve Western	Lisa Fensler		Andy Boxberger	
Madalyn Sade-Bartl			<b>GUESTS ON-LINE/PHONE</b>	
			Davis Lamm	

**CALL TO ORDER**

Mr. Argerbright called the regular meeting to order at 8:00 a.m.

**ROLL CALL**

Mr. Argerbright read roll call. All members present and absent are listed above.

**GATEWAY AND RAIL CONNECT SITE UPDATE**

Mr. Argerbright asked for an update on the Gateway project. Mr. Buuck stated that NIPSCO is currently working on the line relocation.

Mr. Buuck also stated that the party interested in building on the lot at Rail Connect had decided to go another direction in their plans.

**LARWILL SEWER PROJECT, BCS UPDATE**

Mr. Argerbright discussed a meeting that had occurred at the Jackson property with Dr. Gradeless, Scott Wagner, and Kim Wheeler regarding the location of the electric pedestal. They agreed on a revised location that would be nearer to the house and not have views blocked.

Mr. Wagner discussed the time frame of sewer hookup and septic abandonment. He stated that ground conditions may be an issue for the heavy equipment due to weather and amount of moisture in the ground.

Mr. Wheeler reviewed his opinions of the on-site meeting and stated that the main issue was communication between parties involved. He shared concerns of the cost of the project and payments for a job that is not complete. He had concerns about the Commission relocating the electric service panel by itself. Mr. Wagner stated that he would be contacting Rider Electric regarding this, rather than reusing the previous contractor.

Mr. Argerbright agreed. At this point, Mr. Lamm joined remotely, and Mr. Argerbright asked for an update on the project. Mr. Lamm stated that Red Star was hooked up in August and was doing well. REMC had hooked up the grinder pump at the Barnes property, so that was the only one hooked to

electric power. No residential properties had septic systems decommissioned and hooked up to the sewer line. Mr. Boxberger asked about parties responsible for the hook up. Mr. Lamm asked for clarification between responsibility of cost or responsibility of actual labor. Mr. Boxberger answered both. Mr. Lamm stated that the homeowners would be responsible for cost and A&B boring had been quoted since they had done most of the project, yet homeowners were able to choose whoever they would like. Mr. Argerbright asked if the Jacksons were aware of this. Mr. Lamm confirmed that they were made aware, and that A&B would be the least expensive option.

Mr. Schrupf asked for confirmation that cost of hook up would be covered for the homeowner as part of the project. Mr. Argerbright stated that decommissioning of the septic was agreed to be taken care of by Red Star and assumed hook up would be part of the project.

Mr. Argerbright discussed the meeting with Mr. Gradeless for Mr. Lamm's benefit. He explained that a verbal agreement was made with Mr. Gradeless on where the pedestal would be moved to. Scott Wagner would be overseeing this to ensure there would not be conflict with the septic.

Mr. Argerbright stated that they had no confidence in who did the work on the pedestal since it looked terrible and was leaning from the time of installation. He said that a little discussion with the homeowner at the beginning could have been resolved their concerns. The new placement would be within code and not disturb the view from the home and the neighbors. Mr. Lamm mentioned a concern with placement regarding septic and the ability to decommission and impede removal of septic tank. Mr. Argerbright stated that there are other concerns and that the Commission was not happy with how A&B and BCS Management have handled this project. Mr. Boxberger brought up the connections from house to the grinder. Mr. Wagner would work with BCS to clarify the connections.

Mr. Wheeler discussed taking over the movement of electric service on the Jackson property. Mr. Argerbright elaborated that Mr. Wagner would be contacting Mr. Lamm to coordinate on next steps going forward.

Mr. Lamm stated that he would be back in town tomorrow. On concerns with A & B Boring, he said that Abon Marche engineering was overseeing the project, and he would like to meet at another time to go over issues and review construction observations to see what happened and how that cannot happen in the future. Mr. Argerbright welcomed that offer. Mr. Lamm also stated that he would like to meet regarding the concerns with BCS management and the handling of this project. All parties agreed. Contact information was exchanged so communication between Mr. Wagner and Mr. Lamm.

Mr. Boxberger mentioned a release to be signed by the homeowner. Mr. Wagner mentioned that more likely to be signed when work is completed and accepted for the electrical.

Mr. Boxberger also discussed the abandonment of tanks and hook up and the timing of this.

### **MISCELLANEOUS MATTERS**

Mr. Boxberger discussed the forming of Churubusco Redevelopment Commission and introduced Ms. Sade-Bartl and Fensler. Mr. Boxberger stated that he was hired as their Redevelopment Commission legal counsel and the implications that could have between the Commissions. They discussed the proposed TIF districts, which would include some areas not in the town limits and so would need County approval. They were working on the plan for the area, with the initial resolutions being adopted before year-end. Mr. Bilger stated that a similar situation of parcels outside the corporate limit was addressed with the South Whitley TIF area. Mr. Argerbright congratulated them on moving forward. Mr. Kessler stated that he agreed that the formation of a TIF would be a good idea for the Town, and he asked to have Mr. Boxberger work on drawing up the resolution to approve the creation

of the TIF areas outside the corporate limits. Mr. Boxberger affirmed he could work on that resolution on behalf of both entities. There was further discussion on the process.

Mr. Argerbright asked for a motion to allow Mr. Boxberger to work on behalf of both parties. Motion made by Mr. Kessler and seconded by Mr. Schrader. Motion passed by roll call vote, 4-0.

Mr. Wheeler asked Mr. Buuck for update on Coupled Product/Impact CNC project. Mr. Buuck stated that it was progressing on track.

**CLAIMS**

Claims were presented for review. The claims consisted of:

Bercot	\$163,990.43	Gateway Park Drainage
Carson LLP	\$936.00	Attorney fees
Union Twp Trustee	\$50,000.00	Semi-annual capital improvements
Whitley County EDC	\$8,000.00	Quarterly marketing agreement
Indiana Fire Sprinkler	\$45,000.00	Fire suppression system at Sailrite
BCS Management	\$1,906.20	Larwill sewer project
BCS Management	\$1,094.84	Larwill sewer project

Mr. Bilger stated the claims and explained each.

There was discussion about the BCS invoices and what were appropriate expenses. The Commission felt it best to hold the invoices to the next meeting after meeting with BCS.

Mr. Schrader made a motion to approve the claims as presented and to hold the BCS claims; Mr. Wheeler seconded. The motion passed by roll call vote, 5-0.

**IN THE MATTER OF MINUTES**

Minutes for the September 28<sup>th</sup> meeting were presented for consideration. Mr. Wheeler made a motion to approve the minutes as presented; Mr. Kessler seconded. Motion passed by roll call vote, 4-0-1, with Mr. Argerbright abstaining since he was not present.

Being no further business, Mr. Argerbright declared the meeting adjourned at 8:49 a.m.

**WHITLEY COUNTY  
REDEVELOPMENT COMMISSION**

**ATTEST:**

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James Argerbright, President

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Michael Schrader, Secretary