

MINUTES OF THE
REGULAR MEETING
OF THE
ST. JOSEPH COUNTY COUNCIL
October 13, 2015

The regular meeting of the St. Joseph County Council was called to order at 6:00 p.m., on October 13, 2015, by the President, Rafael Morton, in the Council Chambers, fourth floor, County-City Building, South Bend, Indiana.

Members in attendance were:

Mr. Robert L. Kruszynski
Mr. Corey Noland
Mr. James O'Brien
Ms. Diana Hess
Mr. Rafael Morton
Mr. Mark P. Telloyan
Mr. Mark A. Catanzarite
Mr. Robert McCahill
Mr. Mark Root

Present from the Auditor's office were Mr. Michael J. Hamann and Ms. Teresa Shuter, Chief Deputy Auditor. Council staff present was Mr. Michael A. Trippel, Attorney and Ms. Jennifer Prawat, Executive Secretary.

Petitions, Communications & Miscellaneous Matters:

Mr. McCahill made the motion to reappoint Dr. Richard Headley and John Matthys to Animal Control Commission and Dale DeVon, John Creed, John Linn and Tim Murray to the Onsite Wastewater Advisory Board and was seconded by Mr. O'Brien. The motion was passed by a voice vote; 9-0.

Ms. Hess made a motion to approve the minutes of the September 8, 2015 public hearing and the September 22, 2015 was seconded by Mr. Catanzarite, the motion was passed by a voice vote; 9-0.

Mr. O'Brien made a motion to table Bill No. 56-15 and move this matter to the November 10, 2015 meeting. It was seconded by Mr. Noland. The motion was passed by a voice vote; 9-0.

No report from the County Auditor
No report from the County Commissioner

Special Committees: Mr. Catanzarite: As your representative for NICTD (North Indiana Commuter Transit District) South Shore Commuter Railway Board, I wanted to update you. I am sure everybody here has seen a lot of this in the media lately but, there is a real threat that South Shore passenger service, actually, passenger service throughout the entire United States and any kind of a hazmat freight shipment could not exist January 1 if PTC (Positive Train Control) legislation isn't rescinded by congress. I would urge everybody here and on the Council and members of the public here tonight to urge their congressman and their senators to extend the deadline for the Positive Train Control deadline which is currently December 31, 2015. We are asking for a December 31, 2018 extension to be more realistic to develop the technology at which currently isn't there and to pay for the unfunded mandate which just for our property alone for the South Shore Railroad is eighty million dollars so if anybody here could contact their delegation in Washington D.C. we would appreciate there.

Mr. Morton: Thank you very much for that update sir.

First Readings:

BILL NO. 73-15: A RESOLUTION DETERMINING THAT THE QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA HAVE BEEN MET AND CONFIRMING RESOLUTION NO. _____ OF THE ST. JOSEPH COUNTY COUNCIL DECLARING AN AREA OF THAT COUNTY TO BE AN ECONOMIC REVITALIZATION AREA PETITIONER: ST. JOSEPH ENERGY CENTER, LLC
(CONFIRMING RESOLUTION)

Assigned to the Land Use Planning Committee

BILL NO. 74-15: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, FOR PROPERTY LOCATED AT 54486 FIR ROAD FROM R SINGLE FAMILY DISTRICT, TO C COMMERCIAL DISTRICT PETITIONER: DAFIR REALTY, LLC

Assigned to the Land Use Planning Committee

BILL NO. 67-15: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, FOR PROPERTY LOCATED AT 13460 E. MCKINLEY AND 56020 CURRANT ROAD, FROM C COMMERCIAL DISTRICT TO C COMMERCIAL DISTRICT PETITIONER: RBS PROPERTIES LLC

Assigned to the Land Use Planning Committee

BILL NO. 68-15: AN ORDINANCE OF ST. JOSEPH COUNTY COUNCIL AMENDING ORDINANCE NO 79-13 WHICH ESTABLISHED THE PUBLIC SAFETY COMMUNICATIONS CONSORTIUM OF ST. JOSEPH COUNTY, AND MODIFYING SECTION 6 OF SAID ORDINANCE REGARDING THE OPERATIONS BOARD POWERS AS ESTABLISHED THEREIN Assigned to the Human Services/Criminal Justice Committee

