

NOTICE OF REGULAR MEETING

NOTICE IS HEREBY GIVEN that the
RIVER RIDGE DEVELOPMENT AUTHORITY
will hold a Regular Meeting that is open to the
public on

Monday, October 21, 2024
at 1:30 p.m.

in the River Ridge Development Authority Board
Room, 300 Corporate Drive, Suite 305,
Jeffersonville, Indiana.

The purpose of the meeting is to conduct any
and all business that may come before the
Board.

RIVER RIDGE DEVELOPMENT AUTHORITY

River Ridge Development Authority
Regular Board Meeting
300 Corporate Drive, 3rd Floor, Suite #300, Jeffersonville, IN
October 21, 2024
1:30 P.M.

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| 1. | Call to Order | Dr. Hodges |
| 2. | Roll Call | Dr. Hodges |
| 3. | Meeting Notice Confirmation | Mr. Acy |
| 4. | Minutes – September 16, 2024, Regular Board Meeting Minutes | Dr. Hodges |
| 5. | Chairperson of the Board Comments | Dr. Hodges |
| 6. | Executive Director's Report | Mr. Acy |
| | a. Engineering & Operations | Mr. Hildenbrand |
| | b. Corporate Strategy & External Affairs | Ms. Chesser |
| | c. Business Dev & Real Estate | Mr. Staten |
| | d. Other Supporting Staff Reports | |
| | <i>No verbal reports will be offered, but questions will be answered</i> | |
| 7. | Negotiation of Sale – Tract 22I
Resolution 44-2024 (Mr. Staten) | <hr/> Board Member |
| 8. | 2024 Pavement Repair Construction Contract –
Change Order #1
Resolution 45-2024 (Mr. Caruso) | <hr/> Board Member |
| 9. | Blocke Site Access Road Construction Contract –
Change Order #1
Resolution 46-2024 (Mr. Caruso) | <hr/> Board Member |
| 10. | Controller's Report | Ms. Durrett |
| 11. | Attorney's Report | Mr. Fifer |
| 12. | Other Comments (limit 2 minutes each) | |
| 13. | Adjournment | |

**River Ridge Development Authority
Regular Board Meeting Minutes
September 16, 2024**

Call to Order: A regular meeting of the River Ridge Development Authority (RRDA) was called to order at 2:02 p.m. on Monday, September 16, 2024, in the office of River Ridge Development Authority, 300 Corporate Drive, Jeffersonville, Indiana. The meeting was called to order following a properly noticed and convened executive session meeting of the Board.

Roll Call: Present were Board members: Treva Hodges, Ed Meyer, Brian Lenfert, Eric Ballenger and newly appointed member, Dr. Tony Bennett. With all members present, a quorum was met.

RRDA staff members present: Jerry Acy, Executive Director; Greg Fifer, General Counsel; Tom Vittitow, Projects and Planning; Michael Caruso, Construction and GIS; Eric Lauer, Engineering; Abigail Prewitt, Digital Marketing; Billieann Durrett, Controller; Wendy Dant Chesser, Corporate Strategy and External Affairs; Marc Hildenbrand, Engineering and Operations; Josh Staten, Business Development and Real Estate; and, Renee' Tarpley Wyman, Administration and Special Projects.

Members of the public who attended were as follows: Paul Boone, American Structurepoint; Bob Stein, United Consulting; Erik Hackman, News & Tribune; Bri Roll, Clark Dietz; Seth Winslow, Strand Associates; Jack Coffman, Clark County Government; and, Bob Woosley, Heritage Engineering.

Meeting Notice Confirmation: Mr. Acy confirmed that the meeting notices for the September 16, 2024, Regular Board meeting were properly posted.

Approval of Minutes: Dr. Hodges presented meeting minutes for the August 19, 2024, Regular Board meeting for approval. Mr. Meyer offered a motion to approve the minutes as written, and Mr. Lenfert seconded. The minutes were approved by a vote of 4-0, as Dr. Bennett abstained from voting as he was not in attendance at that meeting.

Chairwoman of the Board Comments: Dr. Hodges opened by noting a slight change in the appearance of the Board today. Mr. McCauley, after serving many years on the RRDA Board, has, by his own choice, retired. Dr. Tony Bennett has been appointed by the State of Indiana as his replacement. With Mr. McCauley's retirement, a change was required to the current Secretary/Treasurer role. The President designated and the Board confirmed that Mr. Brian Lenfert will now assume that role, and as such he will join Mr. Ballenger on the Finance Committee. Thanks to all who serve on this board.

