

**Vanderburgh County
Board of Commissioners
January 4, 2000**

The Vanderburgh County Board of Commissioners met in session this 4th day of January at 5:35 p.m. in Room 307 of the Civic Center Complex.

Call to order and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners' meeting to order. At this time I would like to ask you to join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: The first item on the agenda is the approval of the minutes of the previous meeting.

Commissioner Tuley: I'll move approval of the minutes of the December 20, 1999 meeting.

President Jerrel: I'll second and say so ordered.

Joe Harrison, Jr.: Could I ask one thing?

President Jerrel: Sure.

Joe Harrison, Jr.: On those minutes, Charlene, did the GIS minutes get added from their meeting? Were those submitted to you?

Charlene Timmons: They were laying on my desk this morning when I came in. I can put them...I can attached them into the permanent record book if you like.

Joe Harrison, Jr.: As a part of their presentation at that meeting those should be included.

Charlene Timmons: I can do that.

Joe Harrison, Jr.: Okay. So if that can be included in the minutes.

Charlene Timmons: Sure.

President Jerrel: Would you like to make that in the form of a motion, Pat?

Commissioner Tuley: I'll so move.

President Jerrel: Second and so ordered.

Joe Harrison, Jr.: Thank you.

Certification of Executive Session

President Jerrel: The next item on the agenda is the certification of the Executive Session.

Commissioner Tuley: Okay, I'll move approval of the Executive Session in which personnel matters and--

President Jerrel: Litigation.

Commissioner Tuley: --personnel...I'm sorry, litigation was the other one that was discussed.

President Jerrel: And I'll second and say so ordered.

Election of officers

President Jerrel: The next item on the agenda is the election of officers.

Commissioner Tuley: Okay, at this time I'll move nomination of Commissioner Jerrel as President.

President Jerrel: I'll second and say so ordered.

Commissioner Tuley: And I will move then Commissioner Mourdock be named as Vice President.

President Jerrel: And I'll second and say so ordered.

2000 board appointments

President Jerrel: The next item is the year 2000 board appointments.

Commissioner Tuley: Okay, I think what I'll do here is try this in one motion, if I might. I will list the board and the name and just move down the list. Maybe you can just make, I guess, one second and one so ordered would carry it.

Alcoholic Beverage Commission

Ken Hansen, Jr.	1 year
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Area Plan Commission

Richard Mourdock	1 year
Jeff Hatfield	4 years

Board of Review/Appeals

Susan Curtis	1 year
George Koch	1 year

Board of Zoning Appeals

Gene Hahn	4 years
Thomas Shaw	4 years

Building Authority Board of Trustees

Scott Saxe	4 years
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Burdette Park Advisory Board

Diane Collins	1 year
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Rob Kerney	1 year
Jerry Schmits	1 year

Central Dispatch Board

Pat Tuley	1 year
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Common Wage Committee

Jerry Ramsey	4 years
Jerry Paul	4 years

Community Corrections Advisory Board

Richard Mourdock	Complete Devine appointment
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Convention and Visitors Bureau

Joe Harrison, Sr.	1 year
Joy Payne	1 year

Data Processing Review Board

Bettye Lou Jerrel	1 year
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Domestic & Sexual Violence Commission

Christy Baker	Complete Joanne Reid appointment
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EARC

Pat Tuley	1 year
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EMA Advisory Council

John Buckman	1 year
Maury Nichols	1 year
Brad Ellsworth	1 year

EUTS

Bettye Lou Jerrel	1 year
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Board of Health

R.W. Nicholson, MD	1 year
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Home Inspector Licensing Board

Ronald Dauby	1 year
Charles Zehner	1 year

Human Relations Commission

Barb Witte	2 years
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Levee Authority Board

Richard Clements	Complete Marsh Vandusen appointment
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License and Disciplinary Board

Bettye Lou Jerrel	1 year
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License Examining Review Board

Michael Talbert	1 year
Carl Shepherd	1 year

George Hoffmann 1 year

Redevelopment Commission

Luther Nixon 1 year
Dick Harris 1 year
Rolland Eckels 1 year
Brent Weil 1 year
Valerie McKinney 1 year

Vision 2000

Richard Mourdock 1 year

Veteran Service Officer

Mark Acker 1 year

President Jerrel: And I'll second and say so ordered.

Resolution - 2000 meeting dates
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President Jerrel: The next item on the agenda is the approval of the resolution regarding 2000 meeting dates and permission to advertise. Did you look those over, Joe?

Joe Harrison, Jr.: Yes, it's fine.

President Jerrel: Okay.

Commissioner Tuley: Okay, Joe how much of this has to be read?

Joe Harrison, Jr.: Do you want me to read it?

Commissioner Tuley: Yeah, if you want to.

Joe Harrison, Jr.:

"IN ACCORDANCE with Indiana Code 36-2-2-6, the County Executive shall hold a regular meeting at least once a month and at other times as needed to conduct all necessary business and dates of regular meetings shall be established by resolution at the first meeting in January of each year.

NOW THEREFORE, let it be known that the meetings of the Vanderburgh County Board of Commissioners shall be held on the first, second, third, fourth and fifth Monday of each month at 5:30 p.m. in Room 307 of the Civic Center Complex in Evansville, Indiana. However, if a holiday falls on a Monday, then the County Commissioners' meeting will be held on the following Monday of the next week, unless otherwise stated by the County Commissioners in an open meeting.

REZONING PETITIONS will be heard by the County Commissioners on the third Monday of each month beginning at 6:30 p.m in Room 307 of the Civic Center Complex in Evansville, Indiana. However, if a holiday falls on the third Monday of the month rezoning petitions will be heard by the County Commissioners on the fourth Monday of the month at 6:30 p.m., unless otherwise stated by the County Commissioners in an open meeting.

VANDERBURGH COUNTY DRAINAGE BOARD meetings will be held on the fourth Monday of each month immediately following the Commissioners' meeting in Room

307 of the Civic Center Complex in Evansville, Indiana. However, if a holiday falls on the fourth Monday of a month the Vanderburgh County Drainage Board will hold its meeting on the third Monday of the month immediately following the County Commissioners' meeting, unless otherwise stated by the County Commissioners or the Vanderburgh County Drainage Board in an open meeting.

APPROVED this 4th day of January, 2000."

Commissioner Tuley: Okay, at this time I'll move approval of the resolution of the Board of Commissioners of Vanderburgh County for meeting dates in the year 2000.

President Jerrel: I'll second and say so ordered.

American Medical Response contract

President Jerrel: The next item on the agenda is the American Medical Response contract.

Commissioner Tuley: Okay.

Joe Harrison, Jr.: This is another one year agreement between the county and American Medical Response for ambulance service for those areas outside the county specifically set forth in the agreement. American Medical Response will not provide service to Darmstadt, Scott Township or Armstrong Township, but the remaining townships in Vanderburgh County will be served by American Medical Response and that is the exact same agreement that we had this year and the terms, the payment and other terms of the agreement are the same.

President Jerrel: And the amount of money is?

Joe Harrison, Jr.: Yes, everything is the same.

President Jerrel: Tony, do you get the times report concerning the compliance report?

Tony Greubel: Yeah, that is with their quarterly reports.

President Jerrel: Okay.

Tony Greubel: I have all those on file if anyone wants to look at them.

President Jerrel: Well, I've seen them before, but, you know, when you read through the contract you need to...occasionally it would be a good idea to put them in the circulating file so everyone can take a look at them.

Tony Greubel: Okay.

President Jerrel: Is there a motion?

Commissioner Tuley: I will move approval of the contract with American Medical Response Ambulance as outlined by Joe Harrison.

President Jerrel: And I'll second and say so ordered.

Veterans Service - Lease agreement

President Jerrel: The next item on the agenda is Veterans Service, approval of lease agreement in the administration building.

Commissioner Tuley: The only--

President Jerrel: Agreement with an escape clause. Do you have--

Commissioner Tuley: I have the escape clause, I don't have--

Tony Greubel: Oh, actually it was just...the agreement is in the signature file. It was the same one that we do every year and it was pretty bulky.

President Jerrel: So we're going to sign it, but the escape clause simply allows us--

Commissioner Tuley: Allows us with the opportunity, okay.

Joe Harrison, Jr.: That's all I have looked at as long as that escape clause is in there which it is it seems reasonable.

Commissioner Tuley: Is this attached to that actual contract that is in the signature file?

Joe Harrison, Jr.: We will have to attach it.

Commissioner Tuley: Right. Okay, with that having been said then I'll approve...or move for approval of the agreement for Veterans Service lease agreement with the Old Courthouse Preservation Society.

Commissioner Tuley: I'll second and say so ordered.

Judge Bowers - Request for space in administration building

President Jerrel: The item on the agenda we have with us Judge Bowers and he has a request to make.

Judge Bowers: Madam President, I have been discussing with my colleagues our court space needs and also with you and your colleagues. What I would like to do is formally request that the court be permitted to take over the space that will be vacated if the Health Department is moved from the administration building for the purposes of additional courtroom space and some ancillary court offices. If you wish I can make a statement of need and an assessment of why that might fit our needs or if you have no questions or comments that is the nature of the court's request.

President Jerrel: Are there any questions?

Commissioner Tuley: The only question I've got, Judge, is as you said your colleagues have been meeting with us and what have you. Will you continue looking for other space just in case this doesn't become available or are we just going to put that on hold and see what happens with the Health Department space?

Judge Bowers: Well, there were three options that were being examined. The Health Department space, the Denton Building space and, of course, the possibility of the renovation of the Old Courthouse. I recently received a letter from the clerk of the federal court. Their security committee met and the federal judges of the Southern District have voted to exclude us from that facility. I do have copies of the letter if you are curious.

President Jerrel: Okay. That's interesting.

Judge Bowers: I guess they just can't handle quite as much traffic as we can.

President Jerrel: They like to have their own turn.

Judge Bowers: The third option of course was the Old Courthouse. I have mentioned to my colleagues that there has developed a substantial difference of professional opinion as to what renovations might cost in that building. I continue to be personally supportive of that project and I am interested in seeing long-term that we perhaps reopen one or more courtrooms over there, not just for the work environment but also for historical reasons. However, given the fact that the renovation costs of a building of that age are very problematic I would recommend that if a reoccupancy of the Old Courthouse be attempted the best approach would probably be, if undertaken, to do one courtroom and ancillary offices so that we know exactly what the costs are if we're getting into that. So those are the three options that were on the table. There only remain two and frankly because of accessibility, the conductivity issues in terms of the computer plant, security issues, cost, and so on, and having a government landlord, I think that the preferred option is by far to go with the Health Department. We frankly would really be at sea if we didn't have that option because that's the one thing that I think will meet our needs in a fairly prompt way and would be broadly acceptable to the public and to the legal community.

Commissioner Tuley: One...I'm sorry.

President Jerrel: Go ahead.

Commissioner Tuley: I was only going to ask one more question. When you say you and your colleagues, is that your Superior Court or does that include Circuit Court in terms of the Health Department?

Judge Bowers: The request is a request of Superior Court. Judge Heldt has always been informed and has participated in the court space meetings on a collegiality basis. He is not specifically asking for space.

Commissioner Tuley: Okay.

Judge Bowers: But there is a possibility that one use that could be made would be to put some probation officers in that area because we currently have some probation officers using what would otherwise be a jury room and those personnel are under the supervision of Circuit Court, so there is that possibility that is connected to Circuit Court, but so far as courtroom space or some specific office for Circuit Court personnel, no that's not a request that we're making, but we have been communicating and I hope that answers your question.

Commissioner Tuley: It does.

President Jerrel: I met with Sam Elder today and I think perhaps the next move there, Sam has been on vacation, and I think Dr. Del Rio and perhaps I'll go with them and Dr. John Heidingsfelder and we need to do some negotiations. They had the architect over there to look. They're doing all that cost out now, so it is moving. I think maybe they were looking for a pencil sharpener.

Judge Bowers: I understand.

President Jerrel: Anyway, we're going to do some talking, but it is moving.

Judge Bowers: Thank you so much, Commissioners.

President Jerrel: Do we need to confirm the Judge's request that if this happens he gets first call?

Commissioner Tuley: I'll so move.

President Jerrel: And I'll second and say so ordered.

Any group or individual wishing to address the Commission
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President Jerrel: The next item on the agenda is any group or individual that wishes to address the board.

John Stoll - County Engineer

President Jerrel: Hearing none, County Engineer.

John Stoll: The street plans you have in front of you are for Section 1 of Stonecreek Subdivision. This subdivision got final drainage approval last month and these street plans reflect all the requirements of the final drainage plan and we've reviewed them and recommend that they be approved.

Commissioner Tuley: John, that was Stonecreek Section 1?

John Stoll: Yes.

Commissioner Tuley: I'll move approval...I'm sorry.

John Stoll: I was going to say the street in general, I think the lowest point is two-tenths of a foot less than the hundred year flood elevation in the sag points for emergency overflows so the streets are...they shouldn't be flooded out even though this all is in the floodplain, so I just wanted to point that out as well.

Commissioner Tuley: Okay, I'll move approval of the road plans for Stonecreek Section 1.

President Jerrel: And I'll second and say so ordered.

John Stoll: The second item I've got is a sidewalk waiver request for Section 5 of Autumn Hills Subdivision. This is a subdivision with large lots located out on Koring Road near Walking Horse Lane. The remainder of Autumn Hills Subdivision does

not have sidewalks nor are there any sidewalks along Koring Road, so on that basis I would recommend that the sidewalk waiver be approved.

Commissioner Tuley: Autumn Hills 5?

John Stoll: Yeah, this got primary approval at APC at last month's meeting, so it has made it that far in the process.

Commissioner Tuley: Right. I'll move approval of the sidewalk waiver request for Autumn Hills Section 5.

President Jerrel: I'll second and say so ordered.

John Stoll: That's all I have unless you've got any questions.

Commissioner Tuley: A big question, John.

John Stoll: Okay.

Commissioner Tuley: Red Bank and the Lloyd Expressway.

John Stoll: Yes.

Commissioner Tuley: Okay, just top of where the new light went in there at University what do we have to do to get a left turn arrow at the intersection with Lloyd?

John Stoll: On the Lloyd Expressway?

Commissioner Tuley: I only live a few miles north of there. There was several times over the holidays and through the last weeks that traffic was backed in the left turn lane all the way back up to University and only one or two cars per light can get through there because of oncoming traffic and it's a nightmare. We need to somehow get the state to--

John Stoll: I'll contact the traffic department at Vincennes and see what can be done. I know there were going to be some changes in conjunction with Gene Hahn's development, but given the lawsuit that has been involved out there for so long I don't know when that is going to be resolved so maybe we can get something changed in the interim.

President Jerrel: They've already said...I know he had said that it may be a long time.

John Stoll: I know he went ahead and paved a portion of Red Bank because he had no idea when it would be settled and he didn't want to leave that all with shoulder drop-offs and all that so he has tried his best to make it as good as possible until it is settled.

Commissioner Tuley: The light is helping, but if you can't make the left--

John Stoll: On the expressway.

Commissioner Tuley: --you're losing the affect the light has given us.

President Jerrel: Well, Pat said two cars max.

John Stoll: Is it always doing it that way or is that just during the holidays? I have not been out there to really watch.

Commissioner Tuley: This was during Christmas break. It was 1:00 in the afternoon the last time I tried to come through there. In fact, I started going...the people on Clairmont are going to love this, I started going south all the way down to Clairmont and coming in the back way to avoid that intersection.

President Jerrel: If you call them could you follow up with a letter and give me a copy of the letter?

John Stoll: Sure.

President Jerrel: I'm going to go...I'm either going Thursday and Friday of this week or Thursday and Friday of next week and I have some appointments in Indianapolis and then I'll go over to INDOT and speak to them.

John Stoll: Yeah--

Commissioner Tuley: It should be going east and west on the Lloyd. People coming north are going to run into the same kind of problem.

John Stoll: Okay, for people coming out of Hahn's development as well?

Commissioner Tuley: Right.

John Stoll: I'll check the signal plans and see if we've got any kind of signal details for what Hahn's development...what changes were going to be done there and I will also contact INDOT because I don't think it was going to address any of the southbound traffic at all. I think it was all just to pick up the westbound to southbound lefts and then the northbound to westbound lefts, but nothing southbound.

Commissioner Tuley: The light there at University has been a big help. There is an awful lot of people trying to move back and forth across.

John Stoll: I thought that turned out looking pretty good.

Commissioner Tuley: Yeah, it does. The median that is painted is working quite well as well.

John Stoll: Since it was different I was concerned about that, but it seems like it has worked pretty well so far.

President Jerrel: Yeah, it does. I thought though if I had something to deliver to them it might make more of an impact.

John Stoll: Sure.

President Jerrel: Okay, nothing else?

John Stoll: That's all I had.

President Jerrel: Okay, thank you.

Erik Bentle - Superintendent of County Garage
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President Jerrel: County Garage.

Erik Bentle: Okay, you've got my work schedule from last week and this week. As you probably know we were kind of busy yesterday. We'll be cleaning the mess up of debris off the road and side of the roads we stacked it so the next couple of days we'll be getting it all cleaned up, so that will be taken care of. Our second truck was delivered today from Miller so we've got them both on the road now. That's all I have.

Commissioner Tuley: Did you get a call, I don't remember the exact address, but it was in Evergreen Acres from an individual? They called me late yesterday and I told them to call Central Dispatch and find out who the foreman was.

Erik Bentle: Evergreen Acres. It seems like I did, yes.

Commissioner Tuley: Why don't you, if you think about it in the morning, give me a call because I've got the note on my desk at school.

Erik Bentle: Okay.

Commissioner Tuley: And I'll tell you what the address was.

Erik Bentle: Okay.

Commissioner Tuley: Maybe that will ring a bell.

Erik Bentle: I think I got one for 500 Evergreen or something like that, a note on my desk.

Commissioner Tuley: It seemed like it was 800 or something, but I don't remember exactly.

Erik Bentle: Okay, I'll give you a call tomorrow.

Commissioner Tuley: Just give me a call at school tomorrow.

Erik Bentle: Okay.

President Jerrel: You know we didn't get any calls to speak of here. I got a lot of calls...I worked Monday and I got a lot of calls on other things, but not about the rain.

Erik Bentle: Well, we had quite a bit...a good sized crew in last night.

President Jerrel: Yeah.

Erik Bentle: We were getting barricades up everywhere that we could. We did have a lot of covered roads though.

President Jerrel: I bet.

Erik Bentle: We found some drainage problems.

President Jerrel: You didn't know they were there?

Erik Bentle: No.

Commissioner Tuley: We didn't have much rain in '99 to find them.

Erik Bentle: I'm telling you. We know where they are at now.

President Jerrel: Okay, well thank you very much.

Erik Bentle: All right.

Joe Harrison, Jr. - County Attorney

President Jerrel: County Attorney.

Joe Harrison, Jr.: I don't have anything.

Tony Greubel - Superintendent of County Buildings

President Jerrel: Okay, Superintendent of County Buildings.

Tony Greubel: Actually, regarding the Soil & Water Conservation District reports, I talked...Mike Wathen got back from vacation and I talked with him today and since Carrie Parmenter is now an official county employee I suggested that perhaps the Soil & Water...instead of him just submitting more of a personal report on him with Bonnie's help...with Bonnie Bittner's help, their Executive Assistant, they can just submit like a departmental report with all three of them on what they do that way if Mike is on vacation or something something can still be submitted.

President Jerrel: Oh, that's a good idea.

Commissioner Tuley: Bonnie is back to work, I assume?

Tony Greubel: Yeah, mostly.

President Jerrel: But then she goes back.

Tony Greubel: That's all I have.

President Jerrel: Okay, thank you.

Steve Craig - Burdette Park

President Jerrel: Superintendent...let's see, Burdette Park.

Steve Craig: Steve Craig, Burdette Park. You got my work list for last week and the week before.

President Jerrel: Right.

Steve Craig: And then I submitted, I guess, an assessment of our goals that we were trying to achieve and I kind of addressed each one one-by-one if you had a chance to read them.

President Jerrel: I wish Richard was here tonight because I'm sure he would have...he can save them, but this was very well done, Steve.

Steve Craig: Well, thank you.

President Jerrel: Appreciate it. Have any questions? It looks like the money is up.

Commissioner Tuley: No, it's nice that you provided us with what your goals were and then a sheet that goes back and compares how it actually worked out. It was a nice report.

President Jerrel: Well, and I do think it's apparent that we are achieving more and I think you deserve a lot of credit because we were spending a lot of money on advertising and we're really getting the word out and you're getting the job done and we haven't had to spend that money.

Steve Craig: Thanks. The one thing that I did want to bring up was on goals, page 2, the American Disability Association. Under that I had talked to you, I think, before the holidays and I don't know if we ever decided if that was brought up and okayed. I know I brought it up and we talked about it.

President Jerrel: Right, did you get an opportunity to talk to Joe about the bidding process?

Steve Craig: No, I didn't.

President Jerrel: We want to...what we're talking about is building the new--

Steve Craig: Bishea Building.

President Jerrel: --Bishea Building ADA restroom and there has been a wide range of projected costs and Steve has an idea and he needs to talk to you to make sure we do this correctly, but we want to get that finished by the time spring comes.

Steve Craig: Yeah, close the building down for six weeks in the spring so that we could get it done before the summer, so we kind of need to act on it. Like she said, the bids varied immensely and I wanted to know how I had to bid it out.

Joe Harrison, Jr.: Give me a call.

Commissioner Tuley: Did you open up on time on the pools this year?

Steve Craig: Uh-huh.

Commissioner Tuley: Was it the year before we were delayed because of the resurfacing and the rain and all that stuff?

Steve Craig: Well, we opened one pool, but one pool was closed.

President Jerrel: Remember, the baby pool and then the big one because we did the

new linings.

Commissioner Tuley: Right.

Steve Craig: But we had both of them open. We redid the olympic pool this year but they had gave me the money in the fall--

Commissioner Tuley: Right, so you had a chance to do it before--

Steve Craig: --so they came in and did about half the work.

Commissioner Tuley: But the question was you did open up on time this year? It was the previous year that we had to--

Steve Craig: What I was bringing up is that we did open up on time both years, but one of the pools--

Commissioner Tuley: Yeah, with both pools this year.

Steve Craig: Yeah, right. That's all I have.

President Jerrel: Okay, thank you very much.

Steve Craig: Thank you.

Weekly reports

President Jerrel: There are no reports from Soil & Water and the Ozone, is there a motion to accept the reports as they have been turned in?

Commissioner Tuley: So moved.

President Jerrel: Second and so ordered.

Consent items

President Jerrel: Any questions about the consent items?

Commissioner Tuley: I'll move approval of the consent items as submitted.

President Jerrel: And I'll second and say so ordered.

Old business

President Jerrel: Is there any old business?

Commissioner Tuley: I have none.

New business

President Jerrel: Any new business?

Commissioner Tuley: I have none of that either.

President Jerrel: Under new business I want to just for the record we will be establishing our goals for the year as we have done for the last three years and if we could target maybe the first week in February and each of us can submit them and Tony can get our board up and we can track how well we do this next year. That's all I have.

Commissioner Tuley: I'll move adjournment.

President Jerrel: And I'll second and say so ordered.

The meeting was adjourned at 6:03 p.m.

Those in attendance:

Bettye Lou Jerrel
Patrick Tuley
Joe Harrison, Jr.
Suzanne M. Crouch
Charlene Timmons
Tony Greubel
Judge Bowers
John Stoll
Erik Bentle
Steve Craig
Others unidentified
Members of the media

**Vanderburgh County
Board of Commissioners**

Bettye Lou Jerrel, President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
January 10, 2000**

The Vanderburgh County Board of Commissioners met in session this 10th day of January at 5:35 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Board of Commissioners to order. At this time I would like to introduce you to the people before you. On the far right is Tony Greubel, Superintendent of County Buildings; next to him is Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley; on the far left, Charlene Timmons, Recording Secretary; Suzanne Crouch, County Auditor; Richard Mourdock, County Commissioner; and my name is Bettye Lou Jerrel. Would you join me in the Pledge of Allegiance?

Approval of minutes

President Jerrel: The first item on the agenda is the approval of the minutes.

Commissioner Tuley: I'll move approval of the minutes of the January 4th meeting.

President Jerrel: And I'll second and say so ordered.

Barb Miller - 1999 Domestic & Sexual Violence Commission report

President Jerrel: The next item on the agenda we have the annual report from the Domestic & Sexual Violence Commission.

Barb Miller: Good evening.

President Jerrel: Thank you.

Barb Miller: Detective Stefanich could not be here this evening. He presented with me last year. We...I hope you have had an opportunity to look this over. We've completed the fifth year in existence for the Commission and each year I think we have accomplished more and more. When I think about what I think our greatest accomplishment is I think it's really our mere existence. There have been a number of communities throughout Indiana as well as Kentucky who over the years have contacted us because we are gaining, I think, a very good reputation for being a community that collaborates well, that has had the opportunity to bring city and county government together as well as agencies, law enforcement, courts, prosecutor's office, to work together for a common goal and that is basically to take a stand as a community that says we will not tolerate domestic violence and we'll hold abusers accountable. The work that you see before you I could elaborate on any number of the points, but I think we have really achieved a great deal. On the enforcement end we're gathering a variety of different kinds of education or information from law enforcement officers so that we can give them the kinds of training that they need. We're also collecting input from individuals who are getting protective orders. Judge Knight came up with a survey that considering it is totally voluntary we had 100 people complete the very first month that we started doing this. This is giving us an idea of not only who is getting protective orders, but do they know about the services that are available. What are they getting protective orders

for? So a lot of things that we're doing to gather information I think will give us a clearer picture of what domestic violence looks for or looks like in the community. Commissioner Tuley, I think it was you last year that asked us about how we compare with other communities and that is really hard to tell. Domestic violence is one of the most common yet least reported crimes in our country, but I think you will appreciate the section that we put in there on statistics because it will give us a base by which to compare for future years and not only can we look at this from the prosecutor standpoint, but from police officers and what we are being able to tell about their runs. Education wise we've collaborated or added a collaboration component. The individual that you appointed last year was Stan Young from the Evansville Black Coalition. Stan is a great example of just a real grass roots outreach worker that brings to the commission I think just a great energy for how we can reach hard to reach populations. So a lot of the work that the education committee has done has been to reach diverse populations not only in terms of workshops, but also in the media. I think we've picked up some different areas of interest such as the Safe Pet Program with the Humane Society. If you look at statistics there is a correlation between especially child abuse and animal abuse, so by bringing them in, you know, they just become a great player. The Safe Pet Program is a good example of a program that will offer an alternative to a family who would seek shelter if they had something to do with the family pet. I can't tell you how often that comes up that they just won't leave the dog at home. They can't find someplace to keep the cat. So this is just a couple of examples of different things that we're doing to try to not only work with community agencies, but hit diverse populations in our community.

President Jerrel: Are you working on a curriculum for the schools, too, to try to integrate that?

Barb Miller: Yes.

President Jerrel: I've spoken with Vic a few times about what they could do in the health curriculum so I am hoping that happens.

Barb Miller: We were...we provided workshops and were in the, I think, it's the enrichment workshop curriculum, yes, in the fall of '98. We decided not to go that route in '99, but to do something different with the schools and Vic will be chairing the education committee for the upcoming year.

President Jerrel: Good.

Barb Miller: So I think that will be an excellent opportunity. We're also going to be concentrating on work place violence. Those two areas, I think, are just scary to all of us as far as the number of violent episodes that are occurring not only in the schools, but in the work place as well. So those are two areas of emphasis for the education committee.

President Jerrel: Are there any questions from the Commission?

Commissioner Mourdock: Not a question, but I just noted in the letter of December...I'm sorry, November 17th, several of the local things that had happened which was that Detective Stefanich--

Barb Miller: Stefanich, uh-huh.

Commissioner Mourdock: Stefanich, was recipient of the US Attorney General's Office for outstanding contribution to the rights of victims and then they also received several other different awards through the year, so that's great work.

Barb Miller: That was an especially great honor. That was the first time we learned from Carol Morris, from the US Attorney General's Office, that this was the first time that they had ever given this award to a law enforcement officer who was nominated by advocates. They, I think, were just so pleased to see how much we had worked together and Darren Sroufe from the Evansville Police Department also received an outstanding award. That just says an awful lot. I think five years ago, quite honestly, you had police officers who often looked at advocates as do-gooders and advocates who thought police officers just didn't get it when it came to domestic violence and that has changed so much really just through our work on the commission. We have an opportunity to work with individuals on a day in and day out basis it has changed the attitudes and the compassion dramatically.

President Jerrel: I have one question about the objective under the repeated calls, the protocol for the repeated calls reporting violence.

Barb Miller: Yes.

President Jerrel: Have there been any considerations to identify certain areas where you get these one call right after another and then you may have a down spell, but frequently that is when you have a bad situation develop and it's dangerous for the police as well.

Barb Miller: That's a very good point. We did identify that and the south sector has a great many of the calls. In our pure advocacy program that was started three years ago which was really a commission initiative we started working with law enforcement by doing follow-up calls particularly in that area so once a week we get a listing of where those calls are coming from and representative from our agency goes with a law enforcement officer and they do follow-up calls to the victims.

President Jerrel: That's excellent.

Barb Miller: It is. I think it has worked very well. It's real hard to follow up and not know if you are putting people's safety in jeopardy, but that has worked quite effectively.

Commissioner Tuley: I don't have a question, I just have a comment. This is a very nice report and I appreciate those statistics that you put in there.