BILL NO. 69-15: A RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL DECLARING A PORTION OF THE ST. JOSEPH COUNTY AN ECONOMIC REVITALIZATION AREA, PURSUANT TO IC. 6-1.1-12.1-14 ET SEQ PETITIONER: ST. JOSEPH ENERGY CENTER, LLC

Assigned to the Land Use Planning Committee

9. Adoption of the Airport Authority, Solid Waste Management, and St. Joseph County 2016 Budget:

BILL NO. 62-15: ORDINANCE FOR APPROPRIATIONS AND TAX RATES (BUDGET FORM 4) AIRPORT AUTHORITY

Mr. Morton: The public hearing for the Airport Authority, Solid Waste Management and the St. Joseph County budget for 2016 was held on September 8 and no formal objections have been filed for any of these budgets.

Motion to pass Bill No. 62-15 was made by Mr. Noland and seconded by Mr. McCahill. Bill No. 62-15 was passed to-wit; 9-0.

BILL NO. 63-15: ORDINANCE FOR APPROPRIATIONS AND TAX RATES (BUDGET FORM 4) SOLID WASTE

Motion to pass Bill No. 63-15 was made by Mr. Catanzarite and seconded by Mr. O'Brien. Bill No. 63-15 was passed to-wit; 9-0.

BILL NO. 64-15: AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY, INDIANA FOR THE YEAR 2016

Mr. Catanzarite: I would just like to say, I'd like to commend my colleagues and working with the Auditor's office and the Commissioners, Commissioner Kostielney. In crafting this budget and putting in the many hours and the many meetings that we did to get this accomplished, I just want to say thanks to everybody for their hard work and getting this accomplished.

Mr. Morton: Those comments are greatly appreciated, thank you very much.

Motion to pass Bill No. 64-15 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 64-15 was passed to-wit; 6-3. Against: Mr. O'Brien, Mr. Telloyan and Mr. Root

BILL NO. 65-15: ORDINANCE FOR APPROPRIATIONS AND TAX RATES (BUDGET FORM 4) ST. JOSEPH COUNTY, INDIANA

Motion to pass Bill No. 65-15 was made by Mr. Noland and seconded by Mr. Kruszynski. Bill No. 65-15 was passed to-wit; 7-2. Against: Mr. O'Brien and Mr. Root

Public Hearing/Public Comment:

BILL NO. 70-15: AN ORDINANCE APPROPRIATING AND TRANSFERRING MONEYS FOR THE PURPOSE HEREIN SPECIFIED FOR THE SEVERAL DEPARTMENTS HEREIN LISTED OF ST. JOSEPH COUNTY GOVERNMENT

A. Archives
General Fund

FROM: 1000-11629-000-0010 Microfilm Coordinator	\$ 5,000.00
TO: 1000-44250-000-0010 Office Machines	5,000.00
	<u>TOTAL: \$5,000.00</u>

FROM: 1000-37010-000-0010 Rent	\$ 5,000.00
TO: 1000-44250-000-0010 Office Machines	5,000.00
	<u>TOTAL: \$5,000.00</u>

B. Circuit Court
General Fund

FROM: 1000-16100-000-0019 Grand Jurors	\$ 750.00
TO: 1000-21030-000-0019 Office Supplies	750.00
	<u>TOTAL: \$750.00</u>

APPROPRIATE

C. Emergency Management
State Homeland Security Program (SHSP)

8127-36200-000-0009 Repairs-Other Equipment	\$ 11,100.00
	<u>TOTAL: \$11,000.00</u>

D. Emergency Management
Hazardous Materials Team Qualification Program (HMTQP)

8122-44311-000-0009 Emergency Equipment	\$ 2,678.90
	<u>TOTAL: \$2,678.90</u>

Motion to pass Bill No. 70-15 was made by Mr. Catanzarite and seconded by Mr. O'Brien. Bill No. 70-15 was passed to-wit; 9-0

Miscellaneous Matters:

BILL NO. 72-15: ADOPTION OF THE HOTEL/MOTEL 2016 BUDGET

Mr. Root reported that Bill No. 72-15 comes with a favorable a recommendation.

