



**MIDDLEBURY REDEVELOPMENT COMMISSION**  
**MEETING MINUTES**  
**September 28, 2023, at 7:45am**

**Members Attending:** Don Anderson, Gary Cripe, John Mansfield, Scott Miller, Don Shuler, and Chuck Teall  
**Members Absent:** None  
**Guests:** Jackson Beck with Yoder, Ainlay, Ulmer & Buckingham  
**Minutes Prepared By:** Jennifer Holderread, Administrative Assistant and Mary Cripe, P.E., Town Manager

President Chuck Teall opened the meeting at 7:45am.

The meeting minutes from the meeting on July 27, 2023, were presented. Scott Miller made a motion to approve the meeting minutes. John Mansfield seconded the motion. The motion was approved 5-0.

**Old Business**

- a. Update on Land Acquisition for Hardwoods Lift Station Project  
Mary Cripe reported that the Site Certification for the Hardwoods Lift Station was submitted on September 27, 2023, to the EDA for their review and approval, which may take one to two months. The bid documents were also submitted to the EDA on September 27, 2023, for concurrent review. The current plan is to advertise for bids in December 2023 with bids due on Monday February 5, 2024.

**New Business**

- a. Change Order No. 5 and No. 6 for CR37, CR20 and SR13 Utility Expansion Project  
Mary Cripe explained that Change order No. 5 was for the addition of a separate 6-foot diameter structure for the bypass piping and fittings, instead of placing everything in the valve vault and not having enough room for maintenance purposes. This also includes a stainless-steel access hatch rather than the standard manhole structure casting. These modifications increased the contract by \$16,963.80.

Change Order No. 6 was proposed as an informational change related to Jayco needing Bontrager Drive to stay open during business hours during construction. C&E Excavating reported to JPR that sanitary sewer installation would be underway the last week of September and that the proposed crossing of Bontrager Drive would begin the first week of October. It was understood that Bontrager Drive would be shut down for up to three days to allow for the completion of sanitary sewer crossing and asphalt roadway restoration. This was coordinated with Jayco, and their project representatives indicated that Bontrager Drive off State Road 13 is a primary route for traffic in and out of their facilities. All traffic would have to be rerouted to County Road 37 while Bontrager Drive is closed for construction. Jayco has requested that C&E Excavating complete the sanitary sewer construction across Bontrager Drive, including pavement restoration, outside of normal operating hours so that traffic can continue to use Bontrager Drive to access State Road 13. To do so will require C&E Excavating to pay overtime rates to work crews. C&E Excavating has provided the cost of \$7500.00 to allow payment of overtime to construction crews for work to be completed the weekend of September 30, 2023. Jayco agreed to pay C&E Excavating for 100% of their overtime costs to accomplish this during non-business hours. There will be no Town costs associated with Change Order No. 6.

Scott Miller made a motion to approve Change Order No. 5 and No. 6 for the CR37, CR20 and SR13 Utility Extension. Gary Cripe seconded the motion. Motion carried 5-0.

b. Water Tower No. 1 Replacement – Request for Funding for Construction.

Mary Cripe explained the need for funding assistance from the Redevelopment Commission for the construction of a new water to replace Water Tower #1 on Lawrence Street. The new water tower will be increased in size from 300,000 gallons to 500,000 gallons. The main reason for the increase in storage is due to the expansion of industrial/commercial business. The number of residents in the town has remained approximately the same.

Three options were presented to the Town Council at their last meeting. Option No. 1 was for a multi-leg tower estimated at \$2,000,000.00; Option No. 2 was for a spheroid tower estimated at \$2,600,000.00; and Option No. 3 was for a composite tank estimated at \$3,000,000.00. The maintenance costs were discussed, because the least expensive tank had higher maintenance costs over the lifetime of the tank. The Town Council desire was for the composite tank since it had lower maintenance costs.

Since 40% of the capacity of the tower is related to the needed fire protection of the expansion of industrial/commercial users, the request for funding from all four of the TIF Districts in the Middlebury area totaled \$1,200,00.00 (the 40% of \$3,000,000 is \$1,200,000) with \$300,000.00 coming from the Elroy TIF and \$120,000.00 from the Downtown TIF District.

There was much discussion about the decision to go with the composite tank, especially when each tank does the same job of storing water. Attorney Jackson Beck reminded everyone that it is not the Commission's responsibility to question the decision by the Council, but to determine if the amount of TIF funds should participate in funding a portion of the water tower.

Then, after much discussion, Don Shuler made a motion for the Redevelopment Commission to participate in the funding of the new Water Tower No. 1 on Lawrence Street with each Middlebury TIF District to share the 40% of the \$2,000,000.00 multi-leg tower, with the Elroy TIF contributing \$200,000.00, and the Downtown TIF contributing \$80,000.00 for a total of \$280,000.00. Gary Cripe seconded the motion. Motion carried 5-0.

c. Amendment to Interlocal Agreement for Road Improvements at CR20 and CR37 and CR20/SR13 Intersection for Construction of a Traffic Signal

This motion was tabled pending commitment for funding from Jayco.

d. Miscellaneous

Middlebury Future Housing Development talks requested as upcoming Redevelopment Commission discussions.

The next Redevelopment Commission meeting is scheduled for Thursday, October 26, 2023, at Town Hall.

Adjourn.



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Chuck Teall, President  
Middlebury Redevelopment Commission