Barb Miller: Thank you very much. Thank you for appointing Christy Baker to our commission. She will be the first one that we've had from the university setting and I think that she will just provide a lot of great talent to the commission.

President Jerrel: We're glad to have your recommendation.

Barb Miller: Thank you. Any other questions?

President Jerrel: Thank you very much.

Barb Miller: I appreciate your time.

Bill Cottun - Computer purchase agreement
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President Jerrel: The next item on the agenda, Bill Cottun.

Bill Cottun: Good evening, I'm Bill Cottun, the Account Executive with Systems & Computer Technologies. We have brought a request before you for a favorable receipt of a recommendation for computer quotes. At the behest of the city attorney for the Public Board of Works we went out and quoted to three local vendors or regional vendors for pricing on three computers that we consider to be the ones that are going to be most purchased by the city/county of the next year. These computers are for office type applications. They do not...they're not good for GIS work stations or computer network servers and things like that, but good for desktop applications. Last year we had about 13 computers on our quote list and we found that we only used three computers for one hundred percent or almost one hundred percent of our purchases, so we really boiled things down to make it easier on everyone. We have recommended to continue using the services of Matrix Integration. They were the lowest bidder or lowest quote on two of the computer systems that we had. We have an excellent track record with Matrix. They supplied I believe it was 356 computers to the city/county last year. Their service has been excellent and they have been a very good vendor for the city/county to deal with. As with last year their quote also includes a lowering of any prices that are passed on to them from Compaq. They will lower the prices to the city accordingly or to the city/county accordingly. This is also a not to exceed price. If prices do go up which to be very honest I don't expect them to then they will cap these three machines at these prices. The machine...or the cost of the machines have gone down approximately 28 percent over last year's prices and we have an increase in the specifications, the servers or the processor speed has significantly increased over last year mainly because of technology advancements, not because they were just throwing in higher processors for the fun of it. The city and county is under no obligation to purchase any computers from this quote. This simply simplifies our process. We always have to get three quotes on a machine before we can purchase them. This standardizes it for one year so we don't have to go out for the next couple hundred machines that are purchased and quote each one of the individually.

President Jerrel: Are there any questions?

Commissioner Mourdock: Just want to clarify, Joe, you've had a chance to look this over?

Joe Harrison, Jr.: Yes, it's fine and I am assuming the Board of Public Works acted on this last week?

Bill Cottun: They did today.

Joe Harrison, Jr.: Today, okay.

Bill Cottun: Yes.

Commissioner Mourdock: I'll move approval of the purchase agreement with Matrix Integration based on the recommendation of Mr. Cottun.

Commissioner Tuley: Second.

President Jerrel: So ordered. Thank you.

Bill Cottun: I would like to give you one quick update relating to Y2K. The city/county made it through just fine. Through the foresight of the County Commissioners and I would also like to say through the foresight of Mayor McDonald of the previous administration the city and county aggressively addressed Y2K. They spent a lot of money, I would consider very prudently. The Commission was very involved through the Data Board in determining what should and should not be addressed. I want to thank you for passing onto me a good nights sleep on the New Year. I was not concerned. We had people on-site here and also out at Central Dispatch. They were bored to tears to be very honest, so I want to thank you for your foresight.

Commissioner Mourdock: Did we have any...I realize we didn't have any true Y2K problems. You and I had some correspondence several weeks before about copycat viruses and things that were programmed, did we have any of that?

Bill Cottun: We had zero attacks of any type against our system, anything passed on that was in any way related to I'll say a pseudo Y2K attack. We had absolutely none of that whatsoever.

Commissioner Mourdock: Just so I have someone to share a little misery with. We have six of us in our organization that uses the same type of laptop computer and I really don't think it was Y2K truly, but I think there was a little Y2K look-alike virus and for some reason none of us can use our modems. It's a heck of a coincidence if it wasn't something set up for that, so now we've got built in modems that we're trying to restructure. The computer works fine but we can't call out. I'm glad it went well.

President Jerrel: Thank you very much, Bill.

Public hearing - Vacation of easement at 915 Ruffian Way

President Jerrel: The next item on the agenda is the vacation of an easement. Would you want to review this?

Commissioner Mourdock: No, no it's fine. I just read something. I should of had these on.

President Jerrel: Okay.

Commissioner Mourdock: Mark Miller is here for this one, too.

President Jerrel: Mark, would you like to speak?

Mark Miller: Thank you. This particular vacation request is made by the Evansville Clean Cities Alliance on behalf of Busler Enterprises, Incorporated for the purpose of completing and establishing a second publicly accessible refueling location for natural gas powered vehicles. Funding came from a state energy project grant to establish a location which helps build a corridor of refueling infrastructure. This location was picked back in 1996 because it allows building the corridor from Evansville east to Louisville for refueling. Also Evansville west to St. Louis and barring the construction of I-69 north to Indianapolis via Terre Haute as well as providing a location whereby we can start to collect and attract other fleets from

northern Vanderburgh County and southern Gibson County. So that's why the location, but once we got things going we discovered that the easement along that county roadway is a little bit larger than normal. Instead of being a 50 foot easement it's an 85 foot easement and so there was an encroachment problem. We requested a parcel of 26 wide by initially 90 feet wide, but after checking with Ameritech they have a switch block located up near the northern end so that was trimmed back and we refiled. That's why it is only 85 feet by 26. That should clear up almost all of the encroachment problems existing with the sign island out there at Busler's as well.

President Jerrel: Are there any questions anyone would like to ask Mark?

Commissioner Mourdock: Again, Joe, you had a chance to review this, I presume?

Joe Harrison, Jr.: Yes, and I have had a chance to talk to John Stoll in the past about this and this is a first reading and the final reading will be January 24th.

Commissioner Mourdock: I'll move approval on first reading of the vacation of the easement at 915 Ruffian Way as requested.

Commissioner Tuley: Second.

Joe Harrison, Jr.: Again, this is a public hearing if anybody else would like to comment.

President Jerrel: Is there anyone before I finalize the motion that would like to speak to this issue? Seeing none, I'll say so ordered and we'll have you back for the final...have you sent it, Charlene?

Charlene Timmons: Pardon?

President Jerrel: The final?

Charlene Timmons: Yes.

President Jerrel: The 24th.

Mark Miller: Thank you very much.

President Jerrel: Thank you.

Permission to advertise vacation of easement

President Jerrel: The next item on the agenda is the Auditor for permission to advertise.

Charlene Timmons: That's another vacation of an easement in Eagle Plaza Subdivision and they have requested a hearing date of January 24th for their first reading and public hearing.

President Jerrel: Is there a motion to permit the advertising of the hearing?

Commissioner Mourdock: Again, Joe--

Joe Harrison, Jr.: It's just permission to advertise.

Commissioner Mourdock: Yeah, I'll move approval of the permission to advertise for the vacation of the easement on Lots 15 and 16, Eagle Plaza Sub.

Commissioner Tuley: Second.

President Jerrel: So ordered.

First reading - Amendment to public defender ordinance

President Jerrel: The next item is a first reading relating to the public defender ordinance. Joe.

Joe Harrison, Jr.: The reason for this amendment to the public defender ordinance is to delete the previous inclusion of the statute which specifically exempted certain larger counties in the establishment of a public defender ordinance. Although many of these larger counties have in fact included such language in their ordinance and have participated or are participating in the public defender statute. What is done by this amendment is to establish the creation of the public defender commission locally by way of local home rule. That's 36.1-3-4(b) and I have deleted the previous reference to 33.9-15-3. That's the nature of the amendment just to be completely legal in case someone would want to challenge at some point down the road. We could of enacted the ordinance through the home rule statute to begin with, but we made reference to the Indiana public defender statute. What I am asking is that this be approved tonight and then the second reading would be the 24th of January and we will then publish the ordinance thereafter within 30 days of final approval.

Commissioner Mourdock: So is it correct to say, Joe, this is just kind of a corrective action?

Joe Harrison, Jr.: Yes.

Commissioner Mourdock: Okay.

President Jerrel: It's the first whereas.

Joe Harrison, Jr.: It's the first whereas.

Commissioner Mourdock: Yeah, right.

President Jerrel: It really is the...

Commissioner Mourdock: Yeah, literally. I'll move approval of the amendment to the Vanderburgh County public defender ordinance as recommended by the County Attorney.

Commissioner Tuley: Second.

President Jerrel: So ordered. The next item on the agenda, County Attorney--

Joe Harrison, Jr.: If I could, why don't you have a roll call vote on that if you don't mind and then we'll have it on the 24th as well. Thanks.

President Jerrel: Alright. Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

Detention officers - Collective bargaining agreement

President Jerrel: County Attorney, detention.

Joe Harrison, Jr.: Yes, the next item is the jail detention officers' collective bargaining agreement, the proposed agreement entered into which has already been approved by the Teamster Local 215. This relates to the jailers who work in the county jail. One of the major changes from the previous contract is the wage increase for the jailers. They'll be receiving under the contract 50¢ additional...50¢ an hour in 2001, an additional 50¢ per hour in 2002 and in the year 2000 an additional 50¢ per hour beginning in July of this year. That's the substantial change in the monetary consideration of this agreement. There are some other changes as well that are different from the previous one, but for the most part that is the major change. The other thing is clothing that I will mention. There is a clothing allowance increase from the previous amount I believe was \$752 or \$728 up to \$1,000 per year, but those are the main two differences and I would ask that you all give this favorable approval and the union ratified the agreement on January 3rd and the agreement was signed by Chuck Whobrey, the Business Manager and President of Teamsters 215 on January 4th.

President Jerrel: Before we call for a motion just one comment. The AIC did some research for us and this was a valid concern to bring our jailers up to at least the average, so I think it was the appropriate thing to do.

Commissioner Mourdock: I'll move approval of the jail detention officers' collective bargaining agreement as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered. Is there anything else?

Joe Harrison, Jr.: That's all I have on that. I'll bring up some other issues in my report.

President Jerrel: Okay.

Any group or individual wishing to address the Commission
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President Jerrel: Any individual or group that wishes to address the board at this time?

John Stoll - County Engineer

President Jerrel: Hearing none, County Engineer.

John Stoll: I've got an agreement between the county and INDOT for the reimbursement of the \$8,000 that we spent for the additional work out at the Replas frontage road project. We had submitted one claim form to INDOT and they turned around and sent us this agreement that needed to be signed off on, but once this is signed we can get the \$8,000 back that you had approved last summer whenever we had found that the pavement section was inadequate out there on the existing portion of that frontage road project, so I would like to recommend that this agreement be approved.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: On that general subject, John, do you know or have you heard anything from Matrix? Did they get their reimbursement back from the state through Metropolitan Development?

John Stoll: I know DMD had gotten some reimbursements, but I'm not sure how they were distributed back to Replas, so I can check on that and let you know.

Commissioner Mourdock: Okay, please do because I know it was a lesser amount than what a lot of folks thought originally, but then the bid came in less than what we thought.

John Stoll: Right, I was going to say I know that the reimbursement was based on a percentage of overall cost of all work including our work, so that may have played into it, but I can check on that. The second item I've got is a change order for the Broadway bridge replacement. This is bridge 272 that was just completed last month. On the previous change order we had thought that all the overruns on the sand backfill had been taken into consideration, but the contractor had presented some additional tickets for some additional sand that was placed out at the project, so this is a change order for an increase of \$2,624.90. It's recommended that this be approved.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: I've also got a street acceptance request for Keystone Subdivision Section 6C. This is for 175 feet of Eastbourne Drive, 298 feet of Saybrook Drive and 273 feet of Rimridge Drive. These streets were inspected and they were built in general accordance with the approved plans and it is recommended that they be accepted for maintenance.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: And I just wanted to mention the signal out at Red Bank and Lloyd that was brought up last week I never wrote the letter that you had talked about, Bettye Lou, because I found out that the plans for the signal upgrade through Gene Hahn's project do provide left turn phases for both northbound and southbound traffic, so that will be taken care of as soon as the lawsuit is settled. I've not gotten any verification that the lawsuit has been settled just yet.

President Jerrel: What happens if that goes on for--

John Stoll: I was told by one person that they lawsuit had been settled, but I haven't been able to verify that yet.

Commissioner Tuley: We haven't got official notice, but I believe it has been.

President Jerrel: Okay.

John Stoll: So as soon as I can verify that then I can let you know.

President Jerrel: Okay.

John Stoll: But the signal plans do include that left turn phase so that should alleviate the problem you were talking about, Pat.

Commissioner Tuley: Thank you.

President Jerrel: John, a couple of things that the...I know Pat and I talked a couple of times about some water and ditches and I wonder if you could send me...I think it was Tom...you sent someone out to Sarah Chambliss.

John Stoll: I'm trying to remember which one that was.

President Jerrel: She said you sent someone from your department.

John Stoll: What was her address?

President Jerrel: I have it in there. Or, Tony, you could probably get it.

Tony Greubel: Oh, you're talking about Sarah Chambers?

President Jerrel: Chambliss.

Tony Greubel: Yeah, I have that address.

John Stoll: Okay. The name doesn't ring a bell, but we've had several complaints.

President Jerrel: She said that you had sent someone out and if they could just give us, you know, kind of a documentation of what they saw and what is needed.

John Stoll: Okay.

President Jerrel: Particularly they were talking about the drain. It's all on the easement and it relates to the developer's work that is causing the flooding. She has a garage or a pole barn that is near that.

John Stoll: Is this the one you were talking about?

Commissioner Tuley: No, it's a different one.

President Jerrel: This is a different one. The other one was Goldman.

Commissioner Tuley: Right.

President Jerrel: So Goldman and Chambliss.

Commissioner Tuley: Right.

President Jerrel: If you could kind of...if you could give us the background on what you think maybe we could do regarding Batteiger.

Commissioner Tuley: That's the Peerless one.

John Stoll: Peerless--

President Jerrel: Yeah, Peerless.

John Stoll: --and Huckleberry. I talked to Bill Jeffers last week about that and he's got the old 1969 contour maps. The way it looks to me there used to be a natural drain that cut across the corner of Batteiger's property and in looking at it if I can find the contour map that supports that I don't think that they did it right when they filled that ditch in and rerouted that through the county right-of-way, but in doing so I guess that's when I'll have to talk to Joe because I'm not convinced that is the county's responsibility to fix. But once I get that I can write something up on that.

President Jerrel: None of these may be--

Commissioner Tuley: Yeah, and I'm not sure the one I talked to you about is either.

President Jerrel: But at least if we can offer them any help or suggestions I think that's what we were trying to do.

John Stoll: Okay. We've had so many of them and like I said the name Chambers doesn't ring a bell.

President Jerrel: I thought it was C-h-a-m-b-l-i-s-s.

John Stoll: Chambliss, okay.

President Jerrel: Yeah, I think that's what I had. Pat went one place and I went the other, so if you would just, you know, just sometime next week send us...if you have anything.

John Stoll: Okay.

Commissioner Tuley: Have you had conversations? Apparently you knew that lady's

name.

John Stoll: Yes.

Commissioner Tuley: Okay.

John Stoll: Last year or maybe two years ago. It looks like all of West Terrace--

Commissioner Tuley: Oh, she told me because you went out and met with them and recommended pipe sizes or something and they replaced that pipe.

John Stoll: It looks like at one time a pipe was put across West Terrace that took...there was no ditch pipes. It looks like somebody filled the ditches in on the south side of West Terrace, so at one point a pipe was put across the road on West Terrace to take the drainage that comes through that valley to the north side which in turn gets it on the side with her garage. Since then there have been some ditch pipes and driveway pipes added on the south side of West Terrace and it looks like it should split the flow, but given the way the back slope of that ditch has such a...the bank is so shallow it's going to be tough to keep water out of there if it is the same problem she has called you about.

Commissioner Tuley: I think you guys may have just been out their recently, too. She told me two guys in a white truck--

President Jerrel: I thought I saw some familiar--

Commissioner Tuley: --were out there.

Erik Bentle: Yeah, we were out there talking to her and her husband.

President Jerrel: Well, maybe they thought...I don't know, sometimes they get the departments mixed up.

Commissioner Tuley: No, she didn't remember the names, but she said two guys in a white truck and she said one of them had kind of beard like thing. I said it sounds like to me that the two of you were out there.

John Stoll: She has got that ditch that runs along her west property line that is all out of county right-of-way and that was one of the things that she had asked us about cleaning and I told her we couldn't do that.

Commissioner Tuley: No.

John Stoll: We could only work within the right-of-way.

Commissioner Tuley: Yeah, that was basically what I told them. There is no way that this is county right-of-way to the west.

John Stoll: Right.

Commissioner Tuley: But I think they're just looking for some possible solutions.

John Stoll: Okay.

President Jerrel: I think I had you mail one of our obstruction ordinances--

Commissioner Tuley: To them?

President Jerrel: To somebody, yeah, to them. I think so.

Commissioner Tuley: Let's see if we can resolve it before we go there if we can.

President Jerrel: I know, but they might as well have everything.

Commissioner Tuley: Oh, yeah. Okay.

Commissioner Mourdock: Are you done with your others, John?

John Stoll: Yes.

Commissioner Mourdock: I have two then. I got two calls a week ago. Is it Cross Pointe Boulevard that runs north/south? Cross Pointe Drive or whatever it is called?

John Stoll: Yes, Cross Pointe Boulevard.

Commissioner Mourdock: You almost need to see it, but I got two calls from people who had hit the curb unexpectedly and blew a tire or otherwise bent a rim. They were heading southbound and that concrete median...not median, but--

John Stoll: Just north of Indiana Street?

Commissioner Mourdock: Yeah, exactly. At the very least we need to see if we can't otherwise get some reflector out there on the curb itself or on the side because it requires people to move to the right and basically go from two lanes of traffic to one and it was odd that I had never gotten any calls about that and then two different people blew a tire on that.

John Stoll: Okay.

Commissioner Mourdock: So we've got some liability there. The second one, have you heard anything or how are we doing with the...I've forgotten his first name. It might be Gene Wilner out there off Inglefield Road. I know you were going to look at it. Jeffers was going to look at it.

John Stoll: Yeah, I talked to Bill Jeffers sometime, I don't remember the date, but sometime last month about him getting one of his survey crews out there to see what kind of--

Commissioner Mourdock: They've been out there. I just didn't know where we were from there.

John Stoll: Oh, I hadn't gotten any data back from them so I didn't know they had even been out there yet.

Commissioner Mourdock: Okay, if you would make a call. A week ago when we had all that rain I got in my truck and did a quick drive down through Strawberry Lane or Strawberry Hill and back through all those areas where we traditionally had problems and I am pleased to report that while the road was totally flooded in a few spots

acting almost as a temporary detention basin like it was designed to I didn't see any water getting into any homes or houses or anything else. I also went down Anthony Drive.

President Jerrel: Oh, I know, can you believe it?

John Stoll: I did, too.

Commissioner Mourdock: Anthony Drive was amazing.

John Stoll: I saw some nice debris lines out in Anthony Drive, so they got a lot of water.

Commissioner Tuley: He did call. Mr. Bell did call me.

Commissioner Mourdock: And said?

Commissioner Tuley: Well, it was on another matter.

Commissioner Mourdock: Oh.

Commissioner Tuley: And when he told me I said, wait a minute, it just poured down rain and you're not calling me to talk about a drainage problem? He said basically what we said from the beginning. It did not totally correct everything, but it sure made it a whole lot better than what it was.

Commissioner Mourdock: Yeah, I was amazed when I drove down there. It was still raining pretty hard then.

Commissioner Tuley: I was getting ready to check it out.

Commissioner Mourdock: The water on the new bridge on Strawberry Hill, the water looked like maybe that close from going over the top of that bridge.

John Stoll: I heard about similar circumstances around several different bridges and culverts where it was a foot from the top of a box culvert here and then.

President Jerrel: Of course, five and a half inches in that length of time--

Commissioner Tuley: In that short time.

President Jerrel: --is going to cause that to happen.

Commissioner Mourdock: Oh, yeah, but what happened before, I'm not sure why there were a lot of causes, but as Bill Jeffers would say we had a lot of leaves plugging off inlets and all those kinds of things, but at least everything out there seems to be working. Did we get any calls on anything that was county derived that failed?

Erik Bentle: Commercial Court, but that's a constant battle there.

John Stoll: And we've got the plans for that which Clark Dietz has drawn up. Valerie is doing the final review on that so within the next few weeks we should be able to get that out for bid. I just need to get in touch with you, Bettye Lou, about what

account we wanted to pay that out of, but we should get that one knocked out of here yet this year as well.

Commissioner Tuley: Totally unrelated, but I've gotten two comments recently about the new bridge on Broadway.

John Stoll: About the paving?

Commissioner Tuley: The paving. What is the deal or the status on that?

John Stoll: The paving was done late in the day to try to get it open because we were getting so many complaints about it being closed and that was part of the problem. I think temperature wise it was getting too cold for them to get it rolled out before it cooled off too much. I think the eastbound lane right as you get on the bridge probably needs some additional work. Westbound I didn't think it was that bad, but we've gotten plenty of phone calls on that as well. Valerie was out there today and she thought some of the asphalt looked like it was crumbling so we're going to get in touch with the contractor and see what kind of repairs we can get done to the asphalt, but temperature wise it is pot luck whether we'll get it done now or sometime when the temperatures stay consistent, when we can count on the temperature staying consistently high.

President Jerrel: Okay. Thank you.

John Stoll: Thanks.

Commissioner Tuley: Thanks, John.

Erik Bentle - Superintendent of County Garage
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President Jerrel: County Highway Department.

Erik Bentle: You've got my reports from last week and my work schedule for this week. One other thing I want to apologize for, I should of had this pink slip in for Dennis Dooley in last week. It completely got sidetracked. What he is wanting to do is he is requesting a six month leave of absence without pay to go to a school to become a monk, so he is not for sure whether or not he will be back as a county employee or not. It's up in the air right now.

President Jerrel: Okay. I just brought this in. Here, Joe, you want to take a look at that real quick, the line that relates to that in the contract. Because he has requested his insurance and does he realize that if that is granted that he pays the employee part?

Erik Bentle: Yes, it was told to him before he decided this.

President Jerrel: See the line. That's the only line that references that and that's under the old contract.

Joe Harrison, Jr.: It's in the new one, too.

President Jerrel: Okay.

Erik Bentle: Do I need to get that approved or do we need to--

President Jerrel: Yeah, you need to add...I mean, I can write it on there, but it should be with your approval.

Commissioner Tuley: The pink slip is in there.

President Jerrel: Yeah, with your approval without pay. That part needs to be added.

Erik Bentle: The other thing I wanted to ask you about if you have made any other thoughts or decision on the County Garage picking up the Internet?

President Jerrel: Bill Cottun came in today and we did a lot of talking about Internet because the city is going to move to e-mail and a number of things and so we'll...I'll get you involved with him.

Erik Bentle: Okay. Alright, that's all I have.

Commissioner Tuley: Evergreen?

Erik Bentle: Evergreen, 8200 Pine Creek.

Commissioner Tuley: Yeah.

Erik Bentle: We went out there and looked at it and they are sitting in a low lying area to start with and they have put a new drainage system in there right down from his house, but right behind his property they have got a creek line that will not handle that much water.

Commissioner Tuley: So it was water in the short period of time?

Erik Bentle: Because they just put a new drainage system in just a half a block from his house. It should carry most of the water. I'm going to say a 36 inch pipe that they put in.

Commissioner Tuley: Did you have occasion to talk to him at all?

Erik Bentle: No, he wasn't home when we were out there.

Commissioner Tuley: Okay.

Erik Bentle: But as far as...the ditch is in poor shape that runs behind their property, but it is off county right-of-way.

Commissioner Tuley: It's not ours?

Erik Bentle: It's not ours, no.

Commissioner Tuley: Okay, I just need to call him back.

Erik Bentle: We are doing--

Commissioner Tuley: I suspected that was the case.

Erik Bentle: We are doing some work around the corner down there on Heather Court replacing all them drain boxes. It won't do any good to take...I mean, it's not going to help take that much water, but it's going to correct a drain problem they have right there on that intersection.

Commissioner Tuley: Alright, thanks.

President Jerrel: Thank you.

Joe Harrison, Jr. - County Attorney

President Jerrel: County Attorney.

Joe Harrison, Jr.: The final portion of the Donan Engineering report regarding the SAFE House is to be completed either this week or early next week. I spoke with Donan Engineering today. The environmental part of the report has been completed although I haven't seen the report. I asked that they send it to me. It was sent, but I have not seen a copy of it and as soon as I get it I'll give a copy to you all as well and to the Sheriff, but apparently the environmental turned out fine. There weren't any problems as far as environmental concerns with the property at the SAFE House, but the structural analysis of the building code report will be hopefully submitted to us with the next week. The other union contracts, the County Highway, Burdette and Centre contract, we should have that for the 24th to be signed. I think the union is voting on that agreement tomorrow and we'll be receiving that hopefully for consideration on the 24th. On the SAFE House it may be a little longer before we consider that although we have agreed in principal to all the terms. One of the issues that is kind of hanging out there is what is going to happen with AISP/DISP, but as far as the terms of the agreement we've agreed to the terms. It's just that we may not want to sign a contract and then have to go in and change something a few days later, so it may be another month before we have to actually sign that agreement. But the agreement was with the union to continue under the existing agreement until we get that one signed. That's all I have.

President Jerrel: Good job.

Joe Harrison, Jr.: Thanks. With the matter that Erik was speaking about, Mr. Dooley was going to pay his portion of the insurance.

President Jerrel: Right.

Commissioner Tuley: Right.

Tony Greubel - Superintendent of County Buildings

President Jerrel: Superintendent of County Buildings.

Tony Greubel: I'm just submitting several blue claims for Ogden and they are already in the signature file to reimburse them according to The Centre contract.

Steve Craig - Burdette Park

President Jerrel: Burdette Park.

Steve Craig: The only thing I have is that I have met with Roger Lehman about the Bishea Building's restrooms bringing them up to ADA standards. We designed a floor plan to please me, but more importantly to please Roger. But we got it all worked out the way I wanted and he said that it was all legal and everything so I am now writing up bid sheets for this and I'll present them to you before...oh, we don't meet next week.

Commissioner Tuley: No, two weeks.

Steve Craig: I'll have them to you before two weeks, but I almost had them done today, but I didn't get them done. But I'll get them to Joe where we can put them out for bid and get on with it.

President Jerrel: Do you want--

Joe Harrison, Jr.: Give permission to bid.

President Jerrel: --permission to bid now and then you can go through the process with Joe approving them and get them then we could get them back quicker?

Steve Craig: Yes, that's what I would like to do because that would put me back two weeks and I would rather not do that.

President Jerrel: Yeah.

Commissioner Mourdock: I'll so move.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Steve Craig: Thank you. And my worksheet. Other than that, thank you.

Commissioner Mourdock: Thank you. Steve, I did see from the packet...I was not here last week and I know you presented some of the goals and things and started to go through that. I did see that and I appreciate your work on those.

Steve Craig: Okay, thank you.

Weekly reports

President Jerrel: We do have Soil & Water and the Ozone reports.

Commissioner Mourdock: And I'll move acceptance of all the county department head reports submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent items

President Jerrel: How about consent items? Were there any questions about any of them? Motion to approve?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.¹

Old business

President Jerrel: Any old business?

Commissioner Mourdock: Just as an update this coming Friday it looks like Sheriff Ellsworth and I will be meeting with a potential consultant on the jail situation and keep that moving along.

President Jerrel: Good.

Commissioner Tuley: You weren't here last week. I think, did you say something about the 24th being prepared with our goals?

President Jerrel: With some ideas for our goals.

Commissioner Tuley: Can we push that back a week?

President Jerrel: Sure.

Commissioner Tuley: I've got a feeling we're going to have a pretty full plate on the 24th.

President Jerrel: Okay. Well, we can do that on our first meeting and we can do it in February, the first meeting. Anything else?

Commissioner Mourdock: New business yet or old business?

New business

President Jerrel: Under new business.

Commissioner Mourdock: Under new business, Ms. Timmons said something to me at the start of this meeting about no longer issuing paper hard copy minutes and I think that's a wonderful idea. I don't know if you have anything to add, Charlene? I think it's great. What did you say, you had 31,000 copies you made last year of just our notes?

Charlene Timmons: Yeah, I made 31,517 copies of minutes only.

¹See page 21 for listing of consent items.

Commissioner Mourdock: Just to pick a number!

Charlene Timmons: No, I didn't pick it, I researched it. Anyway, what I have proposed to do was e-mail the Commissioners and the County Attorney their copies prior to the next Monday and you will get them sooner than when you get your packet because I am usually done before Friday, so I will e-mail those to you and then as far as the department heads or the departments I make 18 copies every Tuesday morning of the minutes and everybody except for a select few have access to the Internet and they are available on the Internet and they are searchable on the Internet. They can download those and print whatever portion they want, so we're going to send out a memo saying that they can access them that way.

President Jerrel: The paper bill is going down.

Charlene Timmons: Yes.

Commissioner Mourdock: The paper bill is going down and once I get them by e-mail I'll put them on this machine as well so then as I've been able to research my own notes in the past we'll have the verbatim notes.

President Jerrel: Good.

Commissioner Mourdock: We'll catch some of these attorneys...I mean, we'll have accurate records there.

President Jerrel: Is there a motion to adjourn?

Commissioner Tuley: So moved.

Commissioner Mourdock: Second.

President Jerrel: So ordered.