Steve Ellison, President, County Hotel/Motel Tax Board, I would call to your attention the fact that our budget this year is lower by about one point five percent over what it had been previously yet we are still able to fund a budget of four million dollars. These requests come from basic agencies that receive our support, according to the ordinance and that would be the Convention and Visitors Bureau and the Century Center. We are going to continue to fund them at levels we have before to try and provide some stability. I have also increased the general operating budget for the CVB by one hundred thousand to be one point one million. Our job is at the Hotel/Motel tax board is made much simpler these days because of the direction and leadership of the CVB and also that which is provided to us by SMG, the manager at the Century Center. Some things have been accomplished in operations in both of those thing that for the last four years have shown up that the work that they do is producing the kind of results we are looking for. We have projected record revenues in terms of hotel/motel tax of about four point four million that is a steady four year increase. The reserves we maintain are six hundred thousand dollars with are required for bonding capabilities but we also set a minimum reserve of half a million dollars. One thing we have noticed over the last few years is sport tourism and sport travel. We have authorized a grant of fifty thousand dollars that will be administered by the Convention and Visitors Bureau to study the feasibility of sports facilities in our community. In addition to that, we are going to fund a cooperative advertising account through the CVB of two hundred and fifty thousand dollars that will be matched or will be granted to hotels that cooperate with us and spend money to advertise in a larger market. We would ask again for your support.

Mr. O'Brien: Congratulations on another good year. Seems there is a lot of opportunities to increase room usage, hotel room usage, something I'd suggest that might be worth looking into at some point is partnering with St. Joseph County Parks and seeing whether there is an opportunity to enhance their usage and how that might tie in as well. I learned a lot about the county parks over the last two years and it seems to me that in great part, there is an opportunity for the St. Joseph County Parks to be at a destination for folks from outside the community.

Mr. Ellison: We understand that comment and will receive it and continue to pay attention to that.

Mr. Catanzarite: I am curious what we currently have in terms of hotel beds available county wide?

Mr. Ellison: I think there are something in the range of forty one hundred.

Mr. Catanzarite: We have some under construction right now.

Mr. Ellison: Right.

Mr. Catanzarite: What will that go to?

Mr. Ellison: About seven hundred on the books, under construction but proposed and planned.

Mr. Catanzarite: Does that include Potato Creek State Park?

Mr. Ellison: The thing we are excited about is that includes some downtown hotels and those rooms are important to the operation of the Century Center to be able to reach to the next level in terms of the type of conferences that we can host here.

Motion to pass Bill No. 72-15 was made by Mr. O'Brien and seconded by Mr. Noland. Bill No. 72-15 was passed to-wit; 9-0

BILL NO. 68-15: AN ORDINANCE OF ST. JOSEPH COUNTY COUNCIL AMENDING ORDINANCE NO 79-13 WHICH ESTABLISHED THE PUBLIC SAFETY COMMUNICATIONS CONSORTIUM OF ST. JOSEPH COUNTY, AND MODIFYING SECTION 6 OF SAID ORDINANCE REGARDING THE OPERATIONS BOARD POWERS AS ESTABLISHED THEREIN

Mr. McCahill reported that Bill No. 68-15 comes with a favorable a recommendation.

Peter J. Agostino, Attorney at Law, 131 St. Taylor Street, South Bend, here on behalf of the Commissioners. The ordinance fixes a glitch between the ordinance as it was originally passed which sets forth consistent with state law that hiring and firing of the Executive Director for the Operations, PSAP operations is the County Commissioners provides for advisory role for the operations board and makes things consistent with the current inter local agreement which has been adopted by this council and the other councils in the community.

Motion to pass Bill No. 68-15 was made by Mr. O'Brien and seconded by Mr. Catanzarite. Bill No. 68-15 was passed to-wit; 9-0

Land Use Planning:

BILL NO. 55-15: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, FOR PROPERTY LOCATED AT 15580 STATE ROAD 23 FROM R SINGLE FAMILY DISTRICT, TO O/B OFFICE/BUFFER DISTRICT PETITIONER: ANDREW SMIALOWSKI

Mr. Noland reported that Bill No. 55-15 comes with a favorable a recommendation.