Staff Reports: The Executive Director, Jerry Acy; Chief Directors, Marc Hildenbrand and Wendy Dant Chesser; and Senior Director, Josh Staten presented. The written staff reports were received into the record of the meeting.

Resolutions were then presented for Board approval.

Resolution 38-2024, a resolution approving an amendment to Resolution 36-2022 adopting land use priorities in designated areas of the River Ridge Commerce Center was presented by Mr. Hildenbrand. This resolution will expand upon the land sale moratorium that was put in place in 2022 on speculative developments, to impose a requirement that jobs within speculative developments in those areas of the park must have an average wage higher than the current county wage. For 2024 this would be \$24.44 per hour, and this amount will be annually adjusted as per IEDC standards. Mr. Meyer asked for clarification to confirm that this adjustment will follow the

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trend set annually by the IEDC. Mr. Hildenbrand stated that Mr. Meyer was correct and that this will be revisited and adjusted each year. Dr. Hodges offered a motion to approve, Mr. Meyer seconded, and Resolution 38-2024 was approved 5-0.

Resolution 39-2024, a resolution authorizing negotiation to sell Tract 31C was presented by Mr. Staten. With one proposed amendment to the third "whereas" paragraph for a minimum building size of 400,000 square feet (instead of 500,000 square feet) within the PSA. This is a 41.7-acre parcel at the intersection of Miami Trail and State Road 62 in the Charlestown portion of RRCC. Mr. Meyer offered a motion to approve, Mr. Ballenger seconded, and Resolution 39-2024 was approved 5-0.

Resolution 40-2024, a resolution approving the Tract 19C Sewer Improvements Geotechnical Exploration contract was presented by Mr. Hildenbrand. This is in furtherance of design for sewer improvements that will be required for Canadian Solar. They will have a significant discharge which will require significant improvements. The design consultant, Wessler Engineering, has provided a preliminary layout of the lift station and route of the force main. We wanted to have that completed before we did geotechnical work. We requested a proposal for geotechnical work, and the lowest proposal was received from Copperwaite Design Group, Inc. (d/b/a Paul Primavera and Associates) in the amount of \$27,600. Project will be funded using TIF. Mr. Lenfert offered a motion to approve, Mr. Ballenger seconded, and Resolution 40-2024 was approved 5-0.

Resolution 41-2024, a resolution approving the award of the 2024 Pavement Repairs construction contract was presented by Mr. Caruso. This work includes crack sealing, milling, and resurfacing throughout the park in order to maintain their condition. The project was publicly bid, with the funding source being operations. Four contractors submitted bids which have been reviewed by American Structurepoint and RRDA staff. It is staff recommendation that the most responsible, responsive, and cost-effective bid submitted by E & B Paving in the amount of \$372,580 be approved. A question was asked whether this work could be funded using TIF. Mr. Fifer stated that while the funds are coming from operations, they were initially received from Property Owners Association assessments. Mr. Ballenger asked if E & B had previously done work at River Ridge, to which Mr. Hildenbrand answered that they had previously done satisfactory work in 2023. Mr. Ballenger offered a motion to approve, Dr. Bennett seconded, and Resolution 41-2024 was approved 5-0.

Resolution 42-2024, a resolution approving the award of the River Ridge Commerce Center Water System Resiliency Project – Division A construction contract was presented by Mr. Lauer. It has been determined that additional water main capacity is needed to provide reliable service to several developments within the Jeffersonville portion of the commerce center. RRDA has proceeded with the development of plans for construction of a 16-inch diameter water main extension of approximately 5,900 linear feet. The funding source of this project will be operations. Bids were solicited to perform this work in accordance with Indiana law. Four contractors submitted bids, all of which have been reviewed by staff and HWC Engineering. It is the staff recommendation that the most responsible, responsive, and cost-effective bid was submitted by Infrastructure Systems for the contract amount of \$2,431,400. Mr. Fifer clarified that this amount includes the mandatory alternate of \$178,200. Mr. Lenfert offered a motion to approve, Mr. Meyer seconded, and Resolution 42-2024 was approved 5-0.