The meeting was adjourned at 6:22 p.m.

Consent items:

Employment changes:

Pigeon Township	Pigeon Township Trustee
Property Tax Assess. Board	Sheriff's Department
Community Corrections	Prosecutor DLEP
Community Corrections DOC Grant	Community Corrections Project Income
County Highway	County Clerk

Travel requests:

County Assessor	Knight Assessor
Pigeon Assessor	Area Plan Commission
Health Dept.	

Blue claims:

Morley and Associates	\$11,645.00
Municipal Consultants	\$20,000.00
TD & O, LLC	\$11,810.79
Bernardin Lochmueller	\$17,385.00
Bernardin Lochmueller	\$29,250.20
Bernardin Lochmueller	\$ 1,185.00
Ogden	\$ 9,950.86
Ogden	\$ 1,722.29
Ogden	\$ 498.58
Ogden	\$ 8,500.00

Auditor:

Accounts payable vouchers
Monthly cash and expenditure reports

Treasurer:

Year-to-date investment report

Those in attendance:

Bettye Lou Jerrel
Richard E. Mourdock
Patrick Tuley
Joe Harrison, Jr.
Suzanne M. Crouch
Charlene Timmons
Tony Greubel
Barb Miller
Bill Cottun
Mark Miller
John Stoll
Erik Bentle
Steve Craig
Members of the media
Others unidentified

**Vanderburgh County
Board of Commissioners**

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
January 24, 2000**

The Vanderburgh County Board of Commissioners met in session this 24th day of January at 5:36 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Commissioners' meeting to order. Very quickly let me tell you a little. This obviously isn't the rezoning meeting. It doesn't begin until 6:30 and it was in the newspaper that it started at 5:30. We have a regular business meeting that we're going to have to run through. Now, it looks long, but I'm going to go very quickly so it's the business end and the advertised zoning meeting follows this and if you're here for drainage that follows the zoning meeting. It may be going on daylight. We hope not. Okay, so if you'll let me start and we've got the doors open. The first item is to call the meeting to order. I'm going to very briefly introduce you to the people that are up here so you'll know who you're looking at and for what purpose. Tony Greubel is our Superintendent of County Buildings, at the far end; Joe Harrison, Jr. is our County Attorney; Commissioner Pat Tuley is to my right; far left, Charlene Timmons, our Recording Secretary, and she has to write down...she does verbatim minutes every week of every word that is said, so she has a fun night. Next to her is our County Auditor, Suzanne Crouch; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. I would like for you to join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: The action items are next and I need approval of the minutes of the previous meeting.

Commissioner Mourdock: For the first time we do not have minutes of the meeting in our packs because they were sent to us by e-mail, but I have reviewed those minutes and I would move approval of the minutes of the meeting of January 10th.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Certification of Executive Session

President Jerrel: The next item is the certification of the Executive Session.

Commissioner Mourdock: I'll move approval of the summary minutes of tonight's Executive Session which began at 4:45, ended at 5:30 and dealt with litigation, litigation that is ongoing and dealt with the union contracts and also dealt with certain real estate.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Open RFPs - Construction engineering services

President Jerrel: The next item on the agenda is the County Engineer, John Stoll.

Commissioner Tuley: I don't know if he can get in.

Joe Harrison, Jr.: It's just open RFPs.

Commissioner Tuley: Yeah, we can just direct the attorney.

President Jerrel: Okay.

Commissioner Mourdock: I'll move approval of opening the RFPs for construction engineering services.

Commissioner Tuley: I will second.

President Jerrel: So ordered.

Z Tuley - Board of Finance

President Jerrel: The next item on the agenda is the County Treasurer.

Commissioner Mourdock: Z is here.

President Jerrel: Z is here to represent.

Z Tuley: Right. Jayne couldn't make it. I have the December '99 report that I am supposed to submit for the record. I also have a copy of the full investments for 1999 and I have made copies for everyone.

President Jerrel: Just...he'll take care of it. Thank you.

Z Tuley: At the beginning of each year we appoint a financial commission so normally what is done is that I think that last year the president of the County Commission was the president of the financial institution or a...

Commissioner Mourdock: Board of Finance.

Commissioner Tuley: Board of Finance.

Z Tuley: Thank you. Then we went ahead and had Charlene be the secretary since she already does the minutes word-for-word.

President Jerrel: Is there a motion to that effect?

Commissioner Mourdock: Okay, let me do two motions. First of all I move we accept the statement of tax collections provided to us by the County Treasurer.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: The second thing, I would move that we maintain the same structure for the Board of Finance as in previous years which would be to have the president of the County Commission serve as the president of the Board of Finance.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: And do we need to appoint the other positions as well, Z?

Commissioner Tuley: Yeah, I believe it's a three person board that would meet. It's the president--

Z Tuley: The Treasurer is usually the third.

Commissioner Tuley: --would be the president of that board. It would be the County Treasurer and also would be the Auditor as Secretary.

President Jerrel: Right.

Commissioner Mourdock: Okay, I would make that in the form of a motion.

Commissioner Tuley: And I will second.

President Jerrel: So ordered.

Z Tuley: Okay, that's it?

President Jerrel: That's it.

Commissioner Tuley: Thank you.

Jerry Bryan - City/County Purchasing Department
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President Jerrel: The next item on the agenda is the Purchasing Department.

Jerry Bryan: Good evening, Commissioners. I'm Jerry Bryan, City/County Purchasing Director. I have before you in my packet I request permission to advertise and bid APA013-2000, that's tires and tubes. Joe, this is an annual bid. The advertising dates are the 26th and the 2nd with opening on 2/14.

Joe Harrison, Jr.: That's fine.

Commissioner Mourdock: I'll move--

Jerry Bryan: Any questions?

Commissioner Mourdock: I'll move permission to advertise APA013-2000 for tires and tubes.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Thank you.

Final reading - Vacation of easement at 915 Ruffian Way
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President Jerrel: The next item on the agenda is the public hearing and final reading for a vacation of an easement at 915 Ruffian Way. Is there a spokesman here for this?

Commissioner Tuley: If he can get in it was Mark Miller.

President Jerrel: I saw him. Here he comes.

Commissioner Tuley: There he is.

Joe Harrison, Jr.: I would just ask if there is any comment on that.

President Jerrel: Uh-huh.

Mark Miller: It's tougher to get a seat from the back of a Presbyterian Church.

President Jerrel: Yeah.

Mark Miller: We request that you grant us easement vacation so that we can move ahead with the infrastructure for alternative refueling for alternative fuels at this particular site. We thank you for your consideration.

President Jerrel: Is there anyone here that wishes to speak to this final hearing on the vacation of the easement at 915 Ruffian Way? Hearing none, is there a motion?

Commissioner Mourdock: I'll move approval on final reading for the easement vacation for 915 Ruffian Way as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered and on final reading do we need a voice vote?

Commissioner Mourdock: Yes.

Joe Harrison, Jr.: That's fine.

President Jerrel: Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes. Thank you.

Mark Miller: Thank you. And a specific thanks to Ms. Timmons and also Ms.

Crouch's staff. They helped this public person get through a very difficult time, so thank you to the public servants.

Public hearing - Vacation of easement Lots 15 & 16 Eagle Plaza Sub.

President Jerrel: Next on the agenda is Morley and Associates and this is a first reading/public hearing on the vacation of an easement for Lots 15 and 16 Eagle Plaza Subdivision.

Commissioner Mourdock: Danny Leek is here for this one.

Danny Leek: Good evening. My name is Danny Leek with Morley and Associates representing Evansville Hotel Ventures. The petitioners' request is to vacate a public utility easement that was previously platted on a lot line between Lot 15 and 16. They didn't obtain all of Lot 16, they bought just a portion of the adjoining lot in which they need to vacate the easement to put a hotel on. In that easement was a sanitary sewer. The sewer was relocated to the northern line of the relocated or the cutoff portion of the property. We've got letters from all of the utilities with no comment on them.

President Jerrel: On first reading--

Commissioner Tuley: I'm sorry. Is that the Baymont Hotel on the west side?

Danny Leek: Baymont, yes.

President Jerrel: On first reading is there a motion?

Commissioner Mourdock: On first reading I would move the approval for the vacation of an easement for Lots 15 and 16 for Eagle Plaza Subdivision as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered. Next week or a week after for a final reading?

Joe Harrison, Jr.: It's next week. The final hearing will be next week.

President Jerrel: Yeah, okay.

Joe Harrison, Jr.: Thank you.

Danny Leek: Thank you very much.

SIGECOM - Resolution granting change in ownership

President Jerrel: The next item on the agenda is SIGECOM, approval of a resolution granting approval to change ownership and control.

Doug Welp: Good evening ladies and gentlemen. My name is Doug Welp from the Bamberger law firm here in town, Bamberger, Foreman, Oswald and Hahn. I represent SIGECOM in this petition for your approval of a resolution. I'm here today with Rich Wadman and Terry Farmer. Rich Wadman is the president and general

manager of SIGECOM. Mr. Farmer is a partner in the law firm of Bamberger, Foreman, Oswald and Hahn. We were here December 20th of last year to get your approval on to me what was a fairly complicated structure of refinancing or financing. At this time there are some additional steps to go through. The franchise agreement between SIGECOM and the county requires that SIGECOM come before this board when there is a change of more than ten percent change in the ownership or control of SIGECOM. There is, as far as I can tell, only about a five percent change, but nonetheless we wanted to come here before you to get your approval for this and make sure that there is full disclosure to the County Commissioners about what is going on. I have before me a color version of something that I supplied in the packets to you. It's color coded so it's a little easier to read. What has happened here is this is the structure that was approved in December where SIGECO Advanced Communications would own 19 percent and SIGECOM, LLC and Utilicom Networks would own 81 percent of SIGECOM, LLC. As we move to the proposed structure there still is SIGECO Advanced Communications in the orange. There is now Utilicom Networks Holdings in the purple as there is over here. They will hold generally the same percentages in a new corporation or a new, I should say, limited liability company called SIGECOM Holdings. SIGECOM Holdings would hold a 74 percent interest in SIGECOM, LLC and Utilicom Holdings would hold a 26 percent interest in SIGECOM, LLC. This is, as with last time, there is not a situation where there is any capital being taken out of the company, out of SIGECOM. It's simply when we go through financing as big as this one there tends to be a lot of last minute shuffling and in the matter, again, of full disclosure we would ask your approval of the new structure which is outlined below and in the resolution before you. If you have any questions I would be glad to entertain those or Mr. Wadman or Mr. Farmer would.

President Jerrel: Are there any questions?

Commissioner Mourdock: The only question I have is the obvious one and I think I know the answer, but is there anyway you see this disrupting any of the service of what SIGECOM, LLC was originally set out to do?

Doug Welp: Absolutely not. In fact, in SIGECOM's estimation it should improve the services just because of the additional capital that will be involved.

President Jerrel: Is there a motion?

Commissioner Mourdock: I'll move we accept then the resolution provided to us regarding SIGECOM, LLC and the change of percentage of ownership as so stated.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Doug Welp: Thank you.

Final reading - Amendment to public defender ordinance

President Jerrel: The next item on the agenda is the final reading of the amendment to the public defender ordinance. Do you want to speak to that, Joe?

Joe Harrison, Jr.: This is the final reading regarding the change that was made to the

public defender ordinance. Essentially it deletes a provision that was in the previous ordinance adopted last year. It deletes reference to IC-33-9-15-1. This is a final reading. If there is any discussion by the public concerning this now is the time to do so. If not, the board should entertain--

Commissioner Mourdock: And why were we deleting the reference to that prior code?

Joe Harrison, Jr.: The first time Vanderburgh County and Marion County and a couple of other larger counties were exempted from the exact language of the statute. We were able to adopt an ordinance like we did pursuant to the home rule statute so in order to make reference to the home rule statute and delete the reference to the actual statute that specifically exempted Vanderburgh County and Marion County and some others that have already opted into the statute in order to clean up the ordinance this seems to be the prudent thing in case someone wanted to question down the road the fact that that particular site was set forth in the ordinance. So in order to clean that up the recommendation was made and it passed on first reading two weeks ago.

Commissioner Mourdock: A little more than a typo, but not--

Joe Harrison, Jr.: That's correct.

Commissioner Mourdock: I'll move approval on final reading the amendment to the public defender ordinance as submitted.

Commissioner Tuley: Second.

President Jerrel: I'll call for a roll call vote on final reading. Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

Southwest Indiana Mental Health Center - EAP

President Jerrel: The next item on the agenda is Southwest Indiana Mental Health Center, approval of an agreement for employee assistance program and that is in your packet. This is the typical agreement that we've had in the past. We're asking that you authorize--

Commissioner Mourdock: Yeah, it is the same as in previous years and I would again move approval of the employee assistance program as requested by Southwestern Indiana Mental Health.

Commissioner Tuley: And I will second.

President Jerrel: And I'll say so ordered.

Tony Greubel - Submit appeal request for poor relief action

President Jerrel: The next item on the agenda is the Superintendent of County Buildings, submit an appeal request for poor relief action.

Tony Greubel: Yeah, that was received a little bit more than a week ago with ten working days. We went ahead and did a tentative appeal notice for this Wednesday at 9:00 a.m. You might want to maybe officially appoint Joe Harrison, Jr. the hearing officer to that.

President Jerrel: Is there a motion to that effect?

Commissioner Mourdock: Yeah, I would move that we officially appoint the County Attorney as hearing officer for the poor relief action meeting scheduled on Wednesday of this week.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Fievel Elliott - Concerns regarding free local access programming

President Jerrel: The next item on the agenda is Mr. Elliott and he wishes to raise a concern regarding free local access programming channel.

Commissioner Mourdock: Is he not here?

President Jerrel: He's coming down.

Commissioner Tuley: Yeah, from back over there. He is up in the crow's nest.

Fievel Elliott: Hello, I want to thank you all for letting me speak. I want to thank the Courier, Susan Taylor, for writing a very thorough article on free broadcast time. I saw it on cable tv. The reason I am here tonight is to not contradict what we already have which is public broadcasting of educational channels 12 and 13. We also have the bulletin board on channel 18 and other channels that are on the cable network. What I am here to suggest what Evansville would have would be a local access station where anyone in the community could come in and use it to make their own programming, for students in any of the schools to make any kind of program that they want and also for government meetings such as these to be broadcast the following day after being recorded that night. What I am referring to is PEG, which is Public Education and Government Programming. Currently we do not have that. The bulletin board we have on channel 18 is a three colored scrolling print only. If you read the paper you might see that SIGECOM is thinking about having five minutes of time devoted to public announcements for free. As far as I know that is all it would be is five minutes. The rest of the time would be something you would have to do on your own. What I am talking about is actual 30 minute and 60 minute programs that anybody could make to show. I've talked to SIGECOM and Insight before and I did not get much leeway into anything that was going to happen in the way that I am saying it would happen, so the information in today's paper that I saw was news to me. Although, again, that is not what I am suggesting so I don't want to contradict what is already in place which is the must carry channels. What I am

suggesting is something where three to five percent franchise fees which come in quarterly go to the community. I'm suggesting maybe two percent of the franchise fees that the county and city receive would go into making a channel of this nature. Possibly something like this could be funded and housed in maybe the new library addition that is going to be pretty soon here. So the four main things that I am pointing out and I will close with is that many communities across the country and many that are very local to us have done this with much success. They have seen a drop in teenage crime. They've seen a more aware community that knows what is going on with the government. They've seen a better united student body and the city has not come to a crashing halt. Two, ways this has been funded as I said was through franchise fees. Third, the guidelines for these things are set up to prevent people from doing anything that would be questionable and are put on the responsibility of the person doing it so that way there is really no chance that someone is going to make programming that should not be on tv. It is my hope that the city and council will think of ways this could happen. I provided a number of printed out papers that I have given to you. These are some facts on what I am referring to. Currently I do not think that the cable franchise agreements will be renewed until 2006 and with a provision thereafter to be extended even longer. What I am saying is perhaps it might have been due diligence on part of the city/county and or cable who did not discuss the possibility of this going into existence sooner. So I would hope that the local cable companies would look at this and think very much about working with the city to do it. If you have any questions at all I can now answer I would be glad to.

President Jerrel: There was a hand up in the back of the room.

Fievel Elliott: Yes?

President Jerrel: I think she was just signaling to somebody, okay. Alright, are there any questions?

Fievel Elliott: This would be your channel. It would be for the community. Anybody in this room who wanted to do their own show could go to a class to learn how to do it for free. You could talk about things you want done like Jacob's Village. You could have a show talking about Jacob's Village. People in the city council who want to have new highways and want to have new museums, new school buildings, new hospitals, anything that you would want to do. I'm saying the city and council has the power to do this, to not only better inform the community, but also to enhance what you're doing which is government of the city.

Commissioner Mourdock: Yeah, Mr. Elliott, you have used the word city a number times. You realize you're at the County Commission?

Fievel Elliott: Yes, sir.

Commissioner Mourdock: Do you mean it truly in the sense of county and you have misspoken or do you really mean to direct it to the city?

President Jerrel: He's going to both. He is going there next to City Council.

Fievel Elliott: Right.

Commissioner Mourdock: Ah, I see.

Fievel Elliott: If the county handles fiscal issues on how this would be funded then I have the information on that and I could supply you with contacts of many ways other cities have funded this.

Commissioner Mourdock: Alright.

President Jerrel: Thank you very much.

Fievel Elliott: Thank you very much.

Any group or individual wishing to address the Commission

President Jerrel: At this time we have a normal anyone that wishes to address the board. Unless there is something that we're not aware of we're going to move on into the department head reports so that we can get to the meeting that you're most here for.

John Stoll - County Engineer

President Jerrel: County Engineer.

John Stoll: First I've got the cover sheet for the--

President Jerrel: You're going to have to speak up.

John Stoll: --St. Joe Commercial Court drainage improvements. These plans are now complete and once we get the plans printed up I'll bring a copy in in a future meeting so I can show you the details, but the plans have been done and then it's ready to go out for bids. We just need the signatures on the cover sheet, so it is recommended that be signed off on.

Commissioner Mourdock: I move we sign off on the plans for Commercial Court.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The second item I've got is a letter from SIGECO. This is in regards to the easements that the county has signed off on at the County Garage property last year. SIGECO has completed their work and they sent a letter requesting notification of whether or not the property had any damage or not. There was no damage. This was inspected by Bill Higgins and by Erik Bentle. I ran this past Joe Harrison and he has reviewed it and said it was okay to sign, so it is recommended that this be signed stating that we had no damage on the property.

Commissioner Tuley: (Inaudible) or we'll never hear anything.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered. I'll just put this in the signature file. They're asking

that you speak into the mike because they can't hear you.

John Stoll: Next I've got two change orders. The first is for contract number VC99-10-03, the Petersburg Road Bridge #1563 removal. This was done by CCC of Evansville and the change order is for a net decrease of \$3,206.61.

Commissioner Mourdock: I'll always take a decrease in a change order. So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Now I've got an increase on one. This is for contract number VC99-08-01, the concrete repair of various roads. This contract was done by T-D & O. The increase is for \$5,202.78. This is the final change order to cover the increased quantities associated with doing the extra roads like Kiowa Circle.

Commissioner Mourdock: We're still ahead for the evening thirteen to five.

President Jerrel: Yeah.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The final item I've got is a supplemental agreement for the Lynch Road design. This is to cover the modifications to the plans required for the construction of the Lynch and I-164 interchange. This basically splits the plans at the east ramp of the interchange and will allow us to bid out only the interchange and the portion of the road back to Burkhardt Road. This change order...I mean, this supplemental agreement results in a net decrease to the contract of \$28,000. This will final out that contract. Basically, once Warrick County addresses the alignment issues of the project then a new agreement will have to be signed to allow us to pick up from the east ramp of the interchange and finish out the plans for there on to the county line, but this does finish out everything and allows us to get the 164 interchange constructed.

Commissioner Mourdock: What is the end date on this supplemental agreement?

John Stoll: They expect to have the plans up to INDOT next month and we hope to have everything finalized to where it can be bid out this summer.

Commissioner Mourdock: I'll move approval of the supplemental agreement.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: That's all I have.

President Jerrel: Thank you very much.

John Stoll: Thanks.

Erik Bentle - Superintendent of County Garage
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President Jerrel: The next report is the County Highway Department.

Erik Bentle: Erik Bentle, County Highway. You have my reports for the last two weeks. The other things I have, I have a travel request for a bridge conference for Mark Taylor. It will be running from the 2nd and 3rd of February at Purdue.

Commissioner Mourdock: I'll move that we accept the travel order into tonight's consent items.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Erik Bentle: The second thing I have is the purchase of a ten foot limb saw, gas powered, for the highway. The one we had sort of went kaput. I have three quotes on it in your packet, so the lowest quote on that was \$505.95.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Erik Bentle: The last thing I have is the purchase of new safety tarps for the tandem trucks for the garage. I sent out to five different people for quotes and I only got two returned.

Commissioner Mourdock: I'm curious, Erik. When you're sending those out are you going through the county purchasing group or are you sending them out yourself?

Erik Bentle: We're sending them to people who have vendor numbers, yes.

Commissioner Mourdock: That wasn't the question. Are you sending them out or is County Purchasing sending them out?

Erik Bentle: Well, I am calling these people and asking them for quotes is what I am doing.

Joe Harrison, Jr.: He can do that under the new county ordinance if it is under a specific sum and it's under what, \$25,000 or so that you're doing?

Erik Bentle: Yes.

Joe Harrison, Jr.: These are vendors that are on the list that have been selected?

Erik Bentle: Yes.

Joe Harrison, Jr.: And at least used that have submitted quotes?

Erik Bentle: They have been used in prior circumstances, yes.

Commissioner Mourdock: And just for future reference is the \$25,000 for a specific bid item or a cumulative total over some period?

Joe Harrison, Jr.: He's got...each department head, I believe, has the ability, I don't have the ordinance in front of me, to solicit quotes under \$25,000.

Commissioner Mourdock: One time?

Joe Harrison, Jr.: No, that's--

Commissioner Tuley: Per each--

President Jerrel: Per item.

Erik Bentle: Per item, yes.

President Jerrel: So this last one you'll go back and take those to Jerry with your--

Erik Bentle: With the three quotes on, yes, after the approval of the lowest bid.

President Jerrel: Yeah, okay.

Commissioner Mourdock: Okay, for the last one you were asking us about which is the new safety tarps I would so move on those.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Erik Bentle: That's all I have.

President Jerrel: Okay.

Erik Bentle: Thanks.

President Jerrel: Thank you.

Joe Harrison, Jr. - County Attorney
--

President Jerrel: County Attorney.

Joe Harrison, Jr.: The only item I have involves the Donan Engineering report that was submitted last week to the County Commissioners regarding the SAFE House facility. I have provided a copy of that report to the county's insurance agent and loss control consultant for their review and comment and I will get back with the Commissioners concerning their analysis and will invite them at a later date to possibly appear before the board at a later date.

President Jerrel: Is there anything else?

Joe Harrison, Jr.: No, I was going to ask something of Erik, but he left. I was going

to ask him how the two new trucks performed in the snow.

Charlene Timmons: Brad is here.

Joe Harrison, Jr.: No, I was talking about Erik Bentle. The sheriff driving trucks?!

Commissioner Tuley: They do everything.

Commissioner Mourdock: Didn't know they were the Highway Garage, too.

Commissioner Tuley: I know, I thought it was just the SAFE House.

Joe Harrison, Jr.: I presume if there was a problem with the trucks we probably would of heard it, so that's all I have.

Tony Greubel - Superintendent of County Buildings

President Jerrel: Okay, Superintendent of County Buildings.

Tony Greubel: I don't have anything tonight.

Steve Craig - Burdette Park

President Jerrel: Burdette Park.

Commissioner Mourdock: Steve Craig.

Steve Craig: Steve Craig, the manager at Burdette Park. First thing I have is my weekly worksheets and--

Commissioner Tuley: Steve, can't hear you.

Steve Craig: Okay, the first thing I have is my weekly worksheets and then the proposed rates for 2001. If you look on the second page they did not have time to set all the rates that they wanted to because of the length of our meeting and some of them had to leave, so next month they'll set the other half and I didn't know if you wanted to discuss them this evening.

President Jerrel: If we could take these under advisement when you bring the others in and do it all at one time.

Steve Craig: That's what I would prefer.

President Jerrel: Because I think we want some dialogue and it's a little difficult tonight.

Steve Craig: Yeah, I do want to talk about some of the changes and stuff.

Commissioner Mourdock: I did hear from one of our new board members and she was very excited about the way the board was working and just the information that she was being asked to get involved with, so it's a good group.

Steve Craig: Was it Diane?

Commissioner Mourdock: Yes.

Steve Craig: She is an asset to the board, too.

Commissioner Mourdock: Great.

President Jerrel: Okay, is there a motion to accept the reports from Burdette?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered. Thank you.

Steve Craig: Thank you.

Weekly reports

President Jerrel: You have in your packets the Soil & Water report and also the Ozone Officer report.

Commissioner Mourdock: I move we accept the reports as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent items

President Jerrel: How about the consent items?

Commissioner Mourdock: We of course added the one that Erik requested, so with that addition I would move approval of the consent items.

Commissioner Tuley: Second.

President Jerrel: So ordered.¹

Scheduled meetings

President Jerrel: The scheduled meetings are listed.

Old business

President Jerrel: Under old business we did have, and I don't even know where it is, we put the proposed referendum language in here and though it likely will not be

¹See page 22 for list of consent items.

heard...here it is. If there are any comments you would like to make or if there--

Commissioner Mourdock: At this point do you know how the process works? Are they studying this specific language, Bettye Lou, or if we did have a suggestion to change language or edit how would that go?

President Jerrel: It would have to be done at hearing and at this time Vaneta Becker has been the author and submitted the bill, but she does not have a co-sponsor now so there is none unless something changes in the next day or two. But she wanted a feel for how we felt about it.

Commissioner Mourdock: Right, and at the state legislators' meeting that I attended a week ago Saturday I know she was somewhat concerned that we had not voted to endorse that specific language.

President Jerrel: Right.

Commissioner Mourdock: I raised the issue to her that we weren't sure how the final language would come down so we didn't know what to endorse, but at this point just to express, I think, a sense of solidarity with language that we do something to keep this in the public eye and to hopefully get it moving through the legislature, I would move we accept the language as drafted realizing there may be changes in it down the road.

President Jerrel: Right, or it may not--

Commissioner Mourdock: Go anywhere.

President Jerrel: --get a hearing. It has until Thursday.

Commissioner Tuley: It's non-binding at this point in time and I'm not going to support it.

President Jerrel: Okay. Well, I'll second and say so ordered.

Commissioner Mourdock: Okay. On the...well.

President Jerrel: It's just...we don't have...it likely will not appear on the committee.

Commissioner Mourdock: Right.

President Jerrel: It likely will not appear.

Commissioner Tuley: Oh, I know.

Commissioner Mourdock: On the jail issue as a whole though I would like to make one other point, and I think Brad is still here. Yeah, Sheriff Ellsworth is here. Sheriff Ellsworth and I met last whenever it was, Thursday or Tuesday, with the consultant. Pat, did you get--

Commissioner Tuley: I didn't get a chance to get over there.

Commissioner Mourdock: Okay, you were notified?

Commissioner Tuley: Oh, I was yes. I was, thank you.

Commissioner Mourdock: And what we did in speaking with the consultant was basically to ask them what they might prepare for us and asked them what their resume of experience was in evaluating a county jail situation. I'll speak for the Sheriff here, but he can certainly speak for himself, I think we were both reasonably and favorably impressed with the information they presented. We asked them to prepare for us...I'm sorry, I'm trying, Suzanne. We asked that the consultant prepare for us an RFP of sorts to define what it is specifically he thinks their group could bring to this county. We have also asked him specifically to include in that proposal specific items that may be required by people beyond this Commission, beyond the County Commission, so that it can go to the Jail Committee as a whole and hopefully all the entities at that table will sign off on participating in providing the consultant the data that they need as they work forward. Brad, have you heard back as to when we might expect that RFP?

Brad Ellsworth: They did say they were working on some things. They asked us for some additional information that we're going to fax up to them. They said that probably within the next week they should be able to get us a preliminary draft of that.

Commissioner Mourdock: I've notified a couple members of the Jail Committee that once we get that draft back we will call that group together as a whole since they had formed the subcommittee that consisted of the Sheriff, Commissioner Tuley and Jim Raben, to review the document. Certainly, Pat, you and Jim need to see that document as well as soon as it comes back.

Commissioner Tuley: Right. Are we going...is there going to be additional people you're going to talk to, Brad?

Brad Ellsworth: I think that is something that would probably behoove us to talk to other people. One advantage is these people are from Indiana and know Indiana laws and statutes.

Commissioner Tuley: Right.

Brad Ellsworth: But I was going to talk to the Commissioners and you all about that--

Commissioner Tuley: Okay.

Brad Ellsworth: --a little further.

Commissioner Mourdock: We've put kind of a two step system in place here with the Jail Committee, of course. We started out and we wanted all those various entities at the table because they represented various parts of what we saw as the problem and I just think it is very important at this point that whatever the proposal, whatever form it comes back in, that we do keep those people involved to the point of signing off on supporting it.

President Jerrel: You're speaking of the courts and the Prosecutor?

Commissioner Mourdock: Yeah, the courts, the Prosecutor and even the defense attorney who is representing that part of the community. All those people will be asked to provide information so that we can come up with a solution and my

nightmare scenario would be if for some reason down the road they were asked for data and they said, well, I don't feel compelled to present that. I would hope that wouldn't happen, but I just want to have everyone involved with the sense of this is my proposal, this is my document, it's all of our problem.

