

BE IT REMEMBERED THAT, The Board of Commissioners of the County of St. Joseph met in a regular session in the County City Building on June 7, 2022 at the hour of 10:00 a.m. (EST) at which time in the following members were present: Andrew Kostielney, Derek Dieter, and Dr. Deborah Fleming D.M.D. were present.

PLEDGE OF ALLEGIANCE

OPENING AND READING OF BIDS ON:

Portage Manor garage demolition.

Indiana Earth Inc. \$222,500.00
Osceola, IN.

Dr. Fleming moved to accept the above request for further study and review as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

REPORTS AND REQUESTS FROM:

COMMISSIONERS

A)

IN THE MATTER OF APPROVING
THE ACCOUNTS PAYABLE DOCKETS

Dr. Fleming moved to accept the Accounts Payable Docket as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

B)

EMPLOYEE OF THE MONTH

Joe Nolen

C)

IN THE MATTER OF APPROVING
A SETTLEMENT AGREEMENT
BETWEEN CARLA CARR-SCARBERRY
AND ST JOSEPH COUNTY INDIANA

Mr. Misch. This case has been negotiated below cost of defense. Ultimately it made sense to get rid of the case without expenditure of additional attorney fees.

Dr. Fleming moved to accept the above request as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

D)

IN THE MATTER OF APPROVING
RESOLUTION R-9-C-2022-
PROJECT HONEYSUCKLE
DEVELOPMENT AGREEMENT

Chris Brown, IPG, offices on the 11th floor.

This project is a 150-megawatt solar farm to be located in Olive Township on 1000 acres of leased land. This project was introduced in 2019 and has since been through some changes. The project was bought as part of a portfolio by Light source BP. Negotiations have continued to get this project off the ground. This is anticipated to start in the fall of 2022 with 150-200 jobs in the county for that project. The anticipated start of power generation is 2024. The development agreement outlines the entire agreement from the

start to the end of life of this project. It includes the financial incentives, a decommissioning agreement, it will also have a road use agreement, as circuits cross certain roads the county engineer will review and approve those plans. The financial piece would involve setting up a single user economic development area and separate TIF District. The incentive worksheet is in the packet. The ideal for the TIF, there were complications on how tax abatement works on solar projects. We felt that TIF was a better way to construct that financial incentive. One of the reasons why we used the TIF was because it has a much more flexible mechanism so we could kind of start ushering off certain buckets to be filled. For example, New Prairie United School system will start receiving checks from the Redevelopment Commission. In year 11 the Redevelopment Commission will start collecting \$250000.00 just for infrastructure improvements, the remainder of that would be the credit that went back to the developers, the financial incentive. Once this is approved by everyone then the creation of the TIF and the EDA will start. That is also a very public process. Once the TIF is established Light Source is still intending to start construction in the fall of this year. We request your approval.

Darren Jacobs, Development Manager.

Speaks about the Light Source project and answers questions.

Dr. Fleming moved to accept the above request as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

E)

IN THE MATTER OF APPROVING
RESOLUTION R-10-C-2022-
UNSAFE BUILDING LAW RELATED
TO CERTAIN SPECIFIED PARCELS

Phil Garrett, Council for the Building Department.

Randy James, Building Commissioner.

This resolution is in reference to some demolition hearings that are next on the agenda. The statute requires that the board make specific findings with regard to service on the property owners. All property owners have been served either regular, certified mail, publication or a combination of those. We are asking for approval of this resolution in order to proceed.

Dr. Fleming moved to accept the above request as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

BUILDING DEPARTMENT
IN THE MATTER OF APPROVING
OF COMPLIANCE ORDER AND
NOTICE OF DEMOLITION HEARINGS

Motion to open public hearings.

Mr. Dieter moved to open the hearings.

Motion seconded by Mr. Kostielney.

Motion adopted by a 3-0 vote.

Public hearing is open.

13512 7th St., Mishawaka-property owner not present-

Dr. Fleming moved to affirm the above request as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

19406 Auten Rd., South Bend-Property owner present.

Eric Zakrocki, Mishawaka, IN.

Mr. James. What are your intentions for the property? It is unsafe and a public nuisance.

Mr. Zakrocki. Continue to pay the mortgage. It does need to be demolished. I have no idea how to go about doing that. I have no plans to do repairs.

Mr. Garrett. Do you consent to demolish of the property?

Mr. Zakrocki. I do.

Dr. Fleming moved to affirm the above request as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

18196 Bulla Rd., South Bend.

Mr. Garrett. The homeowners have contacted Mr. James, delineated some steps which they are going to take to remediate the property. This is acceptable to Mr. James, as a result of that we would like to continue this hearing until September 9, 2022.

Dr. Fleming moved to continue the above request as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

55501 Elder Rd., Mishawaka-property owner not present-

Dr. Fleming moved to affirm the above request as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

56654 Fairmont Ave., South Bend, IN.-Property owner present

Garage only for demolition.

