

BOC 10/6/26

All 3 commissioners and legal counsel present. 78 people on line. All items approved unanimously except Portage Manor 2-1. Adjourned 2:05 pm.

A. FIRST ORDER OF BUSINESS: Opening and Reading of Bids/Letters of Interest on:

B. REPORTS AND REQUESTS FROM:

COMMISSIONERS:

a) Approval of the Accounts Payable Docket

b) Approval of Resolution R-13-C-2026 – Approving Purchase Agreement Re: Portage Manor, Access Agreement and Memorandum of Option: Selling to St. Thomas More Academy Inc for \$400,000. St. Thomas More Inc will also “invest \$9,000,000 into renovations and repair of Portage Manor”, and will have the option to sell the property outright. Portage Manor Building must maintain its historic designation and registration on the national Register of Historic Places. SJC will pay all delinquent taxes due prior to the closing date. There is a 180 day Due Diligence period. Lot 2 and the remaining 56.25 acres of Lot 3 are included in this deal. 6 speakers opposed, 25 in favor. Bryan Tanner raised the question of legality of part of this deal, which caused Morton to vote for tabling then to vote against. Passed 2-1.

Speakers opposed: Aileen Wehren, Steve Francis, Jennie Piontek, Cynthia Heckman-Davis, Bryan Tanner (Morton stated he was put in a major quandary about statute related to property sale and recommended tabling for legal certainty), Kim Bowman.

In support: Great day speaker, Kevin Powers, another in favor who mentioned that nonprofit schools pay no property or state taxes but that the community will still benefit., Michael Kennedy, Ryan Creager, another speaker recommending this deal includes a nature preserve, Christine Schraeder, Deb Durell despite the lack of transparency, another STMA supporter, another teacher from STMA, a prior student, Steve Sass very pleased that the area will be valued, Derek Dieter suggested recreating the landing site of LaSalle, Jonathan Boulos, Mary Countryman, +++++++ = 9 more commenters.

c) Approval of Fee Services Agreement with The Horton Group, a Marsh & McLennan Agency for Performing Postretirement Actuarial Valuation Consulting Services

d) Approval of Annual Partnership Agreement with GreatNews.Life (Ideas In Motion, Inc.) for Partner Profile on Michiana.Life Website for \$4840 yearly. GreatNews says it attracts an impressive 157,000 unique visitors to their sites.

e) Approval of South Bend Elkhart Regional Partnership Agreement: Cost is \$14,000 yearly 20226-2029. The presenter peddled this as a benefit for SJC in eliminating blight, bringing arts and culture, and bringing capital into the area via state READI grants. 1200 homes, 4,645 jobs, and 246,541 sq ft of commercial space have come through this partnership.

IPG:

a) Approval of Memorandum of Understanding with Microsoft: This is the second MOU that was approved on March 17, 2026. Microsoft paid \$12,577,375 for MOU I. This MOU 2 is to fund the construction of the various infrastructure projects related to the extension of water and sewer services. SJC agrees to establish a TIF within the next 6 months to fund the Capital Ave trunk line “and other applicable projects within the EDA”. But, if SJC can’t manage this TIF through the EDA, SJC and Microsoft will collaborate to identify alternative funding mechanisms. Microsoft will pay \$65,600,633.

Sky Medors gave some details of MOU 2, and did specifically mention the TIF to be formed by SJC. Baxmeyer stated that the Microsoft project is going forward despite political opposition.

There were 9 of 9 commenters against this MOU: One commenter noted that there is a lack of open-mindedness on the part of the commissioners. Trade secrets are to be allowed and annexation of

Granger by Mishawaka is not desired. The Redevelopment Commission did not allow public comment this morning.

Timothy Albert: You are not listening to the voters and we will remember this next month on election day.

Steve Francis: You don't have say over the TIF: the County Council opposed a TIF because it locks up funds in what is designed to be an industrial takeover of the area. the sewer and water system are overbuilt, and tax rates outside the TIF will be raised. Reconfigure this overpass on Douglass road, Mr. Schalliol!