Commissioner Tuley: The approach is right because it is not just a jail problem. It is a system and we need to have everybody in the system onboard and I think your approach is correct.

Commissioner Mourdock: Okay, very good. Well, we'll report back when the proposal comes back.

President Jerrel: Good.

New business

President Jerrel: Any new business?

Commissioner Tuley: I don't have any.

President Jerrel: Hearing none, is there a motion to adjourn this meeting?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting adjourned at 6:15 p.m.

The meeting was reopened at 6:17 p.m.

President Jerrel: We need to reopen our meeting for just a few minutes.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Richard Helzerman - Jail overcrowding solution

Unidentified: How much time do I have?

President Jerrel: Well, just a few minutes. Could you give us your name, please?

Richard Helzerman: Yes. My name is Richard Helzerman. I've come to offer my service to help you in the serious problem of overcrowding in the county jail. The system is too many people in the jail, but the analysis of the problem shows that it is caused by four words: poor felons awaiting trial. You may understand this by considering two people, Ray Hamner who is accused of stealing \$63,000 and the other, Larry Wilson a poor black man accused of forging a check for \$387. In

December of last year both were awaiting trial, but only poor Larry was sitting in jail. In other words, if a rich man gets accused of something he posts bail and he is free until his trial. A poor man cannot post bail and so he is stuck in jail until his trial. Charges were filed against Ray in March and he waited ten months until January 24th for a trial. Charges were filed against poor Larry in January 1999 and he was never given a trial for 11 months. Larry sat in your jail from August 26, 1999 until January 6, 2000. This is over 120 days. He requested a speedy trial February 22, 1999. According to the law of Indiana he should of had a trial within 60 days or the charges should have been dropped. The case should have been disposed of by April 22, 1999. If his case had been handled according to the law he would not of had to spend any of 120 days in the jail contributing to the overcrowding. The reason the jail is overcrowded is failure to give the poor defendants a speedy trial. I have worked for over 30 years as a systems analyst computer programmer. I have solved problems like this one many times. At the US Army Finance Center I scheduled all the activities required to convert the soldiers to computerized payroll. At a large multi-national company I programmed a system that eliminated overtime at a large warehouse. For George Koch Sons locally and Koch Originals I programmed a system that allowed six people to do the work of 12. For Karges Furniture locally I programmed a system that gave them full knowledge of the state of all of their orders. For Executive Furniture in Huntingburg I programmed the system that allowed them to ship all orders in two working days rather than six weeks. Now that is a 15 to one reduction in processing orders and getting stuff done. What you need is something to shorten the time that they're in jail and get the thing out. I am offering to eliminate overcrowding in the jail in less than six months. You only pay my company when the inmate population is 256 or less. If the goal is not met you need not pay me anything. When the goal is met you pay me a one time fee of \$140,000 and start paying \$10,000 per month retainer to keep the jail from overcrowding again. I will accomplish the goal by suggesting changes to policies and procedures for the judges, prosecutors and public defenders and by providing court scheduling software to enable you to fulfill your constitutional duty to provide a speedy trial to criminal defendants. By solving the problem of overcrowding you will save the county at least \$40 million that it will cost to build a new jail. Anything that costs less than \$40 million you're money ahead if you can solve the problem. You will avoid future lawsuits that could bankrupt the county. You will avoid potential race relation problems because many of the poor felons awaiting trial are considered members of a minority. You will stop the needless suffering of the inmates and their families. You took an oath of office to support the Constitution of this state and the United States and that Constitution requires that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial and it also forbids unreasonable bail. My offer will not cost you a dime unless I produce the results that you need. All you need do is vote the following action today or whenever you can do it by law. The County Council authorizes Dictionary Data, Inc. and its president Richard Helzerman to interview all personnel and examine all filing systems used in the criminal justice system for six months starting today. If at any time within that six months the overcrowding of the jail stops and the population of the jail drops to 256 or less the county will pay Dictionary Data a fee of \$140,000 and begin paying a monthly retainer of \$10,000. If the population of the jail exceeds 256 for two months in a row following this the payment of the retainer will stop and the authority to interview and examine will end. Thank you very much.

President Jerrel: Is there--

Commissioner Mourdock: Well, I was just going to respond since the Jail Committee is something I have been serving on. I asked Sheriff Ellsworth a moment ago if he

would be willing to find some time to meet with you certainly beyond this meeting in a quieter setting and he said that he would, so perhaps you can--

Richard Helzerman: Wonderful.

Commissioner Mourdock: --give his office a call tomorrow. We're looking at a number of different options and certainly it is a serious problem such that we will look at about any reasonable option that comes our way. Before you give him a call or if you could I would also request that just as you put this information together get him information on any other court type of programs that you have worked with. For instance you mentioned the several commercial jobs that you've done. If you can get him some information of similar type work in working with county government or the court systems that would be appreciated.

Richard Helzerman: I would be happy to do that. I am also the Pastor of the Seventh Adventist Church in Newburgh and many times the poor people that get stuck in jail call me for help and I have visited the jail many, many times. I have a pass to visit there and I know the problems from their point of view and that is the thing that is missing. None of you guys probably even know anybody that is in jail let alone poor enough not to be able to afford bail. The problem is they sit there and they never get their trial.

Commissioner Mourdock: Yeah, I would point out just one thing real quickly. The first night of our Blue Ribbon Jail Committee we all went into the room saying the problem is we have an overcrowded jail and by the end of the evening we had listed 92 problems on the wall that in fact were simply the basis for the system which is an overcrowded jail.

Richard Helzerman: Yes.

Commissioner Mourdock: So there is not just one problem there are a bunch of them.

President Jerrel: You have clearly articulated the problem.

Richard Helzerman: Thank you very much.

Commissioner Mourdock: Thank you.

RFP recap - Construction engineering services
--

President Jerrel: The County Attorney has one item to add.

Joe Harrison, Jr.: I need to add to the record ten RFP responses that were submitted concerning engineering services for the Burkhardt Road project between Oak Grove Road and Interchange Road South. There were ten RFP responses submitted. I'll just read those names of the ten companies as follows:

Company name
Bernardin Lochmueller & Associates Evansville, IN

SIECO, Inc. Columbus, IN
United Consulting Engineer & Architects Indianapolis, IN
Clark Dietz, Inc. Evansville, IN
Beam Longest & Neff, LLC Indianapolis, IN
Butler Fairman & Seufert Indianapolis, IN
R.W. Armstrong Indianapolis, IN
American Consulting, Inc. Indianapolis, IN
Facility Management & Engineering, Inc. Newburgh, IN
The Corradino Group Evansville, IN

I would ask that you take these under advisement.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered. Is there now a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 6:24 p.m.

CONSENT ITEMS:

Employment changes:

County Council

Sheriff's Office

Circuit Court

County Clerk

Knight Township Assessor

Community Corrections

Pigeon Township Trustee

Prosecutor

Pigeon Township Assessor

Health Department

Travel requests:

Area Plan Commission (1)

Commissioners (1)

Health Department (3)

County Highway (1) -- No paperwork submitted

Auditor:

Release of Barrett Law Assessment in Westwood Hills

Statement of Receipts and Disbursements for 1999

County Clerk:

Submit monthly report

County Engineer:

Surplus computer equipment

Those in attendance:

Bettye Lou Jerrel
Richard E. Mourdock
Patrick Tuley
Joe Harrison, Jr.
Suzanne M. Crouch
Charlene Timmons
Tony Greubel
Z Tuley
Jerry Bryan
Mark Miller
Danny Leek
Doug Welp
Fievel Elliott
John Stoll
Erik Bentle
Steve Craig
Richard Helzerman
Others unidentified
Members of the media

**Vanderburgh County
Board of Commissioners**

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
January 31, 2000**

The Vanderburgh County Board of Commissioners met in session this 31st day of January at 5:40 p.m. in the Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Commissioners' meeting to order. The first item on the agenda is the introductions and at this time I would like to introduce the gentleman on your far right, Tony Greubel is the Superintendent of County Buildings; next to him Joe Harrison, Jr., our County Attorney; Commissioner Pat Tuley; far left, Charlene Timmons, the Recording Secretary; Suzanne Crouch, County Auditor; Richard Mourdock, County Commissioner; my name is Bettye Lou Jerrel. Would you join me in the Pledge of Allegiance?

Approval of minutes

President Jerrel: The first action item on our agenda is the approval of the minutes of the previous meeting.

Commissioner Mourdock: And I'll move approval of the minutes of January 24th.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Certification of Executive Session

President Jerrel: The next item is the certification of our Executive Session.

Commissioner Mourdock: I'll move approval of the summary minutes from tonight's Executive Session which began at 4:50 and ended at 5:30 and concerned pending litigation against the county and certain county real estate property issues and personnel issues.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan - City/County Purchasing

President Jerrel: The next item, Jerry Bryan, Purchasing Department.

Jerry Bryan: Good evening Commissioners. I'm Jerry Bryan, City/County Purchasing Director. I have before you in your agenda permission to bid and advertise APA015-2000 for traffic signs. This is a straight bid that needs to be rebid every year. We're asking for advertising dates of February 9th and February 16th with opening on March 6th. The Board of Public Works this afternoon at 3:30 approved their portion and I am coming before you asking for your approval also.

President Jerrel: Is there a motion?

Commissioner Mourdock: I'll move permission to bid and advertise APA015-2000 as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Thank you.

President Jerrel: Thank you.

GIS Committee - Agreement with Western Air Maps
--

President Jerrel: Next we have the GIS Committee and I know there are a number of people here. If you just give us your names.

Roger Lehman: Roger Lehman, Building Commissioner and Chairman of the GIS Technical Subcommittee.

Cheryl Musgrave: And Cheryl Musgrave, County Assessor.

Roger Lehman: We are here this evening to request the Commissioners approve a contract with Western Air Maps. We have been in negotiation with them for at least ten years...no, it just seems like it...for several weeks and we believe we have the contract where it is in the best interest of the city and the county. As you know, this will be the part of the contract or part of the GIS services that will be funded by the city upon completion. The attorney has been personally and at length involved in this one and we believe it is ready to go.

President Jerrel: I'm not going to ask any questions about this paragraph.

Roger Lehman: Bless you.

President Jerrel: This is a very technical contract to negotiate and I appreciate the work you've done. Are there any questions from the Commissioners?

Commissioner Mourdock: None for me.

Commissioner Tuley: It looks like we need a new copier.

Joe Harrison, Jr.: The draft that you all have has been modified a little bit, but the original...I've got two copies of the original. We had some late minute changes and even as of Friday and Thursday we had some more changes, but this is the final product and we wish we could have gotten it to you sooner, but we didn't want to rush it.

Commissioner Mourdock: What was the term for performance here, nine months, is that right?

Joe Harrison, Jr.: Yeah, essentially it is nine months. Hopefully a little sooner. They're ready to get going, I think, within two weeks. That's our hope.

Commissioner Mourdock: Actually begin the photography within two weeks?

Joe Harrison, Jr.: Well, to begin--

Commissioner Mourdock: Targeting?

Joe Harrison, Jr.: Yes.

Roger Lehman: Establishing the control points, the permanent control points.

Commissioner Mourdock: I'll move approval of the agreement between Western Air Maps and Vanderburgh County for orthophotography for the GIS system.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Roger Lehman: Thank you very much.

Bill Cottun - SCT

President Jerrel: The next item on the agenda is SCT.

Bill Cottun: Good afternoon or good evening, Commissioners. How are you today?

Response: Fine.

Bill Cottun: We have two contracts before you today. The first is with PDS, Personnel Data Systems. This is a DEC/VAX application that we are currently using in the Controller's Office and the Auditor's Office that is a payroll manager, personnel manager, information manager and security manager for the DEC/VAX version. This fee is through the end of this year or this agreement is through the end of this year. The total fee is \$13,968.60 of which the county is paying \$8,984.25. This application...I would like to point out there have been discussions about the possibility of replacing this application next year or very possibly 2002. It is a mainframe application and both the Controller's Office and the Auditor's Office have expressed some concern about this particular application and wanting to move into the client server field with this. The price did go up ten percent this year which is a higher increase than we would of liked. It has been reviewed with the City Attorney...excuse me, the County Attorney and the city attorneys are currently looking at these two contracts with increased scrutiny as they are doing with all contracts going through the city side. We will take this to the Board of Public Works next Monday.

President Jerrel: Are there any questions?

Commissioner Tuley: What did you say the total cost was?

Bill Cottun: On this particular contract, sir, it's \$17,968.

Commissioner Tuley: I'm sorry, I thought I heard you say \$13,000.

Commissioner Mourdock: Yeah.

Bill Cottun: I apologize, sir.

Commissioner Tuley: Oh, okay.

Commissioner Mourdock: Unless we both misheard you I think--

Bill Cottun: I apologize. I need another set of glasses.

President Jerrel: Bill?

Bill Cottun: Yes, ma'am.

President Jerrel: I have a question. If we are going to move to new software, and I think it is time that we move to new software because just for the benefit of employees there are no fields that you can list on the county's, I'm not sure about the city's payroll checks, but I would think they would be much the same. We need to be able to list number of sick days, vacation days, and all of that needs to be included so the sooner you can get that rolling with the affected departments, the Controller and the Auditor, I think we need to move on that.

Bill Cottun: We'll certainly be looking at that for the budgets for next year. They're pushing us, too. I'd be glad to.

President Jerrel: Okay, is there a motion?

Commissioner Mourdock: I'll move approval of the contract, the maintenance agreement, between PDS and Vanderburgh County.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Bill Cottun: The next item before you is for the maintenance fees for the network Compaq computer equipment that we have on our city/county network. Rarely am I able to come to you with a significant price reduction in the cost of annual fee, but fortunately this year I am able to. In moving to client server we've been able to take some of our old mainframe off the network and that is resulting in a savings this year of almost \$30,000 or I should say a cost reduction of almost \$30,000 in our digital maintenance contract. This year the total amount of the contract is \$51,227.04 of which the county will pay \$29,537.51. I would like to point out that while we do have a substantial decrease in it this year in the 2001 and 2002 budget there will be an increase to the maintenance contract but that is because many of the new machines that we have purchased last year and this year will be going off the factory warranty and will be moving over to maintenance costs so we will have an increase next year.

President Jerrel: Are there any questions?

Commissioner Mourdock: Again, you have already taken this one to the city side?

Bill Cottun: Yes, sir. The city is under review at this time with the city attorneys.

Commissioner Mourdock: I'll move approval of the contract for the contract maintenance for the client service with Compaq as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Bill Cottun: Thank you very much.

President Jerrel: Thank you.

Final reading - Vacation of easement, lots 15 & 16 Eagle Plaza Sub.
--

President Jerrel: This is the final reading also now on behalf of Morley and Associates, the Evansville Hotel Ventures. Are there any questions? Is there anyone here to represent?

Danny Leek: I'm Danny Leek with Morley and Associates. Basically this is an easement vacation for Baymont Inn. I didn't know if anybody had any questions from last week's meeting.

President Jerrel: Is there anyone here that wishes to speak regarding this?

Commissioner Mourdock: On final reading I'll move approval of an ordinance to allow the vacation of a portion of a ten foot public utility easement lying along the common line of lots 15 and 16 of Eagle Plaza Subdivision.

Commissioner Tuley: Second.

President Jerrel: And I'll call for a roll call vote since it's a final. Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes. Thank you.

Danny Leek: Thank you.

Welfare to Work Local Planning Council

President Jerrel: The next item on the agenda is our Planning Council concerning the Gatekeeper program.

Tim Suenram: Good evening, I'm Tim Suenram. I'm the Chair of the Welfare to Work Local Planning Council and was not at the last meeting so I have brought along Cyndi Spear-Duncan to answer questions since I wasn't able to be at that meeting. I believe you have received a number of items that were included in your packet and we've come on behalf the Local Planning Council to make some recommendations to the County Commission. The first of which is to add to the Council three members. Donna Martin of Career Choices, she has been involved in discussions for the last year or so. Cheryl Kunkel who we contracted with last year to put together the demonstration project that part of which was funded which we'll talk about in just a few moments and then also Gary Heck with Phil Lieberman

& Associates who is also working as the Gatekeeper. The Planning Council would like to recommend to the County Commission that these three persons be added to the Council.

Commissioner Mourdock: I have one question in that regard because I know Gary resigned from the Welfare Planning Council basically when Heck...or when Lieberman was under consideration and I guess I would be asking the County Attorney this. It would seem to me there would be a potential conflict there if we have an employee of the Gatekeeper on that Council. Joe, do you have any comments?

Joe Harrison, Jr.: I think it would be prudent to not have that arrangement, but certainly because of funding and the potential for types of situation that could increase one's salary, but I think it would probably be better if that was not the case.

President Jerrel: Joe, couldn't they come to the meeting?

Joe Harrison, Jr.: Sure.

Tim Suenram: And they have been.

Joe Harrison, Jr.: Sure.

Tim Suenram: Actually, all three of these have.

Joe Harrison, Jr.: But just not be a voting member.

Cyndi Spear-Duncan: Could I address that? We talked about that and the group felt pretty much that Gary has been involved in this since the very beginning. He is always there. He is always up to speed on everything. We have some holes we've had a time filling and we thought that if it came to the issues that concerned specifically the Gatekeeper, because we do deal with other things other than just Gatekeeper, then he could abstain from getting involved. Could he not do that, excuse himself?

Joe Harrison, Jr.: Well, certainly you could, but I just think it looks better if you didn't have that potential out there in case there are questions. I think he could certainly appear at any meeting and encourage votes one way or the other, but I agree the perception is just not the best, so I think it would be best if he didn't sit on the board.

Commissioner Mourdock: And understand as we're saying this in the third person with Gary there in the background my point of view on this isn't so much as what is necessarily the best thing just for the county. I think it may be in your best interest and in Lieberman's best interest not to cover both bases.

Gary Heck: I brought that up before they made the recommendation, but they did it anyway.

Commissioner Mourdock: At any rate let me...go ahead, Pat.

Commissioner Tuley: Well, no I am shaking my head in agreement. I believe when we first started talking about this and the potential for you to be working for the company that is bidding on this that was exactly the discussion. It's the perception and I agree with Richard. I just think we're better off to just keep the line very clean

and clear.

Cyndi Spear-Duncan: We can accept that. We just thought, like I said, he has been involved and he is very knowledgeable. He cares about it and, you know, again was willing to step aside when necessary, but you know it is hard to get people that are up to speed all the time.

Tim Suenram: Besides that if you put him back on then I could turn the Chair back over to Gary! A little self interest there.

Commissioner Mourdock: Okay, well just to move this along here let me formally move that Donna Martin of Career Choices and Cheryl Kunkel at Work Able be appointed to serve on the Local Planning Council.

Commissioner Tuley: I'll second.

President Jerrel: Question.

Commissioner Mourdock: Sure.

President Jerrel: Do they have contracts that they enter into also with you?

Cyndi Spear-Duncan: I'm sorry, I missed it?

President Jerrel: The motion that Commissioner Mourdock made--

Tim Suenram: Not at this--

President Jerrel: --I wanted to ask the question does Donna Martin in Career Choices do anything with the Gatekeeper program?

Tim Suenram: Not at this point, no.

President Jerrel: And how about Cheryl Kunkel?

Tim Suenram: No.

President Jerrel: No, okay. Well, that's the only issue. If they do then Gary should not be treated any differently than anyone else. Okay, I'll so order that motion.

Tim Suenram: There are a lot of us who in one way or the other are involved with almost all of these clients.

President Jerrel: Sure.

Tim Suenram: Our second recommendation was to change the allocation percentages and I believe you have in your packets some recommendations regarding that dated October 29th, a little table. This was...we had asked Gary to put this together for us basically based upon what our past...the past history has been. As you are aware we've come to you from time to time asking to move funds from one particular area to the other and essentially this would...if we continue in the pattern that we have in the past two years this would basically preclude us from having to do that unless there is a large change in the demand for different kinds of services, so essentially this recommendation is based on past performance.

Commissioner Mourdock: And the way these have moved, child care has gone up. Employment and job training has gone down and transportation and safety net are unchanged. Is that correct?

Tim Suenram: No, I think if I am understanding this correctly we've have roughly halved child care. It's gone from 45 percent to 23 percent, if you look in the fourth column there.

Commissioner Mourdock: Ah, okay. And that's because the state was otherwise providing more funding in those areas?

Tim Suenram: That's right. There are more funds available so we decided...right.

Commissioner Mourdock: Okay, so we have greatly increased the safety net side of it.

President Jerrel: And on the safety net side do you interact with the Trustees in the community?

Tim Suenram: We have...one of the Trustees is on our Council and I know that the Gatekeeper is in contact with them so that there is not duplication and that sort of thing.

President Jerrel: Right, that was the question.

Tim Suenram: So the Gatekeeper can meet those needs then the Gatekeeper does so. Excuse me, the Trustee does.

President Jerrel: The Trustee.

Commissioner Mourdock: And that was one of the things early on that why we made sure a Trustee was on there. I'll move acceptance of the recommended levels for distribution between child care, employment, transportation and safety net as recommended.

Commissioner Tuley: Second.

Commissioner Mourdock: And TANF, by the way. The demo project.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Tim Suenram: Our third recommendation is essentially to broaden the base of eligibility from 150 percent of poverty to 200 percent which matches currently what is available for the Indiana Children's Medicaid Program. It basically just broadens participation.

Commissioner Mourdock: And let me be sure I understand what that means because I'm not sure in reading that line several times. I understand that the Indiana Children's Medicaid Program is now saying the limit is no longer 150 percent of poverty it's 200 percent. You are suggesting with this that all aspects for qualification be it under the child care, be it under transportation, safety net, what have you move to 200 percent, is that right?

Tim Suenram: Of current federal poverty levels, that's right.

Commissioner Mourdock: I have to ask myself the question, Tim and Cyndi, as we look at this have we strayed from where we originally started when we put the Gatekeeper program together in that...and I understand there is a lot that has changed beyond what we've done, with what the state has done and certainly what the feds have done, but our initial driving force on this was to help people who were making the transition off of the program, off the two year and out program. I guess I am challenged to think are we making this too broad in going from 150 to 200 percent? I'm troubled by that.

Tim Suenram: I'm not sure I can answer your question to your satisfaction, but it seems to me the logic behind it is that as you are aware none of the Gatekeeper clients are TANF eligible. Essentially what we're trying to do is to keep the people that are in that gap from going the other direction.

Commissioner Mourdock: Further define the gap for me though.

Tim Suenram: Well, between the 150 and the 200 percent.

Commissioner Mourdock: Oh, I thought you meant beyond TANF. In other words, those who are not TANF eligible are eligible for what else?

Tim Suenram: I'm sorry?

Commissioner Mourdock: You said our program only applies to those who are not TANF eligible, correct?

Tim Suenram: That's right.

Commissioner Mourdock: Okay. What else might they be eligible for if not TANF and if not our program? Are there other things out there? Gary is shaking his head no.

Gary Heck: There really isn't any. I mean--

Commissioner Mourdock: You need to come to the mike, Gary.

Gary Heck: Gary Heck. The TANF program is what took the place of AFDC which was Aid to Families with Dependent Children which is a public assistance and welfare program. The Commissioners and the County Council made it very clear that the Initiative Based Assistance Gatekeeper program wasn't to be a replacement or an extension of welfare or to last for any great length of time. It was a short-term assistance to assist individuals who have demonstrated initiative over a circumstantial disruption. The State of Indiana recently and other states across the country have sort of redefined the whole population base as what is needy and what is not needy and where some assistance levels can be shared with some family copays and that's what this Package C of the Hoosier Healthwise Program which comes in place above 150 to 200 percent of poverty. There is a family copay that is in existence on that particular program and there is a schedule that is built up that would allow that to take the place on child care which is the only service under Gatekeeper that we have a copay for right now. So the recommendation would be basically to mirror what the State of Indiana has determined to be individuals in need of assistance through circumstantial disruptions at least in the area of health care

saying that all working families have a problem with paying for health care when you look at the cost and anyone who meets 200 percent of the federal poverty level would be eligible for that assistance in the state of Indiana because of that need for that service and how intense it is. I think the recommendation from the task force recognizes that the ability to have a car and go to work and things like that, making sure it is in good repair, could also meet those needs.

Commissioner Mourdock: Let me state my worry, okay, and then maybe you can address what my worry is. Jump in here anywhere, but when I look at these income limits it strikes me there are people in this building working 40 hours a week who likely are going to now be eligible for this program.

Gary Heck: If they have the same family size at that income level.

Commissioner Mourdock: Right.

Commissioner Tuley: Take it a little closer to home, Tony was telling me that under the income guidelines right now his wife is not working, and I don't know if it is by choice or what, we didn't get into that, he is eligible under these proposed guidelines. I share where you are headed with this.

Commissioner Mourdock: Yeah, I just...I understand what the state has done and what the feds have done and I know in many ways we've tried to model and even improve on what they've done and I think you've done that to your credit, but I am wondering if this time if we're not chasing them too far down the alley.

Tim Suenram: Well, I think the rationale is that if you are at 180 percent of poverty and you run into some kind of circumstantial difficulties like this the temptation is to say I would be better off on welfare. It seems to me that IBAP is that stop gap that we have that enables someone not to make that choice, that conscious choice.

Commissioner Mourdock: But doesn't that argument go against the logic that we heard so often in the early Welfare to Work Planning Council days when there were those on that national scene saying you have these "welfare queens" out there who are just enjoying welfare and they're staying on it and the overwhelming sense of the people on the Council was that was an extremely rare case. People don't want to be on welfare.

Tim Suenram: Right.

Commissioner Mourdock: And now you're making the other argument saying, well, if we don't take this to 200 people are going to want to be on welfare. I don't know that we've got a consistent argument there.

Tim Suenram: I'm not sure I'm saying that, but it seems to me that is the rationale.

President Jerrel: I'm curious about something and I apologize that I am not better informed, but I have not read anything in the Indianapolis Star and that's really the only out of county paper that I read regularly. What are they doing in other urban areas like ours with welfare to work? Do you ever hear or talk to them?

Gary Heck: Are you talking about like what some of the other demonstration programs or other projects or other things?

President Jerrel: Yes.

Gary Heck: Transportation is a major concern. I can tell you what they are doing in Tell City and in Perry and Spencer counties. They actually have purchased ten cars that will be used on a loaner basis for families to use because public transportation isn't an option for them and the number of families in need that meets the income guidelines that they are looking at allow them to set up a base where ten vehicles could start that program for them. Every other place that I am aware of is trying to fight that same issue with transportation. The ones that have been successful are the ones that can match up a targeted population base that lives in close geographic proximity to each other that all want to go to about the same general area somewhere else in the county so that a private van commuting system can be put in place. In Indiana any time you have a...pay a fee for a service you have to meet the Department of Transportation's licensing requirements for the drivers and the minimum insurance liability and depending upon the size of vehicle it is anywhere from one and a half million to five million dollars and a chauffeurs driver's license to a commercial driver's license depending upon the size of the vehicle regardless of the amount of money that you charge. If there is a fee involved at all which takes it out of the church bus category. That's the only other group that I am familiar with that is using some funds other...and I haven't seen all the demonstration programs that Vanderburgh County was one of 30 something counties that applied, but those seem to be the types of things.

President Jerrel: Other than...I guess what I am trying to get to find out and then maybe I better just go make the inquiry on my own, but I am trying to find out...we did this and we're committing a good bit of money to it every year. Who else is doing that?

Gary Heck: I don't know that...if I had to answer in Indiana I would say there is probably no other group who has done the same thing and I'd say that both as a compliment for the foresight of this group and also perhaps they are just not as creative in the use of resources. If we didn't have a riverboat here we probably wouldn't be...we would be in the same position that they are in. I think it was just we were fortunate that there was an opportunity and vision on this leadership group who saw a need and was able to make that match. I would hope that if other groups had the same types of vision, leadership and resources they would also make that match, but I just don't think that is the case.

Tim Suenram: If I could add to that, too. We are now entering the third year of this program and actually I think Vanderburgh County really pioneered when the task force first started meeting and we came with a recommendation and Mr. Hmurovich was here from the Division of Family and Children. He came and basically said if you'll give us a proposal we'll take care of it, that sort of thing. I believe that the impetus that came out of the Local Planning Council from Vanderburgh County is probably what is behind the demonstration projects in the first place. I mean, the offering of that opportunity. That was a long process and we just now just recently heard the part of our application would be funded, but I believe in those other 31 applicants that we'll start to see also innovated type of approaches to this, but I think even though it seems like a long time ago, you know how slowly the wheels of government turn.

Commissioner Mourdock: We've heard rumors.

Tim Suenram: I think we still have, you know, a time before we begin to see some

of the fruits of that. I do know that the communication from Indy regarding the demonstration project and the funding of the investigators for delinquent parents, this is the only program in the state that got funded to do that sort of thing. We were the only applicant that actually came up with that angle. I think we'll probably see some...there are 31 other projects that have been funded.