Resolution 43-2024, a resolution approving the award of the Tract 16D Water Main Relocation Construction contract was presented by Mr. Lauer. There is a 12-inch diameter water main that is located on this site that needs to be relocated into an easement to avoid conflict with the purchaser's proposed site improvements. The funding source for this project will be TIF, and quotes were solicited to perform the work in accordance with

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Regular Board Meeting Minutes
September 16, 2024**

Indiana law. Three contractors submitted quotes, and it is staff recommendation that the most responsible, responsive, and cost-effective quote was submitted by Dan Christiani Excavating, Inc., in the amount of \$35,580. Mr. Ballenger offered a motion to approve, Dr. Hodges seconded, and Resolution 43-2024 was approved 5-0.

Controller's Report: Ms. Durrett presented claims for payment in the amount of \$2,733,057.74. Claims will be paid using 2024 BAN funds in the amount of \$669,821.65; TIF Restricted Funds in the amount of \$775,274.57; and, the remaining \$1,287,961.52 from Operating Funds. Mr. Meyer offered a motion to approve payment of the claims, Mr. Lenfert seconded, and the check register was approved 5-0.

General Counsel's Report: Mr. Fifer had no public report for the regular session.

Adjournment: Dr. Hodges opened the floor to questions or comments from the Board, RRDA staff and the audience. Mr. Meyer commented that he thought that the retirement celebration that was held for J. Mark Robinson was well done.

There being no further comments, Mr. Ballenger offered a motion to adjourn the meeting, Mr. Lenfert seconded, and the Board approved the motion to adjourn the meeting by a vote of 5-0 at 2:47 p.m.

Respectfully submitted:

Brian Lenfert, Secretary/Treasurer

RESOLUTION NO. 44-2024

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AN AGREEMENT TO SELL TRACT 22I TO A CONFIDENTIAL INDUSTRIAL/COMMERCIAL PROSPECT

WHEREAS, the Executive Director of the River Ridge Development Authority (the “RRDA”) has been in discussions with an industrial or commercial prospect (the “Potential Purchaser”) interested in purchasing approximately 36.7+/- acres of undeveloped land designated as Tract 22I and generally located on International Drive within the River Ridge Commerce Center (“RRCC”) as more particularly shown on **Exhibit A** attached hereto; and,

WHEREAS, the Potential Purchaser requires that the negotiations be conducted in strict confidence; and,

WHEREAS, the Potential Purchaser has stated its desire to purchase the land for the purpose of constructing an industrial facility; and,

WHEREAS, the RRDA is willing to sell the property for \$135,000 per acre with a potential site development credit so long as a Purchase and Sale Agreement can be executed within sixty (60) calendar days from the date of this resolution; and,

WHEREAS, the parties need to negotiate certain terms of a purchase and sale agreement which may include RRDA’s development obligations; the Prospective Purchaser’s development requirements; a more precise configuration of the property and acreage to be purchased; the size, shape, configuration, and location of Prospective Purchaser’s site improvements; a schedule of development deadlines; and, RRDA’s repurchase rights in the event of Prospective Purchaser’s failure to meet development deadlines; and,

WHEREAS, it is crucial that the negotiations remain confidential and for the identity of the Potential Purchaser to remain anonymous until such time as the RRDA and the Potential Purchaser have executed a purchase and sale agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS FOR THE RIVER RIDGE DEVELOPMENT AUTHORITY AS FOLLOWS:

The Executive Director is granted authority for sixty (60) calendar days from the adoption of this Resolution in which to negotiate and execute a purchase and sale agreement prepared in such form as approved by General Counsel for the sale of an approximately 36.7+/- acre parcel as shown on **Exhibit A** for \$135,000 per acre, and to negotiate an appropriate site development credit. This per-acre sale price shall expire sixty (60) calendar days from the adoption of this Resolution. In the event that a purchase and sale agreement is executed, the Executive Director is authorized on behalf of the RRDA to execute, deliver, record, and file, as required, any and all closing documents, including without limitation, a deed, closing statement, and any other documents which are deemed necessary or appropriate by General Counsel or Special Counsel in order to close the sale. The execution and delivery of all such documents by the Executive Director shall be conclusive evidence of the RRDA’s approval. This resolution certifies that Jerry G. Acy is the RRDA’s Executive Director.