Matthew Chappuies, Area Plan Commission, the petitioner is seeking to rezone from R Single Family District to OB Office Buffer District. The property is surrounded by residential on the north east end and south sides. It is generally commercial on the west. This is the limited site plan that was submitted. There is no actual development plan at this time; it is generally designed to help the petitioner market this site. He hasn't been able to use it as a residential property since State Road 23 expanded. Area Plan notes that although the site is surrounded by residential on generally two or three sides allowing it to rezone to the Office Buffer district would effectively establish a north eastern boundary of the developing commercial note to the south and west and sends this to you with a favorable recommendation.

Mr. O'Brien: Was there any remonstrance on....

Mr. Chappuies: There was not, we had one person who spoke in favor we also received one letter in favor.

Mr. O'Brien: With Office Buffer how many parking spaces would there be available here?

Mr. Chappuies: I believe for this site only three or four would be required, there is a garage on site which would count for two of the spaces and then two would be allowed in front of the site.

Mr. Morton: Is the petitioner here?

Mr. Chappuies: It looks like the petitioner is not present this evening.

Motion to return Bill No. 55-15 was made by Mr. Catanzarite and seconded by Mr. O'Brien. Bill No. 55-15 was returned to committee.

BILL NO. 59-15: AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FILED BY JULIE DEWULF FOR THE PROPERTY LOCATED AT 18295 BRIGHTLINGSEA PLACE, SOUTH BEND, INDIANA THE SAME BEING PETITION NO. 08-05-15-13 FILED WITH THE AREA BOARD OF ZONING APPEALS

Mr. Noland reported that Bill No. 59-15 comes with a favorable a recommendation.

Chuck Bulot, Building Commissioner, at the September 2nd meeting of the Area Board of Zoning Appeals this petition was heard for a special use to allow an adult group home in a residential district and also with variances from the required five parking spaces to three. It comes to you with a favorable recommendation.

Sara Way, Attorney, 202 S. Michigan Street, South Bend, I am here on behalf of Julie's petition for a special use of the property located at 18295 Brightlingsea Place. The use for this will be to house five elderly residents. These five elderly residents currently live at a home on Kennelworth Road. Julie DeWolf has been running this home for the past ten years; they have no issues with their neighbors. The only issue with the house they are currently in is it was foreclosed on, it's owned by somebody else not related to Julie DeWolf so she was forced to try and find another home to house these residents. The home they purchased on Brightlinghsea place will not change its residential character, it will remain residential, it will not become commercial, it will not be a health care facility, it will just be used for these elderly residents to live and Julie and her staff will help with just basic functions, if any health care is required, they will either have to move to a nursing care facility or Hospice will be involved. There will be no increase in traffic because Julie and one staff member are normally the ones that have cars on the property. None of the residents drive. I am asking you grant this special use.

Mr. O'Brien: Did anyone object or have any remonstrance as far as you know?

Ms. Way: There were some neighbors who were concerned with the traffic issue and that was the primary concern. We have reached out to them but have not gotten a response.

Rita Chaisos, 130 Turkway Park, Niles, MI, my mother was with Your Home Assisted Living for two years and people I encountered and tell where my mother was, they had no idea that was an assisted living. I don't consider this a group home. It's a home for our parents.

Marion Simeri, 20050 Brookwood Drive, I purchased a home right next to the care home and it took me over six months to pick out who was living there, it was so quiet. I couldn't have wished for better neighbors.

Paul Chimuitu, 20907 Darden Rd., South Bend, I have known Julie for as long as she has been in business, I have been taking care of elderly people in a group setting for twenty years. When you are in a business you try to look for people that do what you do and in a better way. Most of the people taking care of elderly people in a small setting, Julie is one of the people I picked because of her reputation and because of the way she has taken care of elderly people.

Patricia Brindley, 16351 Rootstock Ct., Granger, my father was a resident there. Your Home Assisted Living is operated by a professional and competent staff and owned by Julie DeWolf who has been a lifelong resident of our community. The staff takes pride in their work and interacts with the residents in a personal and caring manner.