Commissioner Mourdock: Let me kind of build on something that Gary said and come back to this, but I agree, the fact that we may be the only one in the state that is doing it this way was a unique...there was a unique opportunity there from the riverboat funding for sure, but, again, the fact that this one may be unique doesn't bother me at all. As I have said before, if you're not the lead dog the view never changes and I feel like we are out in front and I think from what John Hmurovich has said to me as well I think other things the state is doing is based on what we did down here so I feel good about that. But coming back to this issue, again, I just don't feel comfortable saying we need to take that level from 150 to 200 because I think we open the program up to more than what maybe we really intended it to be originally. You know, what we said initially, and again, Gary, you said it exactly right, we wanted to be able to help those people who had initiative, who were out there working and trying to better themselves and were just coming off the program. We did change it and tweak it and that's okay, but we want to help the poorest of the poor with the most initiative and I'm not sure when you take it this high that you're not crossing the line from the poorest of the poor to a greater number that may not necessarily be as deserving, if that is the right word.

Gary Heck: Fair enough.

Commissioner Tuley: I hate to keep saying me too, but I have to agree with that. I really question that jump from 150 to 200. This mike is backwards. When it says on it's off. But I have to agree with Richard. I really question where we're going when we jump it like this.

President Jerrel: Would this be something that we would be more comfortable with to defer for the time being and let us review some of this information and we may choose to leave it as it is, but this is the first time that we've seen it.

Commissioner Mourdock: I would ask that we defer item three. Items four and five as we have acted on the other two though, I would certainly feel comfortable with continuing down the road with those if you would like.

Commissioner Tuley: If that's a motion, I'll second.

President Jerrel: So ordered.

Commissioner Mourdock: Well, I say five. Actually five I guess would encompass three in a sense so we might want to strike three.

Commissioner Tuley: Okay.

Commissioner Mourdock: Or strike five. I move that we strike five from the prior motion.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Okay. But we would extend the employment and training as you have in four from six to 12 months.

President Jerrel: And then we'll get back with you and have you back. Give us a chance to look at it because it was all new information.

Cyndi Spear-Duncan: Sure. Thanks.

Commissioner Tuley: Wait a second. Did we on four...then was four extended?

Commissioner Mourdock: Right, from six to 12 months.

Commissioner Tuley: Okay, and all we're doing is deferring on three and five then?

President Jerrel: Right.

Commissioner Tuley: Just so I understand.

President Jerrel: Okay.

Tim Suenram: Thank you.

County Clerk - Contract with Government Payment Service, Inc.
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President Jerrel: The next item on the agenda is the County Clerk. Is there anyone here to represent the County Clerk? If not, in your packet is the information and this is a contract that--

Tony Greubel: It's just a renewal of an existing contract with them.

President Jerrel: Yeah, of an existing one.

Commissioner Mourdock: I'll move renewal of the contract between Vanderburgh County and Government Payment Service as requested by the County Clerk.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Auditor's Office - Fixed Asset report
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President Jerrel: The next item on the agenda is the Auditor's Office.

Suzanne Crouch: We are submitting the fixed asset inventory report for your...whatever you do with it.

Commissioner Mourdock: Acceptance.

Suzanne Crouch: Yeah, acceptance and approval, sorry.

President Jerrel: Is there a motion to that effect?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

EUTS - Proposed bicycle and pedestrian plan

President Jerrel: At this time we are going to have a presentation on our bike path.

Maura Carriel: My name is Maura Carriel. I'm a transportation planner with the Evansville Urban Transportation Study. You should have received in your packet a copy of our draft bicycle and pedestrian plan. I did notice that you have your map up on the wall. I'm not sure if anybody has had a chance to review that, but what I am going to do today or tonight is just to give you a brief presentation and then I'll open it up for any questions. I feel that's probably the best way to approach this. As I said, we're presenting this for your review and comment tonight. The draft is actually out for public comment through February 18th. Ultimately though we would be looking for the Commission's approval and adoption of this document, but whether that happens tonight or at a further date, you know, is to your pleasure. I do need to set up a projector and I'll give probably about a ten minute presentation if you have time for that.

EMA - Hazard Awareness Week resolution

President Jerrel: While you are doing that I think we'll move on to Item K, which is the EMA approval of Hazard Awareness Week resolution. That's...I don't think there is anything on here.

Commissioner Mourdock: I'll defer reading this into the record, but we were asked to come forward with this as we normally do at about this time of year, so I would move approval of the Hazard Awareness Week resolution for February 6 through the 12 for the year 2000.

Commissioner Tuley: Second.

President Jerrel: And I'll say so ordered. That relates to the tornado belt, possibility of earthquakes, floods, thunderstorms and winter storms, which we've had a little bit of all of that.

Commissioner Mourdock: But they took off Y2K. That was on there last year.

President Jerrel: Yeah, we didn't have Y2K.

EUTS - Proposed Bicycle and pedestrian plan (continued)

President Jerrel: As you begin to address your program we have had a few calls from individuals and so if you would linger on the streets where you are going to ask people to not park and you might want to express how you're going to make people aware of that other than just putting up a no parking sign.

Maura Carriel: Sure. Real quickly, as you know we've presented to City Council,

Warrick County Commissioners and to the Town of Newburgh. The issues are actually quite different for each of those jurisdictions and I'll explain tonight. We're looking at, again, a different set of issues for the county. I'll go through that through my presentation.

President Jerrel: Are you thinking...when you say county are you thinking of the small sense or the entire county? You're thinking of the entire county bike plan?

Maura Carriel: Specifically I am thinking outside of the city of Evansville, the city limits.

President Jerrel: Okay, well, I was thinking in terms of the definition we are the entire county.

Maura Carriel: Okay.

President Jerrel: So when you talk about taking parking off streets even though...and this has been before City Council and approved?

Maura Carriel: They wanted more time to ask questions and it's going back in the beginning of March.

President Jerrel: Alright.

Maura Carriel: Just real quickly, a lot of people, I think, sometimes question why we do bicycle and pedestrian planning and why we invest time in it. There are several reasons that we think this is an important issue and one of the first reasons which is actually my last bullet is it's a Federal Highway Administration requirement. The federal government, under its current transportation funding bill, basically has stipulated that any time federal funds are used on a road, highway project that bicycles...bicyclists and pedestrians must be taken into consideration. That is basically where we get our planning mandates and they require the preparation of a bicycle plan so what we feel our plan does is basically takes a comprehensive approach to planning for bicycles and pedestrians and provides some guidelines for the local jurisdictions to follow. Other reasons, improve the safety of those who currently bicycle and walk. There are people who use these as modes of transportation or for recreation and their safety is a factor. Better accessibility for all residents and it's kind of interesting to hear the people here talking about the welfare to work because bicycling and walking are both options. They are very low cost. People that can't afford a car and don't have access to a car can use these in certain areas where the trips are relatively short. More efficient use of the existing transportation system in that more people and more travelers can be accommodated by improving facilities for bicyclists and walkers. They basically have little impact in terms of wear and tear on the roadways. Quality of life is a big issue. This is one of the issues I think that the newspaper has picked up on and a lot of the calls and comments that we get talk about quality of life and how bicycle/pedestrian friendly communities offer some advantages that other places to live don't. Public health is also an issue. Just giving people the opportunity to get out and cycle safely or to walk safely will improve public health overall. Lastly, local air quality problems. Nobody would...I would not stand up here and argue and say that bicycle and pedestrian traffic is the solution to the air quality problem, but it is certainly one strategy that if the community can successfully convince some people to use bicycling and walking for some of their shorter trips instead of driving a car it is a strategy. The plan is divided into two elements, a bike plan and a pedestrian plan.

The bicycle plan recommendations include a bikeway network which you have on the map behind you. Those are a whole range of possible ways to accommodate bicyclists on the streets. Planning activities, things like roadway planning when new developments come in, ways to influence and accommodate bicyclists in the design of new development and new roads. Bike parking is another issue that we have pulled out separately. The need for people to be able to put their bike and lock it somewhere is going to be a major influence in how they decide...whether they decide to use a bicycle. Education and encouragement are also other important aspects. You can't just do a design. You can't just design a solution, but you also have to educate people on the rights of cyclists to use the road and how people should interact on the roads together. And lastly, law enforcement and more or less what this is is looking long-term, I guess, at the possibility of improving law enforcement for cyclists because cyclist when they ride on the street are required to follow the same traffic rules that autos do. Ensuring that people number one understand how to operate and number two that they do operate within those laws is another safety factor. One of the biggest attention getters is the bikeway network. It's kind of difficult to see on the overhead. The maps are good for close-up viewing. Basically, what we've done is come up with a proposed network of roads that with bicycle accommodations can facilitate bike traffic not only within Vanderburgh County but to neighboring Warrick County as well. We have a selection of east/west and north/south streets and they would require different types of treatment based on how much traffic they carry, what the roadway characteristics are, how wide it is and whether there is on street parking. Just to give you a quick idea of some of the facilities, our plan we have coordinated with the Greenway to make sure that what we're planning works with what the Greenway is planning. The Greenway is looking generally at separated trails and what we're looking at are ways to make the streets themselves a little more safe for bicycle travel. The most simple and inexpensive improvement would be a bike route. This is just taking a low volume road and just signing it...putting up signs designate it as a bike route. One example in the city of Evansville would be Alvord Boulevard where people currently ride there. It's safe to ride, there are no engineering fixes or anything that need to be applied. Basically you are signing people so that they can have a back way into maybe a shopping center or Wesselman's Park in this case. Wide curb lanes are another acceptable application. This is basically using a 14 foot travel lane instead of a 12 foot travel lane. It allows a cyclist and a motorist to be able to operate side-by-side without the motorist having to cross the center line to pass.

Commissioner Mourdock: When you use that designation are you suggesting then that the six or eight foot wide on either side would be painted? How is that delineated?

Maura Carriel: There is no pavement markings required for that. You can designate a wide curb lane as part of a bike route, but in effect by just providing that extra space it meets the standards for bike travel. The next would be a paved shoulder. Again, these are all standard treatments that meet the federal design standards. A minimum of a four foot paved shoulder is perfectly acceptable for bike travel and particularly in rural areas this is the desired treatment. Bike lanes are more of what you would find in the city. This is where you start looking at parking issues. Bike lanes require a designated space on the street. They can be alongside of parking, five foot in width and they are actually marked with a white stripe and stencils. Lastly, an example would be the Greenway and that is a separated trail. Generally they are along railroad right-of-way or along the levee. Typically they are not used alongside of a street because there are a lot of other issues that are involved in that. One of the issues in the city is the fact of the possibility or the likelihood of having to

remove on street parking in certain areas in order to put a bike lane or a wide curb lane down. As you've seen there are a couple of different types of treatment that can be used and the approach that we've taken with the plan is that we have identified desirable streets and we've looked at some possible applications of bike lane or wide curb lane and in that situation would that require the removal of on street parking on either one side of the street or both sides of the street or whether it would be necessary at all. Another issue is also along sections of Covert and Bellemeade and these are in your table...these are in your report, I think Table 4. We have identified those areas that would require either the removal of on street parking or possibly even the removal of a travel lane and that is generally the case only on Bellemeade and portions of Covert. This approach from our perspective gives the city and the county the flexibility to decide at a point when you are able to make a little more specific study whether that is feasible or unfeasible. There are also some other possible ways to accommodate cyclists or to improve the safety of bike travel without taking those steps of doing a bike lane or wide curb lane and that would entail basically putting up signs just alerting motorists to the fact that they might see bicyclists there. That wouldn't require any kind of an on street improvement. Those signs right now are not part of the federal standard. The federal standards regarding signs are being updated and they expect to put a "share the road" sign with the bicycle logo as one of the standard signs and if that does happen it's likely that the State of Indiana would also adopt that and it could be used. So that is basically one area of flexibility within the city limits that we could use if on street parking...it's not feasible to remove the on street parking or reduce travel lanes. You do have that option in selected areas in using a "share the road" sign. Once you get outside of the city limits what you're really dealing with are rural roads. The roads on the network were selected because they provide through connections into the city and across the county. The issues there are a little different in that they're not currently at a state where you could designate a bike facility. They really need some kind of an engineering treatment in order to bring them up to standard before you could suggest that cyclists use those streets. So this table is not in your report, I put this together this afternoon. This list outside of the city limits the roadways that are on the bikeway network as you can see quite a few of these roads are already in the long range transportation plans scheduled for some kind of improvement. So these are the ten year and 20 year out projects.

President Jerrel: Could you read the roads? We get the bottom ones, but the top are a little bit blurred, the county.

Commissioner Mourdock: Boonville-New Harmony, Petersburg. The ones at the far left?

President Jerrel: Boonville-New Harmony.

Maura Carriel: Boonville-New Harmony from Darmstadt Road to about I-64. Petersburg Road and Old Petersburg Road between 57 and Baseline. Oak Hill Road from Lynch Road to 57. Old State Road from Campground Road north to Boonville-New Harmony Road. Those are all on the north, the northern part of the county. On the east side, Virginia Street from the city limits basically out to where it ends near 164. On the west side, New Harmony Road and Harmony Way coming in. A short section of Hogue Road and a loop around Burdette Park that is mainly comprised of Broadway, Nurrenbern and a short section of Red Bank.

President Jerrel: You left out a good one.

Maura Carriel: What's that?

President Jerrel: Well, if you ask any bikers you didn't mention Old Henderson Road and you can connect up and use that circle with USI and Burdette and that's flat and 12 miles...12 ½ miles to the end and back is a good 25 mile ride.

Maura Carriel: Yeah, I know that there is a lot of recreational cycling that takes place out there and that is something that we can look at adding, too. We do have the Greenway...one of the Greenway's long range plan was also to create some kind of a trail heading from Nurrenbern south and also a separated trail coming across the south side of the USI property into the back entrance.

Commissioner Mourdock: Maura, you just said something that is very interesting because when Bettye Lou told you which route she rides, and she probably rides more miles on a bike in a year than anybody else in this room, you said that there is a lot of recreational biking. Is this plan and as it is put together to meet the federal highway specs is it meant to deal with recreational biking or is it supposed to be a real serious form of go to work, go to school, alternate transportation?

Maura Carriel: It's both, but primarily for a travel mode for transportation purposes. In other words, the federal highway government is saying we understand that there is crossover, that you're going to improve or increase recreational use as well, but the federal dollars they are looking more at funding projects that get cars off the road or a substitute for a car trip.

Commissioner Mourdock: That explains why then on your map there is nothing really up into the northern part of the county because even though there is, again, a lot of recreational riding up there and there is a lot of shift in population.

Maura Carriel: Right. We do have...and I would be interested in hearing if you think there are some other roads that should go on there, but one of the things that we did was to work with the Evansville Bike Club who do...a group that does a lot of cycling out in that area and look at some of the roads that they are currently using, but what we also tried to do was to look for connections to get people from those high growth areas into the city or across the county. So as I said earlier, this is still out for public review and I am expecting that we are going to get comments and definitely we can make changes to this.

President Jerrel: Some of your city streets you wouldn't want anyone to be riding on them during peak times. It's way too dangerous.

Maura Carriel: It's...there are different levels of riders, I guess. I, myself, commute. I commuted about 600 miles this last year and I am comfortable riding on Walnut Street during peak hours. I definitely wouldn't suggest that people take small children out there, so there are different levels of comfort and some people will cycle on just about anything, I guess. What we have tried to do is come up with a good mix of roads that have lower volumes with a different kind of treatment versus roads with higher volumes of traffic that sometimes are the most direct way to get somewhere and sometimes they are the only way to get somewhere. So we have heard some comments. People are saying that some of these roads are too high traffic, but the intent is to try and improve the safety somehow because they are sometimes the logical choice for a direct, quick connection.

President Jerrel: Are you taking into consideration also that those areas where

people maybe don't have any place to park their car so that if you remove--

Maura Carriel: Right.

President Jerrel: I mean, some of that Bellemeade area. You know, there are some homes that really--

Maura Carriel: Right. And that's the...instead of doing all of that detailed study now which would take an immense amount of work, again, our approach was to identify some projects and I guess the progression would be that the city or the county would pick a project and then do a more detailed study of the need for on street parking, feasibility of removing it and if it can't be done then to look at some of those other...or the other option which would be to wait to see if that particular "share the road" sign is approved and that could be used in certain areas where you really expect people to travel by bike and there is no other way to accommodate them. Or the other choice would be to look at an alternative route.

President Jerrel: Okay.

Maura Carriel: Can I run through the pedestrian plan real quick?

President Jerrel: Sure, uh-huh.

Maura Carriel: I guess just one note, again, as I said in the county a lot of the...outside of the city limits what you're looking at are the roadway projects that are going to be coming in for design over the next five, ten, 20 years and so what we're emphasizing most in the plan for those parts of the county is that bicyclists are taken into consideration when those roads are designed whether it's an upgrade in being able to add on two more extra feet of pavement or a paved shoulder. Those are the types of things that in the county outside of the city limits you would be looking at really affecting the design of the roads.

Commissioner Mourdock: Do you know since this is federally mandated that we consider these plans if we wanted to take a road and extend it from let's say 20 feet to 24 feet in width is there any matching money from the feds that would help us do that extra four feet?

Maura Carriel: Well, there are transportation enhancement funds or Congestive Mitigation Air Quality funds that I think probably would be...the cost of adding the shoulders into it would be an eligible use. In other words, it would be an add on to the construction cost of the road.

President Jerrel: Yeah, construction, but not right-of-way.

Commissioner Mourdock: Ah, okay.

Maura Carriel: Right, not right-of-way.

President Jerrel: And also in addition to the not right-of-way where the cost is most of our CMAQ money goes to intersections where--

Commissioner Mourdock: Keep the traffic flow.

President Jerrel: The traffic flow going so if you want to be really realistic we're likely

not to be in a position to have that money because it is already committed to Morgan.

Maura Carriel: Right. Some of it is, but I think...I'm not sure if our, and I don't know if you know, Pam, if our allocations have increased or are expected to increase, but I know that we are--

President Jerrel: If we get 17,000 more people we'll increase.

Maura Carriel: It's a trade-off, I guess.

President Jerrel: Yes, it is.

Maura Carriel: It's a balance. The pedestrian plan, very similar to the bike plan. What we're looking at here are recommendations regarding new developments whether they are residential developments or commercial developments. Talking about things like sidewalk policies and whether or not sidewalks are a part of that development or not. From a pedestrian planning perspective we are obviously recommending that sidewalks are incorporated into any new development within limits. I mean, if you are talking about large lot residential subdivisions it's not necessary. Also, road construction both federally and also local that pedestrians are considered and the need for sidewalks is addressed. Sidewalk construction, that being construction in new areas where you are not looking at a redevelopment and then just the maintenance of sidewalks. In the city I think this is a bigger issue where you have a lot of older sidewalks and their obstructions tend to clutter like mailboxes and newspaper vending machines and that type of thing. Pedestrian crossings, particularly across 41 is the biggest concern, but also in a lot of other locations and we recognize the need to try to improve the safety of pedestrians particularly crossing those busy streets. Education and encouragement, again some of these things are outlined and I'm not going to run through them. They are outlined in your report. Lastly, again, law enforcement. Make sure that people understand the rules of the road and that they're supposed to yield to a pedestrian who is in the crosswalk and that type of thing. I did have just the last couple of slides. These are in your report and I don't know if you wanted me to go through them. Basically, these talk about the pedestrian plan recommendations and how they would be implemented and who would be responsible for implementation. One thing that we have already talked to Roger Lehman about with the GIS...development of the GIS network is whether or not sidewalks were going to be included in that inventory and we've been told that they are included in that inventory which from a planning perspective is a really valuable piece of information to have. I guess instead of going through those I would just like to open it for any other questions that you might have.

President Jerrel: Any questions?

Commissioner Tuley: I would just like to...I guess the plan is just to take it under advisement.

President Jerrel: Okay, is that a motion?

Commissioner Tuley: I'll so move.

Commissioner Mourdock: Second.

President Jerrel: So ordered.

Commissioner Mourdock: You know, the one issue Maura raised there towards the end just causes me to think a little bit. I mean, we're supposed to be here thinking in long-term and we have all these new subdivisions out in the country that we're routinely giving sidewalk waivers for because everyone knows they're out in the country. Some day they're not going to be out in the country.

President Jerrel: They may be in Gibson County.

Commissioner Mourdock: That's true. They keep going that way, but maybe that is something we should think about. I'm not suggesting at all that we start mandating sidewalks in every one of those subdivision out in the country, but somehow tying those things together for pedestrian and bicycle stuff might be a worthwhile process.

President Jerrel: Thank you. Would it be appropriate for me to thank you for your work on this effort? You are going to be leaving EUTS, so this has been a very good project for you. Let us thank you.

Maura Carriel: I appreciate everybody's time in looking at it and considering it. The next time it comes back you'll see somebody else, but I hope it goes through.

President Jerrel: Thank you very much.

Maura Carriel: Thank you.

Any group or individual wishing to address the Commission
--

President Jerrel: Alright, at this time is there any group that wishes to speak to the Commissioners at this point?

John Stoll - County Engineer

President Jerrel: Alright, moving on to the County Engineer.

John Stoll: The first item I've got is a request for street plan approval for Carrington Subdivision. This is a subdivision on Petersburg Road north of Boonville-New Harmony. It's across from Stonecrest Subdivision which was recently approved. The streets will all be curb and gutter streets. It basically falls...the property falls from west to east at about a three percent grade. The retention pond will drain out into the right-of-way for Petersburg Road and they are going to regrade the roadside ditch along Petersburg Road with a couple of changes that the engineer made. It's recommended that these plans be approved.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The second item I've got is in regard to the signal modifications at the intersection of Diamond and Fulton. Last September I brought a recommendation

before you for an estimated cost of \$2,000 to relocate the signal pole at the southeast corner of the intersection. I received an invoice from Dave Savage today and the final cost was \$3,256.14. The reason for the increase when they were augering out the hole for the new pole they were hitting concrete and other debris, so it took them longer to drill the hole and they also had to end up pouring some concrete to hold the anchors on the guy wires, so it is recommended that the increase from \$2,000 to \$3,256.14 be approved.

Commissioner Mourdock: The hole didn't move after they drilled it.

Commissioner Tuley: I'm glad you said something. I was getting ready to say we finally hit something solid when we're drilling.

John Stoll: I think they had to put something solid in there.

Commissioner Mourdock: I'll move approval of the request for the change order.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The final item, we'll need to set a date for a road hearing some time soon. We've gotten a couple of phone calls and one of them was in regard to our favorite Lyle Road.

Commissioner Tuley: You've already gotten calls?

John Stoll: Yes.

Commissioner Tuley: I know you've got a call and I know I've got a call.

Commissioner Mourdock: We normally do that the second or third week in March, I think has kind of been the history.

President Jerrel: Right. Well, what about the 13th of March? Does that sound okay to you?

John Stoll: Yeah, that's fine.

President Jerrel: Or the 6th?

Commissioner Mourdock: Let's do the 13th.

Commissioner Tuley: The 13th.

Commissioner Mourdock: I'll move the 13th of March as our annual highway road review meeting.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: And move permission to advertise for that date.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: A couple of other things. There were some questions brought up a couple of weeks ago at the meeting about the median on Cross Pointe. I believe you asked about that, Richard. We sent a work order to the Traffic Department to paint that and put some reflectors on it so hopefully that will make it a little more visible.

Commissioner Mourdock: Painting it with some reflective--

John Stoll: Reflective yellow paint, yes. In regard to the drainage complaint at the Chambliss house out there on Indiana Woods, Beaver Trail, Seasons area, Jagoe Homes is going to make the corrections. I guess there was some damage done when SIGECOM went and trenched through the drainage easement to put their cable in. That damage will be repaired and then Jagoe will make an extra effort to make sure the inlets stay clean and they have also got a meeting set up with the Chambliss' tomorrow at noon so any additional concerns that Chambliss might have we'll find out then. I talked to Mike Robling in regard to the reimbursements for Replas. It is my understanding he called you, Richard.

Commissioner Mourdock: Yes, he did. He didn't give me a lot of answers he just kind of told me that he had not heard anything from the Matrix Group. They have a form that they are supposed to fill out and apparently have not yet gotten that back to him.

John Stoll: Right, that's what he said was holding up all the reimbursements. Not all, but the final reimbursement to them, to Matrix.

President Jerrel: We had this trouble before.

Commissioner Mourdock: Yeah.

President Jerrel: You solved it.

Commissioner Mourdock: I...yeah, okay.

President Jerrel: So--

Commissioner Mourdock: One time. I don't know if I can solve it again.

President Jerrel: I know but I think that was...I think maybe if you would make the call it would help.

Commissioner Mourdock: I will call them and ask them to fill the form in so that they can get the money.

John Stoll: Get their money.

Commissioner Mourdock: It's an odd situation.

John Stoll: And the other item I still need to get with Erik in regards to the drainage out in front of Wilner's property there on Inglefield, but once I get a chance to talk to

Erik about the possibility of them being able to lay the pipe across Inglefield Road then I'll talk to Wilner about him replacing the ditch piping along Inglefield.

Commissioner Mourdock: Okay.

John Stoll: That's all I've got.

President Jerrel: Okay, thank you.

County Highway

President Jerrel: The County Highway Department asked if they could be off tonight. They've had a long...so they're off. You do have the report though.

Joe Harrison, Jr. - County Attorney

Joe Harrison, Jr.: The only item I have involves a request for approval of a proposal for, I think, it's \$2,100 from Bernardin Lochmueller for additional legal descriptions or for legal descriptions to be provided to the county concerning the boundary survey concerning the Building Authority property and other areas that the county and city may acquire within the next several months and I would ask that you consider that request. Also, the boundary information has already been prepared and this is just additional work and the city is going to help fund half of the total cost of the whole project.

President Jerrel: Okay.

Commissioner Mourdock: I'll move approval of the \$2,100 expenditure for the surveys.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: That's all I have.

Tony Greubel - Superintendent of County Buildings

President Jerrel: Superintendent of County Buildings.

Tony Greubel: In the signature file I submitted a claim to Ogden for reimbursement for their expenses. The pink slip from the County Highway Department, that's not really late. That was misplaced from the others on Friday, so then today I put it back in the signature. It was on time. It's my fault it wasn't in there. That's it.

Steve Craig - Burdette Park

President Jerrel: Burdette Park.

Steve Craig: Steve Craig, Manager of Burdette. Outside of our work packet the only thing I have is a request that we be considered for any surplus equipment from the

Vanderburgh County Work Release Jobs Program when they disband.

President Jerrel: We haven't gotten a detailed sheet with anything on it, so I don't know.

Commissioner Mourdock: If there is equipment from the Jobs Program does that belong to the county or the Jobs Program?

President Jerrel: Well, it belongs to the Jobs Program, Inc. because it was paid for with funding that they received for doing contracts which came from work release which is funded at the county, so did I take you all the way around the circle?

Commissioner Mourdock: Yeah, that's a good answer, but it didn't fit the question.

President Jerrel: So if we could get a list, Brad, I know they had something circulating. A list that would give us, you know, what is available and then perhaps, Steve, you could do an official request to the judge and ask for whatever would be something you could use.

Steve Craig: Yeah, because when we was at the County Council meeting they had discussed on what they were going to do when they disbanded and that and I was under the impression then that it was county funds that had bought most of it.

President Jerrel: Well, you don't want me to do that again, do you?

Commissioner Tuley: No.

Steve Craig: I understand what you said.

President Jerrel: Right.

Commissioner Tuley: It would make a great bicycle path, wouldn't it?

President Jerrel: Yeah, a circle. If we could get the description of the pieces of equipment then you could say what would be appropriate and that you could use and then I think you ought to fire a letter off right away.

Steve Craig: I appreciate that.

President Jerrel: Okay. We do have your report.

Weekly reports

Commissioner Mourdock: I'll move approval of the reports from the Ozone Officer, Soil & Water, Burdette Park and the Highway Department.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Steve Craig: Thank you.

President Jerrel: Thank you very much.

Consent items

President Jerrel: Are there any questions about any of the consent items? Just a note that there is one, the one that was here that does have a six month extended leave on it.

Commissioner Mourdock: Yeah, I'll move that--

Joe Harrison, Jr.: I think it's longer than that.

President Jerrel: Is it?

Joe Harrison, Jr.: Uh-huh.

President Jerrel: I thought that was all the longer we could go.

Joe Harrison, Jr.: I'm not too sure what it says. It looks like it says--

Tony Greubel: The Family Medical, that's expired. This is asking for a special leave of absence.

Joe Harrison, Jr.: Oh, it's up till June 1st.

President Jerrel: Yeah.

Joe Harrison, Jr.: Okay, I didn't know what the date was.

President Jerrel: Yeah.

Commissioner Mourdock: I'll move that consent item be added to the pack.

Commissioner Tuley: Second.

Commissioner Mourdock: And move approval of the consent items.

Commissioner Tuley: Second.

President Jerrel: So ordered and so ordered.¹

Old business

President Jerrel: Is there any old business?

Commissioner Mourdock: I understand Sheriff Ellsworth is back there somewhere, I think. Just one quick point. The Sheriff did receive from the individual that he is contracting with which is PMSI a draft proposal which I had delivered out to my office this afternoon. I haven't seen it. Brad, I don't know if you have any comments you care to make at this point?

Brad Ellsworth: Not at this time. We just got it faxed late Friday night and I picked

¹See page 31 for listing of consent items

up my first copy this morning. It was a preliminary draft he would like us to review and see if there is anything in there we would like added or that we specifically want to ask for so I don't have a lot to add at this time. I'm still trying to read through that too. I want to let the Commission also know...well, go ahead and I'll tell you.

Commissioner Mourdock: I would just say I'll make copies for--

Brad Ellsworth: I've got some.

Commissioner Mourdock: For Bettye Lou and Pat?