SO RESOLVED BY MAJORITY VOTE OF THE BOARD OF DIRECTORS TAKEN DURING A DULY NOTICED AND CONVENED REGULAR MEETING OF THE RIVER RIDGE DEVELOPMENT AUTHORITY HELD ON OCTOBER 21, 2024.

Attest: _____ Dr. Treva Hodges, President

Attest: _____ Brian Lenfert, Secretary/Treasurer

EXHIBIT A



RESOLUTION NO. 45-2024

**A RESOLUTION APPROVING THE 2024 PAVEMENT
REPAIRS CONSTRUCTION CONTRACT CHANGE ORDER NO. 1**

WHEREAS, the RRDA Board previously approved Resolution No. 41-2024 awarding the 2024 Pavement Repairs Construction Contract to E & B Paving, LLC, with a contract amount of \$372,580.00; and,

WHEREAS, during the course of work on the project, additional paving work has been identified as being needed for the milling and paving of Logistics Avenue, which additional work will add quantity overruns to the project; and,

WHEREAS, the quantity overruns will add the amount of \$74,500.00 to the contract; and,

WHEREAS, the proposed change order has been reviewed by American Structurepoint and the staff of the RRDA, and the change order amount is consistent with the effort required to complete the additional work; and,

WHEREAS, Change Order No. 1 does not exceed twenty percent (20.00%) of the initial contract amount; and,

WHEREAS, it is the staff recommendation for the Board to approve proceeding with the 2024 Pavement Repairs Contract Change Order No. 1 which adds \$74,500.00 to the construction contract with E&B Paving.

The Board concurs with the staff recommendation and hereby approves Change Order No. 1 to the 2024 Pavement Repairs Contract by adding the sum of **Seventy-four Thousand Five Hundred and No/100 Dollars** **\$74,500.00** to the contract with E & B Paving, LLC.

**SO RESOLVED BY AFFIRMATIVE VOTE OF THE BOARD OF DIRECTORS
TAKEN DURING A DULY NOTICED AND CONVENED REGULAR MEETING OF
THE RIVER RIDGE DEVELOPMENT AUTHORITY HELD ON OCTOBER 21, 2024.**

Attest: _____ Dr. Treva Hodges, President

Attest: _____ Brian Lenfert, Secretary/Treasurer

RESOLUTION NO. 46-2024

**A RESOLUTION APPROVING THE BLOCHE SITE
ACCESS ROAD CONSTRUCTION CONTRACT CHANGE ORDER NO. 1**

WHEREAS, the RRDA Board previously approved Resolution No. 29-2024 awarding the Blocke Access Road Construction Contract to Excel Excavating, Inc. with a contract amount of \$1,300,710.00; and,

WHEREAS, during the course of work on the project, existing stockpiled materials were encountered in conflict with the engineering design for the roadway. The stockpiled materials were excavated and placed on an adjacent site (thereby raising the constructable grade elevation to River Ridge's benefit), which additional work will add quantity overruns to the project; and,

WHEREAS, the quantity overruns will add the amount of \$260,141.97 to the contract; and,

WHEREAS, the proposed change order has been reviewed by American Structurepoint and the staff of the RRDA, and the change order amount is consistent with the effort required to complete the additional work; and,

WHEREAS, Change Order #1 does not exceed twenty percent (20.00%) of the initial contract amount; and,

WHEREAS, it is the staff recommendation for the Board to approve proceeding with the Blocke Access Road Construction Contract Change Order No. 1 which will add \$260,141.97 to the construction contract with Excel Excavating, Inc.

The Board concurs with the staff recommendation, and hereby approves the Blocke Access Road Construction Contract Change Order No. 1 by adding the sum of **Two Hundred Sixty Thousand One Hundred Forty-one and 97/100 Dollars (\$260,141.98)** to the construction contract with Excel Excavating, Inc.

**SO RESOLVED BY AFFIRMATIVE VOTE OF THE BOARD OF DIRECTORS
TAKEN DURING A DULY NOTICED AND CONVENED REGULAR MEETING OF
THE RIVER RIDGE DEVELOPMENT AUTHORITY HELD ON OCTOBER 21, 2024.**

Attest: _____ Dr. Treva Hodges, President

Attest: _____ Brian Lenfert, Secretary/Treasurer