Dennis Birdsell, 51408 Jodi Lynn, Granger, IN, my mother had fallen at home and broke four vertebrae. As her dementia advanced, she did not want to leave home. After the fracture, she was in a rehab facility, which was a large institution. She did not do well there, at all. She refused to eat, she wouldn't get out of bed, she lost a lot of weight, she was under eighty pounds and we found Julie's place, word of mouth and recommendations. We went there and she adjusted very quickly. She needed a nice home setting. I can't say enough about the care they get. It's very neat and tidy; never saw a lot of traffic.

Adele Durham, 23735 Kern Road, South Bend, my sister has been at Julie's for over seven years. I have never been Your Home Assisted Living where I didn't find it spotless. The residents are well cared for. Julie's facility is a private pay facility. Those people that live there have never cost us tax payers one dime.

Motion to pass Bill No. 59-15 was made by Mr. Noland and seconded by Mr. O'Brien. Bill No. 59-15 was passed to-wit; 9-0

BILL NO. 69-15: A RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL DECLARING A PORTION OF THE ST. JOSEPH COUNTY AN ECONOMIC REVITALIZATION AREA, PURSUANT TO IC. 6-1.1-12.1-14 ET SEQ PETITIONER: ST. JOSEPH ENERGY CENTER, LLC

Mr. Noland reported that Bill No. 69-15 comes with a favorable a recommendation.

Bill Schalliol, Executive Director of Economic Development, I am here tonight to present the St. Joseph Energy Center project. The second half of this is the development agreement, wonder if I could make one presentation for both of those items, would that be acceptable to the Council. What was circulated yesterday was the presentation of the documented. In summary of the project, from the company, St. Joseph Energy Center that will be build up in New Carlisle area will be a six hundred and seventy five megawatt electrical generating project. Estimated cost of approximately five hundred million dollars. The project is expected to begin here shortly and be completed and operational between August 2018 and the end of the year 2018. The company will be making significant private investment not only in the project itself but will also be built in a water treatment facility plant as part of the project. The water treatment facility plant will be built on site will then be both expandable and adaptable for future use and future users in the industrial park area. This is a significant asset being built for the community at the developer's expense that ultimately will be managed and operated by New Carlisle as part of this project. This is a huge investment and a great opportunity for the industrial park area to grow. As part of this development, the company will be financially supporting the construction of the sewer extension, from their site to the existing city of South Bend sewer which is at the corner of Smilax and US 20. As part of the development agreement that was added at the eleventh hour, we actually formalized the conversations about the developer's commitment to payment for the Niespodziany Ditch improvements. From a county side, our commitments to the project, we will facilitate, build and coordinate the sewer extension project. We will do all the permitting and zoning as necessary for the project and the county's investment into this project, we will see great rewards for this project. It really helps us move forward with the vision that's been set forth out in that area. I would like to turn this over to Rich Hill.

Rich Hill, Faegre Baker Daniels, we are council to St. Joseph Energy. To put the project in context, the site of the project, as you know is a hundred and sixty five acre tract at the corner of Walnut and Edison roads and is part of the four thousand eight hundred ninety five acre parcel ear marked for industrial development within the county and it is a county redevelopment area county tax increment area. The estimate of the after rehabilitated market value of real property is fifteen million, one hundred thousand dollars, the estimated market value of the personal property, equipment all of the things that will be necessary to be installed to produce the electric power is four hundred eighty nine thousand, six hundred dollars. The developer and the county, county's representatives and county's consultants have worked very hard with a schedule; there is an abatement schedule that is proposed that approximate seventy five percent for personal property over a fifteen year period for real property over a ten year period. What this means is that immediately upon this plan being complete, this county will see the benefit, the county's TIFF district will see the benefit and that it will produce, that new assessed value will produce tax dollars for the use of the county and will facilitate the additional development of the area. There are infrastructure needs, there is the need for wells to be constructed, the need for water filtration system to be constructed for the operation of the plant and 100% of that cost is being formed by the developer. The county will participate in terms of constructing sewer improvements so that there can be expansion of sewer services in the area, there can be a connection to the city of South Bend sewer, 100% of that cost also will be provided by the developer. All of the issues that have been raised in discussions with the developer are addressed in the development agreement. There was an issue, what about during the construction period, what if roads are damaged. There is a provision in the development agreement for that to be handled. What happens if the operation of this facility lowers the aquifer, what happens if there needs to be remediation? There is a commitment to handle that. There's language that reference of the conditions of the ongoing receipt of the tax abatement is abiding by the terms of the development agreement. In the agreement, there is language about hiring local contractors, there's language about hiring local vendors and there is language about hiring local employees and so from the stand point of this is an amazing amount of assessed value, it is very rare for a single project to produce half a billion dollars of new investment in the county. Also, we have five hundred jobs during construction; we have twenty high paying jobs, average salary of ninety five thousand dollars for those jobs. We have the ongoing benefit to the county of this assessed value that we'll be seeing for the life of the redevelopment district. There's an additional twelve year period for the life of the TIFF area and as those funds are generated as these taxes are paid, as the abatement comes off, those funds will go to the benefit of the St. Joseph County Redevelopment Commission for use for other development purposes in the area. On behalf of St. Joseph Energy, want to thank the county, both elected

