

## **Tipton County Redevelopment Commission Minutes**

An executive session of the Tipton County Redevelopment Commission was held at 5:30 p.m. on Tuesday May 22, 2018, in the John Tipton Room of the Tipton County Courthouse, for the discussion of pending litigation (Indiana Code 5-14-1.5-6.1(b)(2)). No final action was taken at this meeting and no other subject matter was discussed. Members present were Jeff Hoover, Gerald Shuck, Jane Harper, Jim Mullins, Denny Henderson, Mark Manier, and Beth Roach. Absent was ex-officio member Jim Ankrum.

**PUBLIC MEETING** was held following the executive session.

Members Present were Jeff Hoover, Gerald Shuck, Beth Roach, Jane Harper, Jim Mullins, Mark Manier and Dennis Henderson. Absent was ex-officio member Jim Ankrum. See attached attendance sheet for citizens present.

### **Agenda Items:**

#### **Farm Lease for the land commonly known as the "10 acres" and the "6 acres".**

President Hoover reminded the board that he had an agreement with Mr. Kip Bergman to farm the 10 acres for \$200 / acre and the 6 acres for \$100 / acre and that the board needed to execute a lease. Jeff stated that Mr. Bergman had indicated that he did not think \$100 per acre for the six acres is fair due to very low crop production. Bergman had expressed to President Hoover that he had only gotten 23 bushels an acre on the six acres last year. He asked that the \$100 per acre be waived, but in the meantime he would plant the parcels. Commissioner Manier stated that the six acres was not planted until June last year and perhaps this year would be different. Member Harper said that it had been a concern of hers all along to charge anyone to farm the six acres. The county had never charged anyone for farming the six acres as the farmer had always gotten whatever crop he could in return for mowing the side ditches and the excess land associated with the acreage, which all totaled about 3 acres. Jeff Hoover said the total for the entire acreage would be \$2600 and a majority of the board expressed that they did not think that amount was unreasonable. Member Harper noted that missing from the lease agreement was the clause stating that if development on the parcel occurred during the growing season, Bergman would be compensated for the crop loss. Member Henderson also suggested removing the language about co-mingling of crops as it was unnecessary. President Hoover agreed to speak with Attorney Regnier to amend the lease agreement with the compensation clause added and the unnecessary phrases removed.

President Hoover also noted that the RDC will enter into a lease agreement by November of this year for the 2019 crop year, as we should not wait until spring to get a farm lease contract signed. The Board gave authority to Jeff Hoover to get the agreement language adjusted and then present to Mr. Bergman for a signature via a motion by Dennis Henderson and seconded by Gerald Shuck. Motion Carried.

**TIF Reports and Deliverables:** President Hoover noted that there is a TIF management report due by April 15<sup>th</sup> to the DLGF and Umbaugh and Associates took care of that matter per our agreement with them for these type of services. By June 15<sup>th</sup>, the RDC must inform by a letter to all taxing units that we do not have any excess TIF revenues to distribute to those units. Member Henderson moved to give Jeff Hoover the authority to sign those letters, prepared by Umbaugh, to the taxing districts within the county. Seconded by Jim Mullins. Motion carried. Jeff Hoover also noted that the "Chrysler bonds" should be paid off in 2026.

Member Harper made a request to the Commission to have Attorney Rick Hall give the RDC verification on what the "leftover" money in the old Utility "Construction Fund" could be used for now that the utility plants are fully owned by the City and this money is no longer needed for possible use on the plants. Member Harper moved that the Board ask Attorney Rick Hall to prepare documentation stating what the excess money in the TIF account that was generated as a result of the Getrag project bonding, could now be used for currently or in the future. Seconded by Beth Roach. Motion Carried.

**Lawsuit Issues:** Beth Roach moved to give Jeff Hoover the authority to attempt to settle the "10 acre lawsuit" in the quickest manner possible. Seconded by Jim Mullins. All in favor, motion carried.

Beth Roach also moved to allow the County Commissioners to act on behalf of the RDC regarding any activity on the tort claim filed against the RDC and various other entities. She noted that the Commissioners meet routinely and they can deal with issues that may arise in a quicker fashion than the RDC, which would have to call a meeting to address a particular development in the case. Seconded by Gerald Shuck. Motion Carried. Jeff noted that if any action was required by the Commission, then he would call a meeting to address it.

**Minutes:** Dennis Henderson moved to approve the April 25, 2018 minutes as written. Seconded by Jim Mullins. All in favor. Motion carried.

Jim Mullins moved to approve the May 15, 2018 minutes as written. Seconded by Gerald Shuck. All in favor. Motion carried.

**Public Comment:** Scot Gasho asked what the status was on the round-about. Jeff Hoover responded by saying that the project was still on hold due to not yet receiving a signed commitment agreement from the Chrysler auto dealership. Once the Board receives it, we can proceed as we had voted to do initially. We agreed that when we had commitments from Love's and Chrysler, we would put in a round-about. Scot then commented on asking the Board if members were aware that there is a full acre of land that is not a side ditch and we are asking Mr. Bergman to mow all of it. This is excess acreage and he thinks we should consider that in the agreement.

Scott Campbell addressed the Commission concerning the property he is trying to develop at the intersection of U.S. 31/Ind. 28. He gave a detailed account of all the hurdles he has faced and questioned whether the Big Cicero Creek Board has the authority to enforce their standards over the local county standards. He said their standards were never officially adopted by the County Commissioners and that the BCC board was originally formed to break up log jams and beaver dams. Now they say they have the authority over development occurring near Cicero Creek and everything that dumps into it. Campbell noted he is selling Chrysler the ground for \$400,000 but the drainage requirements will cost him \$600,000. He has not heard of anywhere else in the county required to have a 54" tile. Campbell relayed that Love's told him Tipton County was the hardest place they have ever built in. He continued by expressing his dissatisfaction on how he feels the Big Cicero Creek Joint Board is dictating how Tipton County must develop, when 4 of the 5 members do not represent Tipton County and that many other citizens feel the same way.

Jeff Hoover asked the length of tile needed for the 28/31 project and Campbell replied 1,800 feet of 54" tile to go to a catch pond and be released. The pond releases into Dixon Creek which in turn flows into Cicero Creek.

Campbell noted he never realized how hard it would be to develop the NW corner and that he is willing to build the needed infrastructure at the intersection whether Chrysler comes or not yet it would be a sad state of affairs if he invests \$1 million in infrastructure and there is no roundabout out there. He stated they were also told they had to install 16 fire hydrants at the site when fire chief Stan Jones said he would be happy with two.

He feels the Big Cicero standards have cost him thousands of dollars on design changes. Jeff Hoover noted he has talked with Campbell and feels Tipton County would be better off to go ahead and build the roundabout rather than not, and for the future of Tipton County this is what we need to do.

Board member Beth Roach said it is sad when someone from our own community has multiple problems therefore why would anyone want to come here? It has been four years and we still don't have a truck stop built.

Campbell responded by saying that Love's was three weeks away from pulling out.

Mark Manier moved to adjourn. Seconded by Jim Mullins. Motion carried.

Respectfully Submitted,

Jane Harper, RDC Secretary

8/28/18 Approved by RDC Board  


Sign in sheet 5-22-18

Brent Snow  
Vicky Boep  
MARK BAIRD