Brad Ellsworth: About three. The other thing, I did meet, had a two hour meeting, with the gentleman who approached the Commission the last meeting and had an enjoyable two hour meeting with him and he has asked for my blessing, if that is necessary, to meet with other county officials and then the judiciary so I gave him that. I'm writing up some things from his...he had some interesting suggestions. Some that might not be doable, but interesting.

Commissioner Mourdock: To the jail specifically do we know what the population has been the last few days? Where are you bumping at?

Brad Ellsworth: Yeah, it's hovering between 348 and about 355. In that area. High in the morning and low in the afternoon.

Commissioner Mourdock: As a practical matter would it be possible that we could keep track in some way on a weekly basis as to say the 25 people who have been in the jail the longest period of time? Obviously, we've got an overcrowding problem.

President Jerrel: Or 50.

Commissioner Mourdock: Well, I don't know what the practical limit is.

President Jerrel: Yeah.

Commissioner Mourdock: I guess it would be easy to ask if every day we could know how long each person had been in there, that would be one thing, but I have a hunch that would be a pretty burdensome task. Maybe 50 is easy, maybe 25 is too much, I don't know.

Brad Ellsworth: Have you been receiving the e-mail from my Chief Deputy about the list of everybody in jail and the information that is now supplied?

Commissioner Mourdock: No.

Brad Ellsworth: If you're not on that I'll include it. We've been e-mailing the judges and the prosecutor. It's something the new computer program has allowed us to do, to list the defendant, the cause number, the number of days he has spent in jail, the charges, his bond and when his next court date is. We're looking into defense attorney, but there are some interesting numbers there that I think the last time I looked the number that the highest person was in there was 400 and something days.

Commissioner Mourdock: Do you have which court that is being heard by?

Brad Ellsworth: Actually that should be able to be told by the cause number. I believe that is specified--

President Jerrel: You'll know whether it is Circuit or Superior.

Brad Ellsworth: Sure.

President Jerrel: But what you were implying was who is the judge.

Commissioner Mourdock: Yeah, I was just wondering if we could look at it, you know, individual judges, individual defense attorneys.

Brad Ellsworth: I'll ask Eric tomorrow. We were going to get that. Joe and I were talking this afternoon about that, about what else we can pull from that same report.

Commissioner Mourdock: I just feel very strongly we need to keep demonstrating not just for our own benefit, but we need to build that paper trail just in case some federal judge looks at us to say you're not doing anything. I think everything we can do and document what we're doing is going to help prevent that day and obviously we all know we need to do something different. Which maybe this is the right time, maybe it's the wrong time. Brad and I have spoken to this briefly, but I know the week I was out of town, the first meeting of this year, there was a request made for the Health Department space that if in fact that space were vacated by the Health Department might it be converted to a courtroom or several courtrooms and had I been here that night I would of suggested as well that maybe we consider trying to use that for temporary jail space if in fact those folks move out, if the Health Department moves out. I don't know, Brad, if you have given any more thought to that or if that is something that might possibly be within the realm of reasonable or do you think that's--

Brad Ellsworth: Well, I think some of the concerns that come to mind immediately, and I think we talked about this, was the personnel to move down there to supervise them. I don't know about hanging the steel in there to separate the people. Transporting meals from the kitchen jail down would be a concern. Transferring to court wouldn't be much of a concern, but I think we would be looking at some personnel issues and like I said the food and meals. We already take inmates through the Civic Center to the Health Department for our medical now, so that's not a big deal walking through the halls of the Civic Center.

Commissioner Mourdock: Those are all valid concerns. I guess the other question is are those any greater concerns than having the federal judge say, oh by the way--

Brad Ellsworth: Not a bit.

Commissioner Mourdock: --you know, go build a \$35 or \$40 million dollar jail.

Brad Ellsworth: We've been working in some strange, you know, situations now so that wouldn't...we can adapt.

President Jerrel: Just to bring you up-to-date on the negotiations. I spoke with Dr. Del Rio Thursday and in fact we had a meeting scheduled and a baby got in the way of that wanting to be delivered at 2:30 in the afternoon, so we didn't get to have our meeting, but we did speak and she has called a special meeting of her Board of Health, I think in about three or four weeks. They've got it set up and they hope to

have their proposal ready to submit to Visiting Nurses, so they are moving along.

Commissioner Mourdock: Good. I suspect it can always be misinterpreted, but some federal judge may order us to build a new jail. No federal judge is going to order us to build new courtrooms. I'm just trying to find...and certainly I would like to see us get some new courtrooms and Judge Bauer's request to do something over at the Old Courthouse is still appreciated and if we could do something there that might help that process.

Brad Ellsworth: I know that Judge Pigman, and I think it was even in the paper--

Commissioner Mourdock: Yeah.

Brad Ellsworth: --that he held some court over there this week, some civil court. We did open up the new cell that now puts the official capacity at 268. We filled that this week.

Commissioner Mourdock: So we gained 12, right? Two fifty-six to 268?

Brad Ellsworth: Right, 268 now will be the official capacity until we find another closet to convert.

Commissioner Mourdock: I keep waiting one day to walk into the office here and see some bars.

Brad Ellsworth: Don't think we haven't talked about that either! And trailers in the back parking lot and fences.

President Jerrel: Schools do that when they get overcrowded.

Brad Ellsworth: We've talked about that, too.

President Jerrel: Those trailers out there.

Brad Ellsworth: I know a jurisdiction that floated a barge out in their river and held prisoners on a barge.

Commissioner Mourdock: Really.

President Jerrel: I met with someone today who was a federal...in charge of federal prisons and he said he transported 10,000 a year out of the country because they didn't want to have to build so he was...I learned a lot today.

Commissioner Tuley: Out of the country?

President Jerrel: Out of the country.

Commissioner Mourdock: Federal?

President Jerrel: Federal.

Brad Ellsworth: I talked to the Los Angeles, I guess she was the head jailer in Los Angeles County. I think their inmate population, I don't know, might have been 12,000 or something like that, but in the mornings because they are under federal

mandate they load a lot of...they have several jails and they will bus inmates from one to another and they do their count while the inmates are in the buses and that doesn't count towards their total and they do the counts while they are in transit between the judges and all day long they are transferring them around to circumvent the mandate.

Commissioner Mourdock: Once again we know--

Commissioner Tuley: Keep moving them.

Brad Ellsworth: We only have one bus. Thank you, I appreciate all your help and cooperation on this problem.

President Jerrel: If you could, I would like to look at that--

Brad Ellsworth: It's an interesting report and like I said we just started producing that this week and then end of last week--

President Jerrel: No, I meant the proposal.

Brad Ellsworth: Oh, absolutely.

President Jerrel: Even though it is preliminary.

Brad Ellsworth: Sure, we've got it in the back.

President Jerrel: Thank you very much, Brad.

Brad Ellsworth: Thank you.

New business

President Jerrel: Any new business? Motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 7:00 p.m.

CONSENT ITEMS:

- Employment changes:
County Highway
Sheriff's Department
Coop Extension Service
Area Plan Commission
Center Township Assessor
- Circuit Court
Health Department
Veterans Service Department
Community Corrections
Vanderburgh Superior Court
- Travel requests:
County Assessor
Health Department (5)
- Knight Township Assessor
- Auditor's Office:
Covered Bridge Certification
- Treasurer's Office
Submitting monthly report
- Knight Township Trustee:
Poor relief standards
- Sheriff's Department:
Surplus copy machine
- Weights & Measures:
Submitting monthly report
- Blue claims

Those in attendance:

Betty Lou Jerrel
Richard E. Mourdock
Patrick Tuley
Joe Harrison, Jr.
Suzanne M. Crouch
Charlene Timmons
Tony Greubel
Jerry Bryan
Roger Lehman
Cheryl Musgrave
Bill Cottun
Tim Suenram
Cyndi Spear-Duncan
Gary Heck
Maura Carriel
John Stoll
Steve Craig
Brad Ellsworth
Others unidentified
Members of the media

**Vanderburgh County
Board of Commissioners**

Betty Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
February 14, 2000**

Search these minutes:

The Vanderburgh County Board of Commissioners met in session this 14th day of February at 5:34 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners' meeting to order. The first item on the agenda I would like to introduce the people before you. On my far right, Tony Greubel, the Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley; far left, Charlene Timmons, our Recording Secretary; Auditor, Suzanne Crouch; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. I would like for you to join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: The first item on the agenda is the approval of the minutes of the previous meeting.

Commissioner Mourdock: And I'll move approval of the minutes of February 7th as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

County Assessor - Project agreement with Network WCS

President Jerrel: The next item on the agenda is the approval of project agreement with Network WCS. I did talk to the Assessor today to make sure that the...we had discussed this in concept and approved it the other day, but I went back and checked to make sure that those prices were low and they are even lower than the Purchasing Department because we got a break for the contract.

Commissioner Mourdock: A rare day. I'll move approval of the project agreement with Network WCS as submitted.

Commissioner Tuley: What exactly is this for though? Is it for Internet? I mean, it looks like Internet access.

President Jerrel: It's for their Board of Review process and for their...making their...putting their material on-line.

Commissioner Tuley: Is this kind of like what we were talking about in the last meeting whereby at some point in time we're going to bring all those under one roof?

President Jerrel: Right.

Commissioner Tuley: This is just to basically upgrade what she currently has out there, is that what I understand?

President Jerrel: Right, but this also deals with her Board of Review work.

Commissioner Tuley: So as opposed to the old way we did it before--

President Jerrel: Right.

Commissioner Tuley: --of typing everything out and everything they can put the information on the computer and what have you?

President Jerrel: Right.

Commissioner Tuley: Okay, I'll second.

President Jerrel: So ordered.

Morley and Associates - Burdette Park Discovery Lodge

President Jerrel: The next item on the agenda is Morley and Associates, preliminary plans for the Discovery Lodge.

Lee McClellan: Can everybody see that? My name is Lee McClellan and with me tonight is Matt Wallace. We're from Morley and Associates. Matt is the project engineer on the O'Day Discovery Lodge, the infrastructure improvements out at Burdette Park. The front side here is a colored rendering of what the proposed improvements will look like. The large blue area is the lake. The green area is the grass that will be surrounding it and the gray is the parking lot and the brown would be the O'Day Discovery Lodge along with the pavilion and a storage facility down at the end. This area right here is an open field for sporting events. Hopefully we sent out last week this drawing which is a little more detailed that shows the grading around the facility for the O'Day Discovery Lodge. We've had a couple of meetings with Steve Craig and his staff along with Mike Wathen and John Stoll. We've had two meetings at the site. We've reviewed some things and looked at how to make this site the most comprehensive. The geotechnical work is complete. We've had soil borings taken in the area of the lodge to determine the stability of the embankment that will be placed along with the suitability of the material. We also had borings taken down in the lake area to determine where rock or refusal

would be found so that we know what kind of depths to put into the lake. So what we would like to do this evening is answer any questions that you or any members of the audience might have concerning this project. If you remember our proposal back in August was broken down into two phases. The first phase was a preliminary conceptual phase which is where we are at now. The second phase is the actual final design phase. We would like to get approval this evening for the conceptual design phase and authorization to move into the final design phase so that we can get drawings prepared, get the project out for bid, so that this can be let, I believe, June the 6th.

Steve Craig: After June 6th.

Lee McClellan: After June 6th, which is the big BMX event which is in this area here, which is the BMX track and utilizes this parking. Also this evening we would like to have authorization to go ahead and file the variance necessary for the off-street parking. I have had conversations with the Area Plan staff along with Roger Lehman, the Building Commissioner, and Steve has also had conversations with them. The size of the building, the O'Day Discovery Lodge, is 16,000 square feet which would have an occupancy load if you use the Uniform Building Code of 1,087 occupants. The open pavilion on the backside which is 3,600 square feet has an occupancy load of 240 for a total of 1,327 people. The county ordinance requires one parking space for every two occupants which would be a total of 664 spaces. Steve says that through his administrative procedures and a concurrence with Roger Lehman that this building will be posted for a maximum occupancy of 500 people. That's fine. You can post a building for anything you want it to be as long as it does not exceed the uniform building code, but as far as the zoning ordinance goes and as far as the Building Commissioner goes the occupancy loading of this facility will be 1,327 people which unfortunately is 664 parking spaces. The goal was to try to get 550 spaces because that is what Steve felt that he needed because a lot of the activities and the facility usage will be where people will come with minivans during day camp. They'll let out six or seven kids and they'll leave or they'll park. The same way they also have buses that bring people to this facility so our goal was 250 spaces. Due to the limitations in providing the off-site athletic field or the sports field the most we could get on this site was 197 on-site and the 35 spaces at the BMX track for a total of 232 spaces. This is 18 space less than what Steve had hoped that we could get on the site and 432 spaces less than what is required by the county ordinance. So we will have to apply for a variance through the Board of Zoning Appeals. The date for filing, the next date would be March 6th which it would be brought in front of the BZA on April 20th. So those are the three items that we would like to discuss tonight. The approval of the conceptual phase. Two, the authorization to commence with final design. And three, the authorization to proceed with the variance. Mike is here this evening along with Steve and John to also discuss with you the items we have talked about and incorporated into the conceptual design.

President Jerrel: Did you read the papers a week ago about Jacob's Village?

Lee McClellan: Yes.

President Jerrel: That was exactly the same situation that they faced. They would not have a need for 1,250, was that how many?

Commissioner Mourdock: Uh-huh.

President Jerrel: I think that many spaces, but they could not get a variance, so obviously when you go you need to sell that side of it that the students or the young people will be delivered by bus, many of them.

Lee McClellan: Right.

President Jerrel: That we don't...you know, that there won't be a need for that. I don't know who else...Steve will be with you?

Lee McClellan: Well, that's the other question is who. I mean, I can certainly present this to BZA. I didn't know if you wanted your legal counsel there that evening.

President Jerrel: Well, I think Steve needs to be there because this is going to be a unique facility and they need to understand the way it is to be used.

Lee McClellan: Correct.

President Jerrel: So, what do you think?

Joe Harrison, Jr.: It's up to them. I can certainly be there. It may be better that I'm not there, but it's just...we can talk.

Lee McClellan: Sure.

Joe Harrison, Jr.: As far as the...I just had a question about the funding just to know how much funding was in place for the steps that they're going to be talking about?

President Jerrel: Well, the first part we're going to begin to get a design and you want to tell us what that is going to cost us?

Lee McClellan: Uh, yeah. This was presented to the board--

President Jerrel: Right.

Lee McClellan: --and approved back on August 11th. The total engineering for the preliminary stage which included the preliminary engineering, all the geotechnical engineering and the parking variance would be \$11,873. The detailed design phase which would be all the preparation of the construction documents, preparation of the bidding documents, assist the county in receiving bids, evaluating the bids, that is \$14,935. And then there is a final surveying phase of \$1,960. Then in addition to those are our reimbursable expenses like the filing of the variance which is \$200 and all the certified return receipt mailings that go with those.

President Jerrel: What this enables us to do is when Steve goes out for these grants they want to know what are you doing, what have you done? If you haven't done anything you're going to have a hard time securing these. They do have the money in place because he received over--

Steve Craig: One hundred and fifty-five thousand.

President Jerrel: --\$155,000 from the Build Indiana Fund. This will be a way to move us forward so that we can keep this moving because it's going to be a wonderful facility.

Commissioner Tuley: They have the \$155,000 and did we not set aside...for some reason I thought we kept taking half a million dollars--

President Jerrel: Yeah, we do. We have a half million.

Commissioner Mourdock: That's from the Riverboat initially, wasn't it?

President Jerrel: No.

Suzanne Crouch: CCD money.

Commissioner Tuley: CCD money I thought.

President Jerrel: CCD money.

Commissioner Tuley: So that is there as well.

President Jerrel: Yeah, that's right.

Commissioner Tuley: So we have the \$155,000 plus that half million dollars.

President Jerrel: Right, and we're using that as seed money. When Steve does a grant they say how much are you putting forth and we're trying to add to it, but that money, of course, is there too.

Commissioner Mourdock: There was some money at one time that was Aztar money.

Commissioner Tuley: I know what you're saying now. I don't remember if we used that money at one point--

President Jerrel: No, it was always CCD money.

Commissioner Tuley: No, no, Bettye. There was \$100,000 set aside--

Commissioner Mourdock: No, there was some money from Aztar.

Commissioner Tuley: --at the time Aztar got the--

Joe Harrison, Jr.: Right.

Commissioner Mourdock: When they first arrived.

President Jerrel: Oh.

Commissioner Tuley: There was \$100,000 given to Burdette, I thought, I just for this.

Suzanne Crouch: Used it to fix the pool.

Commissioner Tuley: I was getting ready to say, I thought--

Commissioner Mourdock: Yeah, okay.

Commissioner Tuley: --at one time we used it to fix the liners in the pool, though, so we still have that half million plus the money you just spoke of.

Commissioner Mourdock: Okay.

Suzanne Crouch: Charlene.

Commissioner Mourdock: She's good. I don't even need a computer. We've just got Charlene. That's good.

Suzanne Crouch: Yeah, you don't need that computer.

Commissioner Mourdock: One question, Lee, the impoundment you're showing there is that being...is that again almost a by-product of the erosion control plan for the project as a whole?

Lee McClellan: No, it is actually constructed for the project. It is to be a lake.

Commissioner Mourdock: But it is not a necessity in the sense that it doesn't have to be there as part of the erosion control to make up for the parking area?

Lee McClellan: No, we can accomplish the erosion control without the lake, but the lake is part of the facilities that Steve has requested.

Commissioner Mourdock: Okay, well there is no small amount of earthwork there. I know I was looking at the topo.

Lee McClellan: There is a considerable amount of earthwork.

Commissioner Mourdock: Yeah, there is going to be a bunch of dollars spent.

Lee McClellan: Yes.

Commissioner Mourdock: And that is why I asked if it was a necessity because when push comes to shove we may need to look at every part of it.

Matt Wallace: Would it be in the system as far as storm water storage? (Inaudible.)

Commissioner Mourdock: I'm sorry?

Matt Wallace: I was just voicing the concern, wouldn't it be...it would not be a requirement for erosion control, but it could be considered a requirement for storm water storage.

Commissioner Mourdock: Yeah, and that's really what I should of said instead of erosion control.

Lee McClellan: Right, storm water retention that will be providing that. We will also be using it to achieve borrow from and that is why the geotechnical determined that the material that could be taken out of this lake area is suitable for embankment material.

Commissioner Mourdock: But the borrow you're going to use is simply to build the levee isn't it? I mean, are you using borrow from there that you're going to end up using as fill up in the parking lot or the building area?

Lee McClellan: Uh-huh.

Commissioner Mourdock: You are short that much yardage?

Lee McClellan: Yeah. This--

Commissioner Mourdock: In that case the cost--

Lee McClellan: Until we actually lowered this we had some pretty steep grades here. We had originally looked for a building elevation here that Steve felt he was comfortable with and in this back area here we were in about 18 foot of fill. But what we did is we flattened this slope coming in off of Nurrenbern here. We steepened this grade coming here which necessitates four foot retaining walls between these upper and lower parking areas. We have to step this parking lot down to achieve the grade. By lowering this elevation, I think we lowered it--

Matt Wallace: We lowered it ten feet.

Lee McClellan: --ten feet, ten to 11 feet, we were able to cut this amount of fill down here into about eight feet, but, yeah, we will still be doing some improvements along Nurrenbern Road and get rid of this roadside ditch that is a maintenance issue. We'll take care of that, build this, but we are going to actually be excavating the lake to be building the rest of the facilities.

Commissioner Mourdock: Okay.

Commissioner Tuley: Lee, how deep is that lake going to be? Other than retention or anything is it going to be usable? I mean--

Lee McClellan: What do you have in the center? Twenty-two feet.

Matt Wallace: Yeah, let me look on the other side.

President Jerrel: It's 405 to 425.

Matt Wallace: There is a 420 contour going through the center.

Commissioner Tuley: Okay.

Matt Wallace: That's existing. I've got a proposed 405 as the bottom of the lake and that's 15 feet deep.

Commissioner Mourdock: Right.

Matt Wallace: We do have depth requirements and Lee might like to address those to raise fish or keep fish in there.

Commissioner Tuley: Yeah, that is what I was leading up to is there some other useful purpose for the lake?

Mike Wathen: You want to achieve eight foot over 50 percent or ten foot over 40 percent is the bottom line.

Lee McClellan: And we have achieved both of those.

Mike Wathen: And we were able to accomplish that.

Commissioner Tuley: Okay.

President Jerrel: Are there any other questions? Getting a little more exciting. We're beginning to see it.

Lee McClellan: Yeah.

(Inaudible comments made from audience.)

Lee McClellan: Yeah, Matt, you want to address the conversion and how we are handling the sedimentation and the walkway?

Matt Wallace: This brown strip around the outside is a walkway path that would be--

President Jerrel: Are you getting this? You want to--

Matt Wallace: I'm sorry.

President Jerrel: Well, we need--

Lee McClellan: Here, you go ahead and talk and I'll point.

Matt Wallace: Okay.

Lee McClellan: I know what you're talking about.

Matt Wallace: The brown strip around the outside of the lake is a five foot walking path and would be I think we discussed a mulched area perhaps or wood chips, that type of thing. People could walk around the lake and it would be kind of a nice way to make it more of an interactive type place. People could enjoy the lake more. The water would come down the embankment from the front of the lodge and we would have a diversion swale that would take the water around to the point at which we would slowly release

the water from that swale into the lake which would let the sediments that are carried in the water fall out and it would not pollute the lake, so the lake would remain as pristine as could be accept...or as we could expect, I'm sorry. Really, it would be a nice feature of the lake and I believe that Steve had wanted perhaps to have a small bridge across that narrow finger of the bridge...or of the lake, I'm sorry, and it would allow people to walk over it and it would be kind of a nice place to spend your time.

Lee McClellan: Do you want to also talk about the parking lot, why we're taking the parking lot drainage--

Matt Wallace: Yeah, I'm not sure if you noticed on the plan that I distributed to you up in that north parking area I have shown that those areas would be collected by a storm sewer network. We would actually take it to the north. That would get us away from polluting the lake with chemicals that fall off, you know, a lot of cars drip oil and antifreeze and things and keep the salt during the wintertime from getting into the lake and polluting it. That would be advantageous to the overall condition of the lake.

President Jerrel: Anybody have any other questions?

Commissioner Mourdock: I'll move that we approve proceeding to the final design phase.

Commissioner Tuley: Second.

President Jerrel: So ordered. Thank you very much.

Lee McClellan: Okay, uh--

Commissioner Mourdock: Yeah, the variance, too. We need the second motion.

Lee McClellan: And we need approval on the variance and I will go ahead and get those documents prepared and sent to the board for approval so we can get them filed by the 6th of March.

Commissioner Mourdock: And I'll move approval that we apply for the variance for the parking as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Lee McClellan: Okay, thank you.

President Jerrel: Thank you.

Lee McClellan: Do you want this exhibit?

President Jerrel: If Steve doesn't need it out there it would be nice if people want to see what is going on.

Steve Craig: (Inaudible.)

President Jerrel: Okay, thank you.

Any group or individual wishing to address the Commission

President Jerrel: Okay, at this point on our agenda any individual or group that wishes to address the board.

Richard Helzerman: My name is Richard Helzerman. I was here a couple of weeks ago and Richard Mourdock asked me to meet with Brad Ellsworth and I met with him. I presented to him 42 points of ideas where it would impact the Sheriff's Office a way to improve or to eliminate the jail crowding. He was very...the first set of groups had to do with increasing public awareness and I asked him in particular to visit the jail once a day and talk with at least 16 people. I am asking you today, the Commissioners, all three of you to visit the jail once a week until the jail overcrowding is over so you can see it with your own eyes and I am asking you to talk to at least four people on that visit. Once a week I want you to go over there and see what they're living like, I want you to talk to them and what I would like you to do is look them in the eye and tell them you're sorry for the overcrowding and that you are working as hard as you can to eliminate the overcrowding. Now the second group of things had to do with the problem of bail. Now the number one problem, of course as I said before, is poor people. Poor money wise I am talking about that cannot afford bail and they are awaiting trial. In order to eliminate the emergency problem that you have you've got to have...find some way to address the bail problem. The bail is being set too high. And then there are long-term things that have to do with scheduling of the trial early and the rest of the points had to do with things that the policemen, the detectives, could do while they were gathering the evidence to be able to present it in such a way that it would make the public defenders' job easier that they could schedule their depositions quicker and get the scheduling. So there were those three broad categories of things that I talked about. He did institute a program of visiting the jail and it has been very popular as you probably know. Now, but today I want to talk to you about the bail problem. Now the Sheriff...I presented four or five ideas for reducing the bail or getting the people out that can't make their bail and the Sheriff enthusiastically endorsed all of them, but the one he liked the best is the one I am going to present to you tonight, okay. Now to begin with though I want to lay a foundation and the foundation has to do with the Constitution and the laws of Indiana. Now I have given you there the Indiana Constitution Article 15 says:

"Every person elected or appointed to any office under this Constitution shall before entering duties of take an oath or affirmation to support the Constitution of this state and the United States and also an oath of office."

Now you three took an oath that you are going to support the Constitution of Indiana and the Constitution. You did, the Sheriff did, the judges all have taken an oath and now I am going to point out to you things in the Constitution that relate to the bail problem. Okay, now, secondly the prosecutors and the defenders they are all lawyers. Now Indiana law says IC 33-21-1-3, Section 3:

"It shall be the duty of an attorney to support the Constitution and the laws of the United States and of the state."

So there should be no problem with you as the Commissioners or as the...yeah, Commissioners, as the Council members, with the judges, with the prosecuting attorneys or with the public defenders all of you have either taken an oath or are under obligation by virtue of your job to support the Constitution. Now here is what the Indiana Constitution says. Section 16:

"Excessive bail shall not be required."

Now that is a simple statement. It cannot be misunderstood. You cannot twist it all around into meaning something that it does not say. Excessive bail shall not be required.

Commissioner Tuley: I'm sorry, explain what does that mean? What is excessive?

Richard Helzerman: Excessive is what they can't pay.

Commissioner Tuley: So for some that would be a dollar. Anything more than a dollar would be excessive.

Richard Helzerman: Yes, it would be.

Commissioner Tuley: And that's what you're saying?

Richard Helzerman: Yes, that's what I am saying, right. Now a person like Robert Koch, II who in the paper the other day...he happens to be a friend of mine, I have worked with him closely. He has 285,000 shares of Citizens Bank stock. I looked at that and they are worth about \$66 a piece and in that one thing he has got millions of dollars. Now an excessive bail for him a million dollars would not be considered an excessive bail for him. For me, it would--

Commissioner Mourdock: Mr. Helzerman, excuse me.

Richard Helzerman: Yes.

Commissioner Mourdock: You understand this Commission doesn't set bond for anybody, correct?

Richard Helzerman: I understand that you don't, but you set the policies and the tone for the county.

Commissioner Mourdock: No.

President Jerrel: No, no we're not.

Commissioner Mourdock: Not in regards to setting bonds we do not. One of the Constitution as you have quoted and pointed out very well is it also establishes what is always referred to as the checks and balances and right now I have to say that I'm not real pleased with all the checks and balances that our founding fathers came up with. I

have to say they are very effective, but in the problem that we have with the bond situation, and I fully agree with you there is a situation there and I have spent much of last night looking through a listing that Deputy Williams gave me showing what people are sitting in jail, how long they have been there, what the bonds are and what the offenses are and I do not disagree with your basic premise that there are people sitting there who for whatever reason can't meet relatively even minor bond levels and yet they're still sitting there. I agree with you that is totally a problem. I can tell you if I could snap my fingers right now and change that problem I would do so. You started your remarks by saying that, you know, we need to be in there several times a week to look at the situation. I can tell you--

Richard Helzerman: Once a week.

Commissioner Mourdock: --I close my eyes at night and I see that situation because we are, I am particularly because of the Blue Ribbon Committee and I know Bettye Lou and Pat are because of their work in this Commission, trying to solve the problem. We're not trying to avoid the problem. We feel rather hog-tied right now in that the checks and balances keep us from doing what we would really like to do. You know, maybe much of your presentation regarding bail needs to be with the Circuit and Superior Court judges, I don't know. I'm not an attorney and I'm not going to argue points of law, but I will argue the frustration that I am feeling.

Richard Helzerman: Thank you very much. When I was here three weeks ago I asked for your authority to talk to the judges. You only gave me permission to talk to the Sheriff, so that's the only one I've talked to.

Commissioner Mourdock: Well, okay there was a misunderstanding. We don't grant authority to speak to anyone. It's a public system, please call them and talk to them.

Richard Helzerman: Okay.

Commissioner Mourdock: I mean, I encouraged you to speak to Brad, I will say that.

Richard Helzerman: Yes.

Commissioner Mourdock: And I know you did.

Richard Helzerman: But I have your implied consent to talk to the judges about this?

Commissioner Mourdock: Feel free.

President Jerrel: I mean, you know--

Richard Helzerman: I don't need it. You're saying that.

President Jerrel: No, you don't need it.

Commissioner Mourdock: Yeah, you don't need it.

President Jerrel: This is a list of 51 people. The jail would not be overcrowded if these 51 people who have been in there from 163 days to 482 days had their day in court and they either would be sentenced or they would be found innocent and if they are sentenced it's the State of Indiana's responsibility to incarcerate them.

Richard Helzerman: Right.

Commissioner Mourdock: And conceivably there may be some here on this list, although this list doesn't specify it there may be some here that are bonding questions. Can they afford bond?