Shelly Roddick, South Bend, IN. This property belongs to my daughter's father. She is underage so I attend to this property as well as my current property. The previous renters did not maintain the property or pay rent. During the COVID situation I could not evict them. They are now out, and we have new renters. The inside of the house is fixed. We are in the process of putting a new roof on the garage and then there is a pole building on the property that is going to be demolished. We tried to see if we could fix it but the prices are too high. We are in the process of getting it taken care of we just need an extension to take care of it.

Mr. Garrett states this is for the garage.

Ms. Roddick indicates that what they are saying is the garage is in fact a pole barn that she is in the process of having it demolished and would like an extension to do it herself.

Mr. Garrett. We would like to continue this hearing until September 9, 2022.

Dr. Fleming moved to continue the above request as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

57110 Guernsey Ave., Osceola-property owner not present-

Dr. Fleming moved to affirm the above request as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

50902 Kenilworth, South Bend-property owner is not present-

Mr. Garrett. The property owner has contacted Mr. James. They have pulled the demolition permit they have one step left in getting the abandonment of the well on septic. The electric and gas abandonment has been obtained. We ask for a continuance till September 9, 2022.

Dr. Fleming moved to continue the above request as read and outlined.

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

56961 Lake St., Osceola-Representative present.

Fenrong Ma, Jay Royalty Michiana.

This was purchased through a tax sale and just recently got ownership. This is the first time we have encountered this situation and would like more time to evaluate how to proceed. We have contacted several contractors to see how to proceed or if it needs demo. We would like to work with you. A continuance is requested.

Dr. Fleming moved to continue the above request as read and outlined.
Motion seconded by Mr. Dieter.
Motion adopted by a 3-0 vote.

55576 Moss Rd., South Bend-property owner not present

Dr. Fleming moved to affirm the above request as read and outlined.
Motion seconded by Mr. Dieter.
Motion adopted by a 3-0 vote.

Dr. Fleming moved to close the public hearing as read and outlined.
Motion seconded by Mr. Dieter.
Motion adopted by a 3-0 vote.

HEALTH DEPARTMENT
IN THE MATTER OF APPROVAL
OF CONTRACT AGREEMENT

This contract is with Lauren Rose, in order to work with our infant fetal mortality review program which is funded by the State Department of Health.

Dr. Fleming moved to accept the above request as read and outlined.
Motion seconded by Mr. Dieter.
Motion adopted by a 3-0 vote.

INFRASTRUCTURE, PLANNING AND GROWTH

CONSENT AGENDA

Development / Subdivision Requests
Description 1. Irrevocable Letter of Credit – Inverness Woods Subdivision 2. Surety Release & Subdivision Project Completion Affidavit Brownstone Estates Major Subdivision
Special Events Requests
Description 1. Get Wet for a Vet Ride
Traffic Regulatory Requests
Description

Dr. Fleming moved to accept the above request as read and outlined.
Motion seconded by Mr. Dieter.
Motion adopted by a 3-0 vote.

IN THE MATTER OF APPROVING
CHANGE ORDER #2-CONTRACT R-
ADDED TRAVEL LANES AND
BRIDGE REPLACEMENT ON DOUGLAS
ROAD AND IRONWOOD ROAD

Sky Medors, IPG, offices on the 7th floor.

This is in reference to the septic and well abandonment. There was no line item provided for this work therefore, it was not considered in the contract estimate at letting. This results in an increase of \$23,861.00 to the contract.

Dr. Fleming moved to accept the above request as read and outlined.
Motion seconded by Mr. Dieter.
Motion adopted by a 3-0 vote.

IN THE MATTER OF APPROVING
AN ENGINEERING SERVICES
PROPOSAL AS NEEDED AGREEMENT

This is with DLZ Indiana in a not to exceed amount of \$150,000.00.

Dr. Fleming moved to accept the above request as read and outlined.
Motion seconded by Mr. Dieter.
Motion adopted by a 3-0 vote.

Upon Counsels recommendation the opening of towing quotes are to be read by Frank Fotia.

Frank Fotia, offices on the 7th floor.

Hamilton Towing, South Bend, IN.

Tony's Mobile Service, South Bend, IN.

Vic's Towing and Recovery, South Bend, IN.

City Wide Towing, Mishawaka, IN.

Dr. Fleming moved to receive the above quotes as read and outlined.
Motion seconded by Mr. Dieter.
Motion adopted by a 3-0 vote.

OLD BUSINESS: None

PUBLIC COMMENTS:

Debra Durail, South Bend, IN.
Shares information on wetlands, and Farm Bureau EPA information.

Dan Caruso, New Carlisle, IN.
Gives thanks for openness on solar project.

There being no further business to come before the Board at this time, Mr. Kostielney asked for a motion to recess, Dr. Fleming so moved, seconded by Mr. Dieter. Meeting recessed by a 3-0 vote.



ST. JOSEPH COUNTY COMMISSIONERS

*Please refer to the St. Joseph County website for the full audio and visual of the St. Joseph County Commissioners meeting if needed.