officials and it's consultants for all the time, energy and good faith work and good faith negotiations that have gone into the agreements that have been reached between the parties.

Mr. Catanzarite: Mr. Hill, in the beginning of the presentation, you talked about what the property is currently generating in property taxes, six thousand, you went on to mention another figure of four hundred eighty nine thousand dollars. Can you explain to me again what that number represents?

Mr. Hill: It's really the split between taking five hundred million dollars of investment, a split of how much of that will go into real property improvements and how much of that will go into personal property, the four hundred million dollar number was personal property number. I think what's really significant....

Mr. Catanzarite: It was million then? Because you said thousand, I want to make sure. It's four hundred eighty nine million. That is what caught my attention. I want to make sure we are talking million, not thousand.

Mr. Hill: To clarify also, there is a schedule attached to the development agreement and one of the request for the county was that the developer not be permitted to appeal property tax assessment and have that appeal of drive the assessment below the estimated assessed values and to give you a sense of the true tax valuation, that is estimated, and this was a product of the county's financial advisor, producing these numbers and looking at these numbers, while the gross real property assessed value would be fourteen million, four hundred sixty thousand dollars. The range of the personal property tax value is from four hundred eighteen million dollars, three hundred and seventy six million dollars so there literally hundreds of millions of dollars of personal property tax valuation as well as fourteen plus million dollars of real property assessed valuation. Yes, there is abatement but it's not a full abatement and so with the scheduled abatement and it being the average of seventy five percent, from day one there will be those benefits belonging to the county.

Andy Kostielney, President, Board of Commissioners, you have heard some of the great things this project has to offer and I don't want to belabor that very much. I am very excited when we can bring half a billion dollars of economic development and growth in St. Joseph County. I want to make sure to thank a few folks, who helped, hopefully, make this happen, depending on your vote tonight. Bill Schalliol, it's amazing how more smoothly this project moved once Bill took over and get this moving. I want to thank our county attorneys, Mr. Trippel, Mr. Woods did a fantastic job of being very mindful of tax payers' dollars, all the work they did was far outside of the normal scope of their daily duties but that money they were able to save by us not having to farm some of this work out to other legal firms was just fantastic. I want to thank the members of the negotiation committee, especially Councilman Noland, Telloy and Morton for the hard work they did and making sure we move this forward. I especially want to thank Councilman Jamie O'Brien who was really the architect of a lot of the financial incentives for this that we were able to move this away from more of a TIFF financing to a straight abatement. We were able to save the taxpayers hundreds of thousands of dollars if not millions of dollars on this project because of the diligence of Jamie and everyone who worked on behalf of the county. I hope you support this.

Carolyn Higgins, President, New Carlisle Town Board, after hearing the presentations of the two gentlemen ahead of me, you can tell how I could almost dance up to this podium. We are so delighted and so happy and so supportive of this project.

Greg Lorch, Director of Business Growth St. Joseph County Chamber of Commerce, I am here to support this bill as presented in the development agreement. Probably six months ago when I first saw this project, I could not support it because I felt the risk exceeded the benefit. It required a lot of investment up front by the county in a lot of different ways with the uncertainty of the return. Over the last six months with the agreement you see before you, a lot of that investment has shifted from the county to the company and now I feel that it's in a situation where the benefit does outweigh the risk to the county and I ask for your support.