President Jerrel: Of course there are, but we had months of discussion on the jail committee. I'm not on it, but I went and listened and we had months and the judges say emphatically that is their call and they say by statute it is their call. They went through...well, Richard can tell you. We hired two bond fine clerks to do evaluations of each person to see if they would...the purpose of bonding is to make sure a person is going to be there when their trial comes up and these individuals we hired and they evaluated hundreds of people and I think they released four on their own recognizance and that's the judges' sole decision. That is why a lot of this is so frustrating and I know you are feeling that, but it isn't the Sheriff's responsibility and it isn't ours.

Commissioner Mourdock: And one other thing with that, one thing we did was spend a bunch of money to go out and get electronic house arrest, the house bracelets, if you will, so that people who perhaps couldn't afford bond rather than putting them in jail and having the crowded conditions that you're justifiably concerned about could be sent home.

President Jerrel: And we had them.

Commissioner Mourdock: And we haven't even used all those bracelets and yet you're right, we have people in there with very low bond limits by and large who are still in jail.

President Jerrel: But the judge has to say you can wear that bracelet.

Richard Helzerman: Yes, I understand. Thank you. Now, but what I am saying is that judge has taken an oath that he will not charge excessive bail. Now Section 17 says:

"Offenses other than murder and treason shall be bailable by sufficient sureties. Murder and treason shall not be bailable when the proof is evident and assumption strong."

There are only four people in the jail charged with murder and three of them have been given bail. There is only one person there that is under murder that under the constitution should not be given bail.

Commissioner Mourdock: Are you...I'm not sure I am following you. Are you suggesting that anyone...that the only people who should not be given bail are those who are accused of murder or treason? Is that--

Richard Helzerman: That's not what I am saying. I'm saying that's what the Constitution says.

President Jerrel: Right.

Richard Helzerman: I'm saying the Constitution says they should be given a reasonable bail.

Commissioner Mourdock: Okay, without bail. I'm sorry, I misunderstood.

Richard Helzerman: Okay, now the problem is bail. They can't meet their bail before the trial. That is the problem.

President Jerrel: Uh-huh.

Richard Helzerman: I suggested four or five ways to solve that problem to the Sheriff and he endorses all of them. I am only presenting to you his favorite one because I know you are busy and I don't want to take a lot of your time. I'll take as much time as you give me though. If you want to stay here to midnight I'll talk about it and share these ideas. I'm only going to share with you his favorite one, okay. Now I need to lay this foundation to understand it. The only reason for bail is to get them back.

Commissioner Mourdock: What's his favorite?

Richard Helzerman: What?

Commissioner Mourdock: What is his favorite?

Richard Helzerman: His favorite, that's what I am getting to okay. Now the penal code shall be founded on the principles of reformation and not of vindictive justice. Now the reason those bails are so high is because the judge is offended because of the nature of the thing that they're charged with and he is mad at them and he wants to give them a big bail so he is sure they stay in jail instead of out free. It is...and that is based on vindictiveness not based on reformation. Okay, the US Constitution says you should have a speedy trial. Furthermore, here is Justice Robert H. Jackson, Chief Counsel for the United States before the Tribunal 21 November, 1945. This the Nuremberg Trials. Now I believe that the conditions of the jail are so bad that it constitutes a violation of individual human rights and that it is unconscionable to put a single person under those conditions. There are universal declarations of human rights and all kinds of things besides the threat of the federal judges that you need to be concerned about. What he said, despite the fact that public opinion already condemns their acts which is what we have, all the people out there are mad at the drug dealers and they want them in jail, we must agree that they must be given a presumption of innocence. Until they are found guilty we are supposed to consider that they are innocent. Now, and then the individuals responsible for crimes carried out under superior orders which means the jailers are under....if they carry out something...put someone into an inhumane condition under international law since 1945 they are liable to have some kind of human rights violation all the way up the chain which you are the top of the chain.

Commissioner Mourdock: That's not necessarily true, by the way. If we were at the top of the chain--

Richard Helzerman: Well, you're not at the top of the chain, but you are high up in the chain.

President Jerrel: Not--

Commissioner Mourdock: We have an element of responsibility which we are trying the meet.

Richard Helzerman: Yes.

Commissioner Mourdock: Very hard.

Richard Helzerman: Right. Okay, here--

Commissioner Mourdock: Let me hear his favorite.

Richard Helzerman: Okay, here is his favorite one. I have written it...if you adopt tonight this thing I believe we can get the jail crowding out of the way by the end of next week and when you meet next week you won't have the problem to deal with. The Commissioners of Vanderburgh County strongly recommend to the judges, now you can't force them, but we can all recommend it so that it isn't one judge sticking out on the limb and getting chopped off. If they all do it together and you promise that you'll support them in this effort when the heat comes, that's what I am asking for you to do. To support this idea and recommend it to the judges, to the prosecutors, the public defenders and other lawyers representing inmates in the county jail that they take whatever steps are necessary to file, consider and approve motions to release any prisoner who could be released if he could raise sufficient bail, in other words he is too poor to raise the bail, on the condition that if he does not appear at his next regularly scheduled court hearing that a guilty plea will be entered for him and he may be sentenced according to the minimum terms of the statute. Now that's all you have to do. If the guy...you let him go and if he doesn't show up he has already signed a guilty plea and he can be sentenced and you never have to worry about him. In five days the state picks him up and takes him off in--

President Jerrel: They don't do that in five days.

Commissioner Tuley: Where is this person going to be at?

Richard Helzerman: What?

Commissioner Tuley: Where are they going to be at and how are we going to find them and who has got time to chase them down?

President Jerrel: Well, here is what I want to share with you if you don't mind looking at it here, this is my copy, but I want you to look at how many people--

Richard Helzerman: I have it.

President Jerrel: --have been there. You have a copy?

Richard Helzerman: I have a copy of that.

President Jerrel: For failure to appear.

Richard Helzerman: Right.

President Jerrel: So that's the judges' arguments that they already have failed to appear two or three times and therefore they're going to have some kind of bond and if they can't...you know, it is sad that people that have money can bond out on a \$500 bond and someone who is poor cannot bond out, but the failure to appear is an issue outside of the bonding issue because these people that are listed here, and there are numerous, have already had a chance to be out and then have expected to return and they failed to appear.

Commissioner Mourdock: Some of them as many as four or five times.

President Jerrel: That's true.

Commissioner Mourdock: At least in the list that I was looking at last night.

President Jerrel: That's the issue. They have already had an opportunity and they failed it.

Richard Helzerman: Well, there are more than enough people to eliminate the overcrowding. If the judge has set a bail on it--

President Jerrel: Uh-huh.

Richard Helzerman: Okay, I am only asking that you offer this to people who could get out on bail if they had enough money. They are only there because they are poor. Now I hate to say this, but I'll repeat it again. Ray Hamner is not in jail. Do you know Ray Hamner? Do you know how much money he stole or has admitted to stealing? I don't think if you added up everyone that is in here on burglary that it would add up to \$60,000. Let me give you some examples. Stephen Hale, theft, \$50 to \$199. Bail is set at \$40,000.

Commissioner Mourdock: Well, there was one in the list that I saw last night--

Richard Helzerman: Michael Jones, shoplifting, \$50 to \$199. Bail set at \$500.

Commissioner Mourdock: Yeah--

Richard Helzerman: He's been 295 days in jail.

Commissioner Mourdock: That's the one I was just going to mention.

Richard Helzerman: Yeah.

Commissioner Mourdock: The number of days in jail is relatively small compared to the value of the shoplifting. However, going back to my main point what the three of us may

think about bail has absolutely no merit on this situation whatsoever. At the Blue Ribbon Committee when this issue came up the way we were going to "solve that problem" was to have the purchase of these electronic bracelets so we could use more house arrest and we were going to hire the two bail bond specialists who were going to interview people. After interviewing the hundreds, as Bettye Lou said, there were still only four put out. I don't disagree fully with most of the points of your argument, but I am telling you you're speaking to the wrong group here because if we could solve the problem we would have solved it a long time ago recognizing this is one of the main legs of the problem. That is where the checks and balances are working amazingly well.

Richard Helzerman: Well, all I am asking is that you support this idea that if they will agree that if they don't show up at the next time they'll just--

Commissioner Mourdock: Just as you do not need to ask us for permission to go see the judges or the Sheriff, and we encourage you to do that but you don't need our permission to do it, that same idea is one that if we were to pass it as a unanimous motion or if we just totally ignore it it has the same weight on the judges. I'll ask the County Attorney if he wants to comment even on any part of what was suggested there as far as cutting the deal with the folks if they don't reappear they are admitting guilt. It seems to me that has a lot of civil--

Joe Harrison, Jr.: Yeah.

Commissioner Mourdock: Civil rights or civil liberties issues involved with it.

Richard Helzerman: But the...well...

President Jerrel: The people that are going to do all of this, and your thought process is excellent. I mean, don't think that committee didn't struggle with this, the lay people on that committee, it's just that no matter how reasonable it sounds we cannot force anyone--

Commissioner Mourdock: I'll give you one more example. After about the second or third meeting Judge, at that time, Rick Young, Doug Knight and Stan Levco, at the request of the Blue Ribbon Committee, sat down to go over everybody in jail to see how many that were in there that might otherwise be granted a lower bond or could otherwise be seen as a low flight risk, in other words they are going to be there when their court case comes up, and we asked them to go in and look at that once a week. They did it one time and came back and said, well, we went through the whole thing and again by coincidence there were four so they got those four out and they said for the time that was spent it wasn't worth the time and they haven't done it since.

Richard Helzerman: Well, this is why I am asking you to make a recommendation, to put on file that you would support this plan. Now things have to come from the top down. No one is going to...no individual judge is going to take a chance and let somebody out without sufficient bail all by himself, but if they all...if you from the top say that you approve this, the Sheriff, Brad Ellsworth, approves this, and you approve it and the Sheriff is the one that is going to have to go and find them and he found them this one time because they are sitting there in jail after failure to appear and it is a lot easier to find people now than it was back in the 1860s when this Constitution was written. There if you went a couple of counties over you were free and nobody would get you, but

today if they get a job, if they charge something on their credit card you have them. So the idea that they fail to appear to get them up I don't think that's really--

Commissioner Mourdock: I will do this for you, Mr. Helzerman. The jail committee meets again on Wednesday night. I will present to them that idea as, you know, one member of this board. Whether or not this group wants to act officially, it's--

Commissioner Tuley: The problem I have, and this is why I was asking...turn it back on. The problem I have and I asked Joe, we're quoting the Constitution and somewhere in that Constitution it says you have the right to a trial by a jury of your peers. If they don't appear and are automatically guilty how does that fly?

Commissioner Mourdock: It's a civil liberty.

Richard Helzerman: May I address that?

Commissioner Tuley: Yeah, you may and I'm not...don't misunderstand. This is not a personal attack on you in any way.

Richard Helzerman: Yes.

Commissioner Tuley: What I am trying...what I think I see here is a great thought process in trying to help us with a major problem, but I think it's much larger than this group, this board here, is going to be able to solve.

Commissioner Mourdock: Maybe a better way--

Commissioner Tuley: It's oversimplified is what I am trying to carefully say.

Commissioner Mourdock: Maybe the better way to do it is to have a county ordinance where if someone fails to appear it's a ten year mandatory sentence.

Richard Helzerman: Oh, no, no, no, no, no, no, no, no, no. Excuse me, you are not giving them their civil rights now. Okay, they have a right to a speedy trial.

Commissioner Mourdock: Wait a minute. How is what I just said different than what you said? You said if you failed to appear you are in effect pleading guilty, correct?

Richard Helzerman: They would...in open court, okay, I have the statutes here. What I am proposing is perfectly legal under Indiana law or I wouldn't be supporting it. Under Indiana law in open court a person can sign something like that or their attorney can file it for them. Now in open court in front of the judge they're going to sign, yes, I'm going to come back for my next hearing and if I don't come back for that hearing you may find me guilty and sentence me according to the minimum time. It would not be something somebody is beaten with a rubber hose to get them to agree to which--

Commissioner Mourdock: Who implied that?

Richard Helzerman: It would be something they freely do. Now for you to turn down supporting this argument, supporting this proposal, because it might violate their

constitutional rights you are not giving them their constitutional rights. They have a right to a speedy trial and you are failing it. Why won't you try what I say?

President Jerrel: Well, I would like to try the speedy trial on these 51 people. That would eliminate the jail problem and they should be gone.

Richard Helzerman: Yes.

President Jerrel: They do not belong in our jail--

Richard Helzerman: They do not.

President Jerrel: --if they have spent already from 163 to 482 days. They belong somewhere else. Either if they are guilty--

Commissioner Mourdock: That's right.

President Jerrel: --they need to go wherever the state chooses to send them or the federal government chooses.

Commissioner Mourdock: And if they are innocent they ought to be home.

President Jerrel: Yeah, but they're the ones that need to be handled. People that...this is entirely too long. That's the reason we are asking and the Sheriff...and Eric Williams is here tonight. Eric is the one that developed the printout and it is interesting. Go get the docket sheets and look at the continuances. Look at the reasons. All I did was extrapolate the top 51. That's where we need to eliminate and then work on the other issues that are before us, but this would eliminate the conditions for right now.

Richard Helzerman: Yes, now yeah, and I have proposals to answer those other things too. I'm just throwing--

President Jerrel: Well, Wednesday night you might want to come and listen.

Richard Helzerman: Can I meet with them?

President Jerrel: Anyone is welcome. We don't generally take testimony from people. I have never spoken at the meeting. I just go and listen, but the board members--

Commissioner Mourdock: It's a public meeting, but it's not a public hearing.

President Jerrel: Right, it's a...but you would get an opportunity to hear. The judges would be there. The prosecutor will be there. Some defense attorneys will be there.

Richard Helzerman: Well, I appreciate your listening to me.

President Jerrel: Well, and we--

Richard Helzerman: Thank you very much.

President Jerrel: Does Tony have your phone number? Why don't you give it to him so we can call you so we can give you information so you know when we're doing...thank you.

Richard Helzerman: You're welcome.

President Jerrel: Alright, moving along.

Roger Madden: Roger Madden, BS in law enforcement, Air Force Security Police, etc., etc. Sixth and seventh amendment, speedy trial, right to confront your witnesses. You said it wasn't cost effective to do the evaluation of who should be released and who shouldn't.

Commissioner Mourdock: No, I didn't say it that way.

Roger Madden: They said it.

Joe Harrison, Jr.: The judges.

Commissioner Mourdock: Thank you.

Roger Madden: They said it, okay. What does it cost to house a prisoner per month?

Eric Williams: The '98 figures are \$26.50 a day approximately.

Roger Madden: So \$900 a month.

Commissioner Mourdock: It's \$26.50 per day.

Eric Williams: Not counting rent, insurance, utilities and all the others.

Roger Madden: So you're looking at \$900.

Commissioner Mourdock: Not counting rent?

Eric Williams: Not counting rent, utilities, insurance. That is strictly salaries, medical, food.

Commissioner Mourdock: Okay.

Roger Madden: So you would round it off to \$1,000 a prisoner per month times four is \$4,000. How long did it take to check X number of names?

President Jerrel: Oh, I don't know.

Roger Madden: X number of people.

President Jerrel: But the point on that is we truly thought that would work and they--

Roger Madden: What if they would do it as they came in? You're going to have catch-up, but if you do it as you come in--

President Jerrel: Well, but again, it isn't...those are just employees that check this, this and this and the judges have the right and that is their right. We can not change it and they chose--

Roger Madden: Well, but what I am saying is that is \$4,000 for four people.

President Jerrel: We know it is. We know it.

Roger Madden: That's taxpayer dollars.

President Jerrel: You better believe it.

Roger Madden: And since the judges, Levco or whoever, the people are already getting paid to do their job, you know, it's like unless they are doing ten hour days or something like that that should be considered part of their job--

President Jerrel: It's a very--

Roger Madden: --to relieve the jail overcrowding.

President Jerrel: Well, it's very costly.

Commissioner Mourdock: Want to make that in the form of a motion? We'll agree with that one. We all agree there. That's good.

President Jerrel: You're going...you are plowing the same ground we have been plowing and we couldn't agree with you more.

Roger Madden: I've been plowing for 19 years.

President Jerrel: And I don't mind you saying it because it needs to be said.

Roger Madden: Okay, another thing is you're talking about how many days? It was 180 to 400 and...?

President Jerrel: Four hundred and eighty. I just took 163 up to 482 and there were 51 people.

Roger Madden: Okay, could they do like he brought up? If there was...okay.

Richard Helzerman: This guy is 250 days on shoplifting.

Roger Madden: Okay, the...wouldn't essentially somebody signing a plea or a promise to appear wouldn't that essentially be like a plea bargain, plea agreement?

President Jerrel: Uh-huh.

Joe Harrison, Jr.: The things you are talking about really have nothing to do with this body. I mean, they types of things you are talking about are between the judge, the prosecutor--

Roger Madden: That's what I am saying for you all to pass on.

Joe Harrison, Jr.: --the defense and the defendant. Well, I don't know if we'll pass it on, but the types of things you're talking about are things that have to be considered by those four groups.

Roger Madden: Okay.

Joe Harrison, Jr.: The defendant, prosecutor, defense counsel and the judge. Those are the ones that are involved in those situations that you and the other gentleman were talking about.

Roger Madden: Well, when you...some of the dollar values you were talking about for bail, etc., they might ought to want to look at how many days somebody would serve even maximum sentence and if they have already been in jail that long consider time served.

Commissioner Mourdock: That's exact...in fact, Roger, that is part of the problem. That's exactly what is happening.

Roger Madden: I mean, when they come up to that number of days they ought to take them right into the judge and say this person was innocent and they have already served as if they were guilty spring them loose and quit wasting taxpayer's money.

Commissioner Mourdock: And see that is part of the problem because we certainly have reason to believe there are some attorneys who defend these folks who know that if there was a trial held today that person may be going off to state prison for three years somewhere far from their home. As long as they are sitting in jail now once a day or once every couple of days their friends and family can come visit them.

Roger Madden: Yeah.

Commissioner Mourdock: The longer they delay having that trial once they are put on trial and assume this person is found guilty what is the first thing they do? What you just said, well we'll count that as time served. So in fact there are attorneys using our jail to hold their people just to make it more convenient.

Roger Madden: Yeah.

Commissioner Mourdock: Again, we recognize that and we would love to change it. We would love to control it, but that is where the checks and balances works.

Roger Madden: But wouldn't that be something the judge could do? This person has been there. You know, his job is judging. He is the one that makes the different decisions.

Commissioner Mourdock: You're asking the same question that has been asked at the Blue Ribbon Committee many times. Why isn't that happening? That's a great question. I don't have the answer.

Roger Madden: The Blue Ribbon Committee said...? What was their answer?

Commissioner Mourdock: Well, it isn't the committee, it's the individual judges.

Roger Madden: Okay, and what was their answer?

Commissioner Mourdock: Well, their answering...the first typical answer is there is a constitutional right to a fair trial. If we tell that guy he has got to go to trial in ten days that's not necessarily being fair.

Roger Madden: Isn't a speedy trial law 60 days? Isn't that what they called up at Boonville for that drug related murder?

Joe Harrison, Jr.: Well, you have to ask for it. You have to ask for a speedy trial.

Commissioner Tuley: It's not automatic.

Commissioner Mourdock: But again that same defense attorney I was talking about isn't about to ask for it because he wants his person to spend time here.

Roger Madden: Yeah.

President Jerrel: You know what you--

Commissioner Mourdock: This is crazy. The whole situation is nuts.

Roger Madden: A Catch-22.

Commissioner Mourdock: There you go.

President Jerrel: What you're bringing up does tell us something. I'm here every day and you would be surprised how many people are beginning to understand this in the community. It was very difficult to talk about it, but now people are beginning to understand it. I had a Councilman call me today and say he was interviewed by a student at USI and she was explaining to him what the problems were. They get it. They are beginning to understand and that is all we can hope for. We have got to make this known.

Roger Madden: They probably couldn't pay their tuition, too many taxes.

President Jerrel: Yeah. That's true. But you're right on target. It's just...but again, people are beginning to understand it, so hopefully when decisions are made they are decisions that everybody can buy into because they are the right thing to do.

Commissioner Mourdock: I'm speaking personally here now, please don't take some of my questions and my attitude here as being too offensive, but you are hitting at the nerve of what my frustration has developed into after doing this for two years.

Roger Madden: Like I said, I've been fighting that tide for 20.

Commissioner Mourdock: Let me also make the point that two and a half years ago when we started the jail wasn't in nearly the condition it is in now. The Building Authority did work with the Sheriff and anyone who goes through that jail today the typical...and as you know the Sheriff is doing his weekly tours on Mondays. Most people come out of there thinking as far as the cleanliness, well, this isn't nearly what I thought it was going to be. They expected to see roaches running around with saddles on them and it's a very clean facility. It's a very neat facility. It's just the overcrowding.

Roger Madden: Just the occupancy rate, yeah. That's the only suggestions or questions I had.

President Jerrel: Well, thank you for your comments.

John Stoll - County Engineer

President Jerrel: Okay, we're moving to County Engineer.

Commissioner Mourdock: How you doing on tape? How you doing on tape?

President Jerrel: Thank you.

John Stoll: First I've got an agreement with Earth Exploration for the Fulton Avenue Bridge project. This is for the soil evaluation out on the north pier on that project trying to figure out what the problem is with the embankment and see what the solution would be. It's for an amount not to exceed \$33,000.

Commissioner Mourdock: Just when I thought my frustration had passed!

President Jerrel: It's always good for you.

Commissioner Mourdock: John and I have swapped some e-mail on this and you know my feeling very intently as does the County Attorney. Let's just make sure we have a nice clean paper trail on this expenditure because somebody is going to pay this \$33,000 ultimately other than Vanderburgh County, but we have to do this as a first step to find out what went wrong and saying it differently who may be culpable. So I would move approval of the request.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: In conjunction with that this soil analysis will just present the recommendation, so we will have another bill after this for the actual design of the repairs.

Commissioner Mourdock: I understand.

John Stoll: So that will be another thing Joe can add to the list whenever we find out who is responsible. Also in with that I've got two letters from INDOT. One from the INDOT Commissioner's Office and one from their Soil Department. Both saying the proposed method that we're taking in evaluating the problem is acceptable and I wanted to get their concurrence with it before we signed the agreement because ultimately they need to be onboard with whatever direction we go in so that way we can at least get 50 percent federal funding for the construction of the permanent fix to the problem. So that is in with those agreements as well. The second item I've got I would like to request approval to purchase a parcel of right-of-way for phase four of the Burkhardt project from Burkhardt II, Incorporated for the amount of \$2,921.31. This price was determined by the per square foot price that was determined by the appraisers on phase three of the project. We had to condemn a portion of this Burkhardt II property which is located at Interchange Road North and Burkhardt Road. That had to be condemned for phase three. We took that per square foot price for phase four and came up with this amount and Joe and I have been talking with the property owner and they are willing to accept this amount, so I just need an authorization to be able to put the claim forms together and get the final purchase taken care of.

Commissioner Mourdock: How many square feet are we buying with this?

John Stoll: It's extremely small. I don't remember the exact square footage, but it is just enough to do a radius improvement at the southeast corner of that intersection.

Joe Harrison, Jr.: And some temporary.

John Stoll: Right, and some temporary right-of-way.

Commissioner Mourdock: Oh, okay, both are in that same amount?

Joe Harrison, Jr.: Uh-huh.

John Stoll: Yes.

Commissioner Mourdock: Okay, I'll move approval of the request.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next I want to let you know that it looks like right now that the Sewer Department will be accepting the Daylight Sewer a week from tomorrow.

President Jerrel: Good.

Commissioner Mourdock: That will be alright.

John Stoll: As far as I know everything was done on the punch list, so it looks like that will be the acceptance date. Also, on the Lynch and 164 project Bernardin Lochmueller submitted the plans to INDOT last week so they'll make some comments on it, send it back to Bernardin for final changes and we should be on target for a summer letting.

President Jerrel: Very good.

Commissioner Mourdock: Great.

John Stoll: That's all I've got.

President Jerrel: Thank you. County Highway is not here this evening.

Roger Madden: Can we get the price on that?

President Jerrel: On what?

Roger Madden: On that land purchase.

President Jerrel: \$2,921.31.

Roger Madden: How many square feet was that? You didn't have it?

John Stoll: No.

President Jerrel: County Highway Department--

Commissioner Mourdock: Wait a minute. If you would check, John, and let me know. I mean, it certainly is public information, Roger.

President Jerrel: Sure.

Commissioner Mourdock: I don't mean to imply it isn't.

Joe Harrison, Jr. - County Attorney

President Jerrel: Okay, County Attorney.

Joe Harrison, Jr.: The only thing I have this evening I have the union contracts or contract for execution regarding the bargaining unit which includes The Center, the County Highway Garage and Burdette Park. I have an original, I think, and four copies for execution by the Commissioners and it was signed by Chuck Whobrey today on behalf of the union. It's a three contract and it will run through December 31, 2002. It took effect January 1st of this year. I would ask for a motion, I guess, to approve and to execute the same.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Tony Greubel - Superintendent of County Buildings

President Jerrel: Superintendent of County Buildings.

Tony Greubel: We have had a good response for our cable complaint form.

President Jerrel: I bet we have.

Tony Greubel: Not for me personally, but for the consumer. The cable company even...one of the cable companies even called me up on Friday to see how the complaints were going and they acted like they were eager to get them and get these issues settled.

President Jerrel: Good. Do you...you have on here...did you put the claims in the folder?

Tony Greubel: Yeah, I submitted Ogden claims for payment in the signature file.

Steve Craig - Burdette Park

President Jerrel: Burdette Park.

Steve Craig: I didn't have anything outside of the discussion on the O'Day Discovery Lodge, but if you guys had any questions. I didn't stand up and talk with Lee, but if there was anything that you was wanting to know that I could answer I could do it now, but other than that I didn't have anything.

Commissioner Mourdock: I'll pass.

Joe Harrison, Jr.: On the restroom, did you get all that taken care of with the contract?

Steve Craig: Yes, sir.

Joe Harrison, Jr.: To go out.

Steve Craig: Yes, sir.

Joe Harrison, Jr.: Okay.

President Jerrel: I'm kind of excited, aren't you?

Steve Craig: Yeah, I'm ready. They even colored it for us.

President Jerrel: I know it. We've been talking about it for so long it is kind of nice to see something that you can look at.

Steve Craig: Yes, it is.

President Jerrel: Thank you.

Steve Craig: Thank you.

Weekly reports

President Jerrel: Soil & Water has submitted theirs and--

Commissioner Mourdock: John, has something else.

President Jerrel: Oh, okay.

John Stoll: I did have those square footages on that parcel with me. It was 261 square feet of permanent right-of-way and 653 square feet of temporary right-of-way.

President Jerrel: Okay.

Roger Madden: For a total of nine and some change?

President Jerrel: Uh-huh. Is there a motion to accept the reports?

Commissioner Mourdock: I'll move we accept the reports of the department heads as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent items - Click [here](#) to view the consent items

President Jerrel: And are there any questions about any of the consent items?

Commissioner Mourdock: I'll move approval of the consent items as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jail/criminal justice system updates

President Jerrel: The next item is the jail/criminal justice system update.

Commissioner Mourdock: Much of that we have spoken of earlier this evening, but on Wednesday we will be having the Blue Ribbon Committee convene again. We have received a draft agreement from a company in Indianapolis to take a look at the overall, key word, overall judicial system to look at it from somewhat of an independent expert point of view. They have done this type of work elsewhere and one of the keys things...at least I believe one of the key things to it and what will certainly be discussed on Wednesday is something they have included which is commitment letters from all the people involved with the system to number one, provide information that is requested. Number two, provide it in a timely manner within 30 days. Number three, to commit to making reasonable changes to the processes as recommended or if they feel they can't make them to let all the other members of the body know why. And last but not least, to make the same types of changes within their systems and in the same spirit as all the other people who are involved with it make changes. So I would fully predict there will be some members of the Blue Ribbon Committee who might see part of this as reinventing the wheel. I don't think it is that. I think having this independent look is what was clearly the intent the last time we met when we formed a subcommittee to bring this group together to bring the consultant to the table.

Commissioner Tuley: You've worked with several people that are going to be key by virtue of their position on the Blue Ribbon Committee you have worked with them. I know that you said the key will be to bring all the parties in agreement to accept and to act out on the recommendations. Is your gut reaction you think we can get that done?

Commissioner Mourdock: I think anybody that gets involved with politics at least initially is an optimist. I am hoping that people will do it. I mean, it's going to be easier to sign the letters, I think, and that's what it takes. There is a letter that every individual is going to sign saying that they are going to do the things I just mentioned. While that is certainly going to seem like some to be a lever to put them in an uncomfortable position to change processes I also think that when they recognize that everybody who is involved with the process may receive recommendations and that includes the three of us in this body.

Commissioner Tuley: Well, sure, sure.

Commissioner Mourdock: You can be sure if some recommended change is made to us and we don't act on it we're going to hear back from it.

Commissioner Tuley: Yeah.

Commissioner Mourdock: And that's the way it should be. It takes everybody to get this done, so I am going to be cautiously optimistic.