Dan Caruso: The Redevelopment Commission voted without any public input. Thanks for allowing comments. The fact that "trade secrets" will be allowed after nondisclosures were banned by the County Council is ridiculous. include the public!

Ryan Callahan: We are orienting a great deal of this plan to a water situation that we actually know very little about. Public input matters because of the water and electricity involved. We have leverage to make sure the county is not harmed. Data centers are becoming unpalatable. Demand more!

Trisha Wicker: We need accountability that data centers will play by the rules. Haste makes waste. Don't just give us to the billionaires.

Emily Trough: "trade secrets" is a disingenuous way for Microsoft to use their technology. The TIF is being shoved down our throat. The TIF is not wanted! You are up for reelection, Baxmeyer! Do not bow down to the technocrats. Table this to remove some of the disingenuous verbiage from the MOU.

Andrea Hartzing: The TIF would tie our hands behind our backs before we really know what is happening statewide with property taxes. Take the TIF out of this MOU! Microsoft doesn't need a tax abatement or a TIF.

Katie Palus: New information was introduced today with the wells and the septic systems as a hook to move this project forward. There is a deadline Friday. But this is a time to get all the facts, not to be forced into this MOU. Table this decision!

Hazen: if we don't act, the city next to us will be taking this project forward.

Baxmeyer: Where I live, the northern part had no sewers. Septic systems failed and sewers were put in at great expense, digging up recently paved roads. Everyone knows that the sewer system needs to be overhauled. This MOU is a first step to providing access to sewer and water. Mishawaka wants to control this and get the tax revenue. We don't want that! The move by Mishawaka to control a new 4-mile radius in Granger is not in our best interest. SJC is standing up for the residents in Granger more than anyone else. WE supported the noise ordinance, the declining of the railroad project. This are has been in the master plan for years. The vote today is not gonna stop Microsoft or derail the project in any way. We will ask the state BOH to review the failing septic system we have in Granger.

Hazen: If we remove the MOU, we don't have the money to repair the sewer system, I guarantee that!

b) Approval of Award Recommendation for Project W-92603 Capital Avenue Corridor Utility Expansion Bid Package B Bittersweet Road Utilities, HRP Construction was the lowest bidder at \$5,988,031. Our crews don't have the equipment to do this, per Schalliol.

c) Approval of Bid Award Recommendation for SW-92603 Pheasant Cove Drive Culvert Replacement at Partridge Woods Subdivision to Premium Services for \$110,105.

PSAP/911:

a) Approval of Contract Renewal with Resiliency Coaching & Consulting for Dispatcher Mental Health Coaching Services to help protect your telecommunications from chronic trauma and burnout. Cost is \$250 per participant for 12 hours of training, already in budget. Cost for the last quarter was \$1475.

b) Approval of Proposal for Inspection Services with Koorsen Fire & Security for Fire Alarm & Detection Systems Annual Testing Services for \$632 annual fee.

c) Approval of Proposal with Water Time for Bottleless Water Services. This is on a \$120 monthly rental basis, but would eliminate the need for delivery personnel to enter secure areas. Cost is \$49 to install, and \$49 each 6 months for filter replacement.

PHYSICAL ASSETS:

a) Approval of Authorization to Bind Medical Malpractice Policy Renewal with The Horton Group, a Marsh McLennan Agency. This covers health Officers as well as the activities of our Dept. of Health. Cost is \$38,324 for 1 year.

b) Approval of Bid Award Recommendation for County/City Building Window Glazing Improvements Project to High Access, LLC for \$534,202. Work should be completed about Dec. 31, 2026. must

RECORDER:

a) Approval of LAREDO Agreement for Hanson Professional Services, Inc.

C. OLD BUSINESS:

D. NEW BUSINESS:

E: PUBLIC COMMENTS: (THREE MINUTE LIMIT): None