Jessica Clark, President of the St. Joseph County Redevelopment Commission, I just wanted to share with the council, the Redevelopment Commission all support this project.

Mr. Telloyan: New Carlisle is in District F, which I represent. An overwhelming percentage of the constituents I have spoken to are in favor of this agreement.

Mr. O'Brien: I wanted to make an observation which is, I think that the county's legal team which is headed by Mr. Woods and Mr. Trippel did an amazing job. They are very responsive. Whenever I would ask a question, which was frequent, I would get a text, an email or a call quite often within fifteen or twenty minutes and a couple of occasions I

sent a message and one of them would happen to pop into my office, they did a remarkable job. Also, Mr. Hill is very responsive.

Mr. Noland: Thank you Bill for your hard work, I absolutely agree with Mr. Kostielney, having somebody who was able to spend their full time on this was a tremendous help along with the legal team and everybody else. Also, the developer and the representatives, it was a negotiation that went on longer than, on both sides, would have liked but it was well done and it was respectful and I am glad it worked out for everyone; it's going to be a tremendous asset. Hopefully everyone feels the same and I would say welcome.

Motion to pass Bill No. 59-15 was made by Mr. Kruszynski and seconded by Mr. Catanzarite. Bill No. 59-15 was passed
to-wit; 9-0

**BILL NO. 58-15: AN ORDINANCE OF THE COUNTY COUNCIL OF ST. JOSEPH COUNTY, INDIANA, APPROVING THE FORUM OF A DEVELOPMENT AGREEMENT AND AUTHORIZING ITS EXECUTION
PETITIONER: DEVELOPMENT PARTNERS**

Mr. Noland reported that Bill No. 58-15 comes with a favorable a recommendation.

Motion to pass Bill No. 58-15 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 58-15 was passed
to-wit; 9-0

Unfinished Business:

New Business:

Privilege of the floor:

Jason Critchlow, Chairman of the St. Joseph County Democratic Party, I'd like to thank Councilman Morton and the entire council for the opportunity to speak. I would like to speak on something that has come to my attention in the past couple months. Most of you are aware of this but I believe that it's of great concern to every taxpaying citizen in this county. What I would like to comment on today is what I feel is some incredible work being done by St. Joseph County Treasurer, Mike Kruk. He was elected in 2012 in a year where interest rates were and are at an all time lows and income from county investments was zero dollars. After new state legislation was passed, Mike lobbied this council, new state legislation was passed that allows counties more opportunities to invest money; Mike lobbied this council to enact an ordinance allowing St. Joseph County to take advantage of that, which he did and I praise you for. Under Mike's direction, these investments began in a manner that reflected a responsibility and public trust held in his office. For the year 2014, Mike rejected that the county income from these investments would be about a hundred and twenty one thousand dollars, that income surpassed his estimates to be nearly one hundred and fifty thousand dollars for the current year, 2015, Mike projected that that income would be about four hundred and eleven thousand dollars, however, at this date, that amount is almost already realized, making half a million dollars by the end of this year a very realistic expectation. So, in a market with an all time low interest rates and within only two years Mike Kruk took zero dollars, what was essentially zero dollars in county investments to nearly a half a million dollars in two years. I believe he is a true public servant, we are lucky to have him serving our community. I thank him for all his works. Thank you.

Mr. Root: Sounds like the kind of man that should be a Commissioner.

Mr. O'Brien: I would like to voice agreement with Mr. Critchlow, I suspect that there are not a lot of things we agree on day in and day out but this is one of them. Mr. Kruk, in addition to earning a lot of additional revenue from his investments, if you take a look at the budget this year, you will note, he has eliminated a position and reallocated the work load. He is very good at planning ahead. All my dealings with him has shown he is a true public servant I am very impressed with how he reallocated the work load to reduce the number of employees in his office which from a longer term stand point, that's very important. The savings from that will be realized year after year after year. I hadn't really thought about him in the Commissioner role but, my colleague Mr. Root is much more insightful than I so it's probably a good idea but my focus is on the work he has done within the Treasurer's office thus far with staffing, he's done a great job.

Adjournment: Mr. Morton stated that the meeting was adjourned 7:11 p.m.

Auditor, St. Joseph County

President, St. Joseph County Council