Commissioner Tuley: Okay. I think that's why I think it was important to bring an outsider in. You know, I know when the Blue Ribbon was first formed, you know, it was I think one of your first comments were we're going to leave our egos at the door. When we're grading ourselves I think sometimes that is hard to do, so I am hopeful that with an outsider who has no dog in this fight whatsoever will put some

recommendations on the table that we can get onboard with and I think, like you said, if it starts with us and we see some things that we need to do better then let us be the first one to put up our hand and say we'll do it.

Commissioner Mourdock: And I also said at that first meeting that we weren't going to do any finger-pointing and unfortunately I feel that has definitely changed over time and I will point the finger at myself here as well because of the frustration I expressed earlier tonight. What I am going to make the point on Wednesday is to say that there may be further finger-pointing, but if it comes from the consultant towards me on that committee or the three of us I am going to listen real attentively and if there isn't a good reason to go against their recommendation I am going to urge the two of you to go with it and that's before I know what any recommendation is.

Commissioner Tuley: Sure.

Commissioner Mourdock: Hopefully it will be part of the process. I know this, as I have said before, if I had to vote tonight to automatically build another 300 bed jail system I would vote against it because I am not at all convinced that we have done all that we can do.

Commissioner Tuley: Agreed.

President Jerrel: Just one thing for further information, the area of revisiting, you mentioned that you were afraid that some members might think you were revisiting the same issues, I can't really think of anything except the bonding and the evaluation of one moment in time and it was an October date a year ago and I still have them, docket sheets for each incarcerated person. Is there anything else that you did an in-depth look at?

Commissioner Mourdock: We've had the prosecutor at different times report to us with some statistics. We have the judges report to us with some statistics. When I said I think there may be some thought that we were reinventing the wheel that's what I meant. I think some of them may say well I have already looked up those data to which my response is going to be you may have looked them up for one point in time, but we're going to try to put together a whole time line here of data from each court, from the prosecutor, potentially from the County Council, from the Sheriff's Office, from this board.

President Jerrel: Okay.

Commissioner Mourdock: So.

Old business

President Jerrel: Alright, we do..is there any old business that needs to come before this board?

New business

President Jerrel: There is some new business. The Assessor would like to recommend Craig Nance to become a member of the Property Tax Assessment Board of Appeals.

Commissioner Tuley: The only question, and I assume she--

President Jerrel: About his--

Commissioner Tuley: Yeah, is he not...is he no longer with the Board of Tax Commissioners? I know he has got a good background because he used to be the Assessor within Pigeon Township. But I know at one time he left there and went to work for the State Board of Tax Commissioners.

President Jerrel: No, he is here. It was his wife that died.

Commissioner Tuley: I know who he is. I know quite well who he is, but I guess that is the reason for my question. If he is with the State Board of Tax Commissioners could he serve in this capacity or would that put him in a position of conflict?

President Jerrel: I don't believe he is.

Commissioner Tuley: I mean, I'm all for putting him on there because he is knowledgeable and he is level-headed and everything. I just...I would assume Cheryl would know that before she recommended him.

Joe Harrison, Jr.: I don't know exactly what he is doing right now, but I do know that Cheryl and I have had this discussion many times over the past year and a half or so regarding who is eligible and who is not eligible and she has looked at the Attorney General's opinion on this issue as well as a memo from me and I am assuming that she would have taken all that into consideration because she did talk to me several months ago and said they had a vacancy and she was looking for someone who could qualify, so I am just assuming that she has checked it out.

Commissioner Tuley: Yeah, that was my only question. He is very knowledgeable and I have no problem with him personally. I think he is well qualified. So I'll make the recommendation if you would so like that Craig Nance be appointed as requested by the County Assessor to the Property Tax Assessment Board of Appeals.

Commissioner Mourdock: I will second.

President Jerrel: I'll say so ordered. Is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 6:46 p.m.

CONSENT ITEMS:

Employment changes:

Sheriff's Dept. Burdette Park

County Clerk Health Dept.

Travel requests:

Health Dept. DADS

County Assessor County Engineer

County Clerk:

Submit monthly report

Permission to acquire surplus office equipment

County Auditor:

Submit accounts payable vouchers

Sheriff:

Permission to surplus and destroy obsolete surveillance equipment

Those in attendance:

Bettye Lou Jerrel

Richard E. Mourdock

Patrick Tuley

Joe Harrison, Jr.

Suzanne M. Crouch

Charlene Timmons

Tony Greubel

Lee McClellan

Matt Wallace

Steve Craig

Mike Wathen

Richard Helzerman

Roger Madden

John Stoll

Others unidentified

Members of the media

**Vanderburgh County
Board of Commissioners**

Betty Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and transcribed by Charlene Timmons.



**Vanderburgh County
Board of Commissioners
February 28, 2000**

The Vanderburgh County Board of Commissioners met in session this 28th day of February in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: At this time I would like to call the Vanderburgh County Commissioners' meeting to order and welcome all of you. At this time I would like to introduce to you the people before you. On my far right is Tony Greubel, who is the Superintendent of County Buildings; County Attorney, Joe Harrison, Jr., is next to him; Commissioner Pat Tuley; my far left, Charlene Timmons, is the Recording Secretary; next to her is the County Auditor, Suzanne Crouch; and my name is Bettye Lou Jerrel and I would like for you to join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: The first action item on the agenda is the approval of the minutes of the previous meeting.

Commissioner Tuley: I'm sitting here waiting on Richard and I don't think we're going to hear him from Bolivia.

President Jerrel: I'm sorry, I didn't mention that. Commissioner Mourdock is out of the city, out of the county, out of the state and out of the country tonight.

Commissioner Tuley: I'll move approval then at this time for the approval of the minutes from the February 14th meeting.

President Jerrel: I'll second and say so ordered.

Certification of Executive Session

President Jerrel: The next item on the agenda is the certification of the Executive Session.

Commissioner Tuley: I'll move approval of the certification of Executive Session which began at 5:15 and ended at approximately 5:35 which the only item of discussion was a personnel matter.

President Jerrel: And I'll second and say so ordered.

Open bids
VC00-01 - St. Joseph Avenue and Commercial Court intersection

President Jerrel: The first agenda item, opening the bids on VC00-01, St. Joe and Commercial Court intersection. Is there a motion to open the bids?

Commissioner Tuley: So moved.

President Jerrel: And I'll second. Tony, do you have the bids there?

Tony Greubel: Yes.

President Jerrel: And say so ordered. We'll go back to those later in the meeting.

Co-op Extension Service - Agreement with Purdue University

President Jerrel: Item D is the County Co-op Extension Office and there is an agreement in the folder concerning the acceptance of the agreement with Purdue University.

Commissioner Tuley: Joe, you reviewed it and there are not any changes to speak of really is there?

Joe Harrison, Jr.: No, it looks fine.

Commissioner Tuley: Exactly as it was. I'll move approval of the agreement between the Co-op Extension Office through Purdue University and Vanderburgh County.

President Jerrel: I'll second and say so ordered.

Capital Cable - Transfer control of cable franchise
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President Jerrel: Cable company...Capital Cable has an agreement in here that increases that county's percentage, is that correct, Tony? The consent and approval?

Tony Greubel: Well, really that is for transferring the ownership for the franchise agreement, but then they also told us that they would increase the franchise fee from three to five percent.

President Jerrel: There are two items. We do receive five percent on the others, so is there a motion regarding those?

Commissioner Tuley: Move approval—

Joe Harrison, Jr.: Is Mr. Townsend here?

President Jerrel: Yes.

Joe Harrison, Jr.: Why don't you come on up.

President Jerrel: Hi.

Unidentified: Hello. Actually, what they were wanting—

President Jerrel: Would you want to give us your name?

Mark Townsend: Okay, my name is Mark Townsend. I'm the chief tech over in Wadesville. What they were wanting to do was wait until Charter actually takes over to up the rate to five percent if that would be okay?

President Jerrel: Well, the first order of business is to transfer—

Commissioner Tuley: Is to transfer.

President Jerrel: Yeah, is to transfer that now.

Mark Townsend: Right.

Commissioner Tuley: And I'll move approval of the transfer.

President Jerrel: And I'll second and say so ordered. So you have now the franchising transfer in your hands.

Mark Townsend: Okay, thank you.

President Jerrel: Uh-huh, you're welcome.

Commissioner Tuley: Did he have a question? I thought he had a question about holding up on the five percent.

Joe Harrison, Jr.: One thing I wanted to ask him. Sir, when will Charter take over then?

Mark Townsend: It was supposed to be the 31st of April. They're now possibly going to be the 30th of March.

Joe Harrison, Jr.: Oh, it's going to be even sooner?

Mark Townsend: We still don't know yet.

Joe Harrison, Jr.: Okay, so it will be hopefully within a month or so?

Mark Townsend: Right.

Commissioner Tuley: And then the change in the percent will be effective with that change, is that what you asked for?

Mark Townsend: Yeah, that's what Capital—

Unidentified: We need to verify a couple of things there.

President Jerrel: Would you want to come up and give your name?

Unidentified: Yes.

President Jerrel: These are verbatim minutes and she needs to know who is speaking.

Barry Moore: My name is Barry Moore. I'm the area manager with Capital Cable for the Illinois, Indiana area. Normally when we increase the franchise that is normally done at the time of a franchise renewal. I think the franchise expires for Vanderburgh County in 2001.

President Jerrel: Uh-huh.

Barry Moore: It's 2004, isn't it?

Joe Harrison, Jr.: Yes, it is 2004.

Barry Moore: 2004, I believe. The renewal process is a 36 month process altogether different than a transfer. You guys will receive a letter of notification that we wish to renew the existing franchise. On normal operations that's when negotiations are done on increasing franchise amounts and that sort of thing. The corporate office tells us that they have no problem increasing the franchise amount up to five percent, but we do want to make it understood that the increase is passed through to the subscribers so basically if you go ahead and do that now most all the time when we renew a franchise there is an increase in the amount paid of the franchise fee. We just wanted you to understand we don't have a problem doing it now as Capital although it is a little abnormal to do it without the renewal of a franchise. That is usually part of the renewal process. We just wanted you to be aware that the increase would be passed through to the subscribers. They're the ones that will suffer...or not suffer, it will effect their bill.

President Jerrel: But you will have the franchise.

Joe Harrison, Jr.: They have the franchise right now.

President Jerrel: I know that. That's what I am saying. You will have the franchise.

Joe Harrison, Jr.: They have it right now.

Barry Moore: You just transferred to Charter. Charter Communications will have the franchise.

President Jerrel: Absolutely.

Barry Moore: The franchise is the very same as the one that we're operating under. Nothing has changed. The renewal process and all will have to come up.

President Jerrel: But the only side of it that we have spoken to is the fact that if we receive that from the other providers one provider should not be treated differently than the others.

Commissioner Tuley: Is that what they--

President Jerrel: Yes, that's what they...Insight and SIGECOM.

Joe Harrison, Jr.: They are being treated differently now.

Commissioner Tuley: That three percent--

Joe Harrison, Jr.: Whereas the other two are paying five percent.

Barry Moore: Right, but did you not just recently renew franchises with SIGECOM and Insight?

Joe Harrison, Jr.: No.

President Jerrel: Well, SIGECOM is a new one.

Joe Harrison, Jr.: SIGECOM is a new one.

Barry Moore: Right.

Joe Harrison, Jr.: And Insight was increased several years ago. It wasn't a renewal.

Barry Moore: It wasn't during the process? My experience has been that normally those sort of things are done as a franchise is renewed. Of course, back when this one was signed cable operators asked for 20 and 25 year agreements and any more we're down to an eight or ten year period that we ask for.

Joe Harrison, Jr.: That's right.

President Jerrel: Well, I don't...I'm not objecting to any amounts, I'm just saying that every franchise is going to be treated the same in Vanderburgh County.

Barry Moore: Yes, ma'am.

President Jerrel: That's my feeling.

Commissioner Tuley: I don't have a problem with that. I would like though when we are moving on to the next item that it be clear. Are we asking them to go ahead and do the five percent now or are we going to wait until two thousand—

Joe Harrison, Jr.: No, I think you may want to do it and I would have a motion to that effect if that is what you want to do.

Barry Moore: That will be fine.

Commissioner Tuley: Then I'll move at this time with the understanding you did say that would be passed on to the homeowners.

Barry Moore: Yes, (inaudible) has sent a letter out Friday saying that they would do that which they would rather have waited until Charter acquired the systems and then the renegotiation go on with Charter. They kind of hate to speak for Charter in this short-term that they've got before they close this deal here, but in this case they said they would.

President Jerrel: Well, all we have before us is the letter from the general manager saying—

Barry Moore: Yes, ma'am.

President Jerrel: —that's what you would do because that is what the others do.

Barry Moore: Right, right.

President Jerrel: Okay.

Commissioner Tuley: Then I'll move approval of the change from three percent to five percent as per the letter and the discussion you just had.

President Jerrel: And I'll second and say so ordered. Thank you.

Barry Moore: Okay, thank you.

DADS - Contracts for instruction services

President Jerrel: The next item on the agenda is approval of the contracts for instructional services for the DADS program. This is something that we typically renew every year and it is basically the same—

Joe Harrison, Jr.: That's correct.

President Jerrel: —service.

Joe Harrison, Jr.: That's correct.

Commissioner Tuley: Yeah, I was going to say the amount per session and the studies and all look the same as it was the previous years, so I'll move acceptance and approval at this time.

President Jerrel: I'll second and say so ordered.

ARAMARK - Management Operation Agreement

President Jerrel: The next item on the agenda is ARAMARK and it's the approval of the second amendment to the Management Operation Agreement.

Joe Harrison, Jr.: I believe the Sheriff is here. He may want to speak to this. This is an agreement with the food service provider for the jail. Previously I think they were known as Szabo and now they're known as ARAMARK. They are willing to continue providing food service for the jail, is that correct, Sheriff, and also add the SAFE House and reduce the price that the county is now paying for the jail meals and that same price would also be at the SAFE House?

Brad Ellsworth: Brad Ellsworth, Sheriff, and that is correct. They are going to reduce it to \$1.12 for both the jail and the SAFE House.

Joe Harrison, Jr.: And also a part of this the employees, the two employees that are cooks at the SAFE House, will continue in that capacity and be under the management...well, they're still under the direction and control of the Sheriff, but they will work in connection with ARAMARK for the food service duties.

Brad Ellsworth: That's correct.

Joe Harrison, Jr.: And I think they have trustees, I think, up in the jail that help with that currently.

Brad Ellsworth: That is correct and they are also going to rely on a like amount of inmate help over at the SAFE House which drives the cost down obviously.

Commissioner Tuley: Okay. I'll move approval for the second amendment to the management operation agreement between ARAMARK Corrections Services and Vanderburgh County.

President Jerrel: I'll second and say so ordered.

Brad Ellsworth: Thank you.

President Jerrel: Uh-huh.

DMD - Contract for environmental services for SEMA flood mitigation
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Commissioner Tuley: Did we forget SEMA?

President Jerrel: Huh?

Commissioner Tuley: SEMA? SEMA flood mitigation.

Joe Harrison, Jr.: I've got an original.

Commissioner Tuley: That was on the agenda above this one. I don't know, we just missed it.

President Jerrel: Oh, yeah I did. The next item is the award of the contract for environmental services for SEMA flood mitigation.

Joe Coleman: Good evening. Joe Coleman, Department of Metropolitan Development. We sent out a request for proposals for this service which is to do the environmental survey and write up the specifications for the abatement contractor. We received three responses: Hinderliter Services at \$3,300; Environmental Management Consultants at \$3,700 even; and Environmental Consulting and Engineering Company at \$4,690. At this time I would like to recommend to you that we accept the low bidder, Hinderliter Environmental Services.

President Jerrel: Are there any questions?

Commissioner Tuley: No. You had a chance to look at it too, Joe?

Joe Harrison, Jr.: I had a chance to review the submittal that he submitted and they were the low bidder and you got three quotes, so it's fine.

Commissioner Tuley: Okay, then I'll move approval at this time with a contract for \$3,300 with Hinderliter Environmental Services as outlined.

President Jerrel: I'll second and say so ordered.

Joe Coleman: Thank you.

PMSI - Vanderburgh County justice system proposal
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President Jerrel: The next item on the agenda is the justice system proposal and agreement. Brad, would you want to come up to the mike because in a way you and Pat were involved with this. I did attend the jail meeting and I just had one point to make and it wasn't made the other night at your meeting, but you might want to relay some of those that Richard made when you all were talking about negotiating this. The only comment that I would make about this study of the system and it's an

interesting review of the entire system, both the jail, the court system, the Prosecutor's Office, the role of arrests to final disposition. The one thing about this particular proposal that I want to congratulate those of you that were the ones to select them, it's a company that does not build anything. So they're not making any money for themselves and they're not...you know, it's not going to be to their advantage to pick a size or not pick a size. They are not architects. They're going to evaluate the system and I think it will be done in a way that will benefit everybody because this is not something that any one person or organization is solely responsible for, it's all of us.

Brad Ellsworth: I agree and that is one thing if we learned one thing in some of the seminars we attended they said beware of the architect or the consultant that is the front man for the architect. Nothing against our friends that are architects, but we're not at that point yet. We need to analyze and adjust our system for future needs before we lay a brick on the ground. So we're really confident. I know that Commissioner Tuley, Mourdock and I and Councilman Raben had a rather lengthy meeting with this individual. I think we're all pretty comfortable with him and his method of coming in and helping us with this. I echo what you say is this is an entire system and everything I've read, and I've gotten new documents every day, talk about the entire system working together. You know, the judiciary, the Prosecutor's Office, to solve...you know, to keep it from happening in the future two years down the road and five years down the road regardless of what we do that we have to do that first, so this is that step.

Commissioner Tuley: The only thing I want to add to it is I did not actually get to attend the actual meeting with the individuals due to a prior commitment, but I have met with Brad, I've met with Richard and I have met with Jim Raben. Brad, and Jim, and I, and Chief Williams, all attended that conference, as you know, back last November in Colorado. They were equally impressed with these folks as anybody that we dealt with out there or met with. As you guys have both pointed out the important thing is they are not going to sell us on building us a new jail. They don't want anything to do with that part of it. They want to just come in and analyze us and they recognize and we recognize by virtue of having gone to Colorado that this is a system wide problem. No one group or individual caused the problem. No one group or individual is going to solve it and I think this is a step in the right direction to get us to meet and solve the problem that we have and I would recommend approval at this time.

Brad Ellsworth: I think just another point is the fact that they are from Indiana and are familiar with Indiana laws and the Indiana court system that it is going to be a big benefit that they are somewhat local because there are differences from state line to state line of what they can actually do and ways they can improve, so I think it's going to be an added benefit.

President Jerrel: I will second that motion and say so ordered, but I do know there are some people probably in the audience that would like to see a copy or have a copy and if Charlene could pass among you we can get some copies made and see to it that you're welcome to have a copy. Yes, you know. I'm sure everybody in here isn't interested in a copy, but there will be some people that would like to have one so if you would just...you want to raise your hand if you want a copy and we can kind of get...about ten or 12. Thank you. Thank you very much.

Brad Ellsworth: Thank you.

Commissioner Tuley: Did we want to enter into the record the letter that Sheriff Ellsworth submitted to us tonight and Councilmen and Commissioners...I know we have at least one Councilman here tonight so I am sure he is quite capable of speaking for the Council, but on behalf of the Commissioners I would like to thank the Sheriff for his letter here that says, I will authorize the payment of up to \$40,000 from the Vanderburgh County Jail Commissary Account to partially fund the study that we just approved. Sheriff Ellsworth and your crew, we really appreciate that. President Jerrel: Phil, do you...this will actually...we're going to put a line item called jail improvement line item and pay the balance out of it.

Phil Hoy: My name is Phil Hoy, County Councilman at Large and I, as I have often said, never attempt to speak for the Council, but in our discussions I think you'll find us very receptive and personally I appreciate what you are doing because in my opinion we do need to look at the whole system before we start with brick and mortar because it's my opinion if you built 1,000 cells we would probably fill them and I think we need to approach it another way. I appreciate you doing this.

President Jerrel: Thank you.

Phil Hoy: And I'll give you my vote when it ...it does come our way, doesn't it?

President Jerrel: Oh, yeah. Well, no it really won't have to right away because that's what I wanted to say. I think that's...I want to commend you, Brad, for using commissary money for this. I think it is very well spent. We had the money in place—

Phil Hoy: Wonderful.

President Jerrel: Go back and tell them.

Phil Hoy: That makes it even better.

Commissioner Tuley: There will be a point where we'll come to you though, I'm sure.

President Jerrel: Yeah.

Phil Hoy: I'm sure of that, yeah.

Commissioner Tuley: You know, if it is nothing more than improvements to our current facility, but at some point we're going to have to come to you and ask for help.

Phil Hoy: Well, I think you'll find the Council receptive.

President Jerrel: Okay, thank you.

Holiday schedule - Year 2001

President Jerrel: The next item on the agenda is the approval of the holiday schedule for the year 2001. It's a non election year and I think they added a presidential...Lincoln's birthday.

Commissioner Tuley: Right. Everything else looks to be the same and I'll move

approval of the holiday schedule as outlined.

President Jerrel: I'll second and say so ordered.

Any group or individual wishing to address the Commission
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President Jerrel: Okay, is there anyone here at the meeting that would like to speak to the board about any particular issue?

Richard Helzerman: My name is Richard Helzerman.

President Jerrel: Thank you.

Richard Helzerman: We are delighted that you have taken some action to try to deal with the overcrowding problem, but essentially what you have done is postpone for six months dealing with the issue. Now, the analysis of the problem of the overcrowding in the jail is poor felons awaiting trial. Think with me for a moment. If you were arrested and put in jail how long would you be there? If the bond amount was \$500 you would not be there very long. If the bond amount was \$5,000 you could probably raise it in a few days, but if the bond were \$440,000 you might be stuck in there for a long time. The time you would spend in jail is completely dependent upon whether or not the judge sets for you an excessive bond. There are people in Evansville who are rich enough to raise \$440,000 for bond, so they could be out. As of 2/9/00 Michael Dullum had spent 165 days in the jail because he could not raise his \$440,000 bond. The only reason most of the people are in jail is because they are too poor to raise their bond. The Indiana Constitution says excessive bond shall not be required. As of 2/9/00 Stephen Hale was sitting in your jail under a \$40,000 bond for theft from residence or building, \$50 to \$199. Aaron Johnson was sitting in your jail under a \$15,000 for theft under \$50, shoplifting. Michael Jones had sat in your jail for 295 days under a \$500 bond for theft/shoplifting, \$50 to \$199 dollars. George Payne had sat in your jail for 212 days under a \$1,500 bond for theft/shoplifting, \$50 to \$199. The Indiana Constitution says penalties shall be proportioned to the nature of the offense. For stealing less than \$200 we have bonds set at \$40,000, \$15,000, \$1,500 and \$500. Of course, bond is not supposed to be a penalty, but it is functioning as a penalty. As of 2/9/00 the jail had 59 more prisoners than it should of had. The reason for the overcrowding is not because more crimes are committed because the number of serious crimes in Evansville last year dropped from 7,814 to 6,214. This is 1,600 fewer crimes which is a drop of 20 percent. The reason for the overcrowding is not because of the 57...there were 59 people overcrowded. There were 57 people who were picked up because they failed to appear. They don't account for all of the overcrowding. The reason for the overcrowding is not the 46 who were charged with narcotics. The reason for the overcrowding is not the 34 who have been there three days or less probably waiting to raise their bond. The reason for the overcrowding is not the 12 who were charged with child abuse. The reason for the overcrowding is not the seven who were charged with murder. If all the prisoners were given a reasonable bail, which means simply one that they or their friends and relatives could pay, the prison as of 2/9/00 would have contained the seven who were charged with murder, although only two of them didn't have a bond, the one who was in contempt of court, the 57 who failed to appear, the 51 who are being held for other authorities and the 34 who have been there three days or less. This would be 150 which is nowhere near the 268 maximum. The overcrowding in the jail would end if the prisoners were given their constitutional right to be free of excessive bond. The reason the jail is

overcrowded is failure to give poor defendants their right to reasonable bond and failure to give them their right to a speedy trial. Now, you...last time I was here I gave you an option that would clear the jail out in about a week. Tonight I am going to give you an option that you could clear the jail out tomorrow. You may end your responsibility...now we said this is a systems problem and we're all responsible for it. You may end your responsibility for the overcrowding tomorrow by taking the following action today. The Vanderburgh County Commissioners accepts the suggestion of the Indiana Department of Corrections, which they suggested that you set a cap on the jail, and hereby authorizes the Sheriff whenever the population of the jail exceeds 85 percent of its capacity to use his discretion and release prisoners until the population reaches 75 percent of capacity. The Sheriff is already using his discretion to limit the number of people in the prison because he has approximately 9,000 arrest warrants that he has not executed. In other words, he is sitting there and he has decided that there are 9,000 people that the judges and the courts have said should be in jail, but he is using his discretion to say I'm not going to put these guys in jail because it is overcrowded or whatever his reason is you can call him up and ask him. Now all this thing does is give the Sheriff discretion over 9,300 instead of only 9,000. I'm sure that we can trust him. The Sheriff has rightly deserved and earned the honor and respect of the whole county and I believe that if you would do that that he would go home tonight or tomorrow morning first thing and the overcrowding would be ended. It's a simple, simple thing. Now I got a letter Friday I would like to read you. A copy of it is in your thing.

"Dear Reverend Helzerman,

How are you doing? Fine I hope. First of all my name is Keith Odom. I have been arrested and are presently imprisoned in the Vanderburgh County Jail."

Now you'll have to excuse his grammar because it's not all proper.

"I was arrested back in April 15, 1999 for allegedly selling cocaine to a police informant unknown to me. Back on January 19, 1999 is when the case first stayed. They waited two months before they arrested me. The reason I writing to you is because I just wanted to use me for an example speaking on the overcrowding of the jail. My bond is too high. It's \$25,000 for selling to a policeman who was tempting him, entrapping him into committing a crime. Twenty-five thousand dollars cash. I had a Class A felony, but as I took a plea agreement, a lessor included offense which is now a Class D felony and my bond is still the same, \$25,000."

Now he thought...he sat in jail for so long that he finally agreed to plead guilty to something that he doesn't really think he is guilty. He knows he uses drugs and he has got a drug problem, but he doesn't remember this charge or whatever. But because he is sitting in the jail so long he pleads guilty and he...to a lessor offense, Class A to a Class D and he thought...now, he wasn't smart enough to negotiate that when you drop the one thing you drop the other, but he thought in his mind if I agree to plead to a Class D they'll drop the bail and I can get out of here. But they didn't drop it. But I want you to hear the rest of this.

"I took a plea to a lessor included thing."

Now this is what he says:

"It doesn't make sense as far as the bond that is up to the judge and the prosecuting attorney if a defendant doesn't have a paid attorney he is in here for a long, long time."

Now here he says he is too poor to afford an attorney and so he is stuck there unless he gets a reasonable bond.

"As you see public defender works against the defendant, but he tried to show that he for you, but he is really not and that not right."

Now what he is saying is that as a poor person he has a right to a defense, but the public defender that he was given he does not feel is working in his interest and he is saying that he is not even getting that right to a proper defense.

"He is really not and that not right. He playing with everyone life. As you may not know I suffer from diabetes and have respiratory problems. I have filed for Social Security disability benefits because of my health problems. Thank the Lord the jail has been willing to give me my medicines, but being on the outside would be much healthier for me physically and spiritually. We can only attend church once every two week. For one half hour on Monday nights. I am a family man and a member of Memorial Baptist Church. My pastor, Reverend Brooks, a righteous man. Bring that my bond is set too high it is denying me the ability to be with my recently wed wife and children. If allowed a reasonable bond possibly I can unburden the state of the responsibility and cost of care for my health problems. I am willing to atone for my drug problems."

Now the Constitution says that the goal of the penal system should be reformation and not vindictive justice. Now he is willing to atone, he says.

"Which I have had for some time. I was reading the newspaper where you asked Mr. Mourdock to visit four inmates each week and look them in the eye and tell them that you are sorry for the overcrowding. Please, sir, I would love to be one of those inmates. If you can get that to happen and thank you very much for taking your time in reading my letter."

I won't read the rest of it here for time. Now I would like to have you write down on a piece of paper a couple of facts. When you sat at the jail meeting you said you liked facts. Okay.

President Jerrel: I have a couple for you too.

Richard Helzerman: Okay. There is no need...if you've decided you're going to build a new jail you don't have to pay any consultant \$98,000 to tell you how much because right now you could build an infinitely large jail and it wouldn't be big enough. There has to be a systems change before it is, so if you'll just write down these numbers. Twenty-five hundred cases per year. That is the number of cases that were filed, criminal cases last year. If you divide 2,500 by 50 weeks in a year that is 50 cases a week. If you divide that by five working days in a year, five into 15 is ten. Now there are ten cases that come in every single day. Now unless your system can take ten out it's going to grow, and grow, and grow, right. Now you have eight judges. Well, there are seven judges, but there are two that try. In the Circuit

Court there is the judge and the magistrate and there are six judges in the Superior Court and there are three senior judges but they only work 40 days a year. So you have eight judges. Now, one of these judges finally talked to me. You asked me to talk to the judge. I called in to Judge Heldt and to Judge Bowers and requested an appointment and they have not even bothered to return my call. But there are eight judges and all eight of those judges work full-time on doing nothing but getting rid of these cases and giving these people their right to a trial. Keily, who is the magistrate of the Circuit Court, told me that the average time of a trial is two days. Now Jeff Lantz told me the average is three days. Now I don't know which is...whether it is two or three or if it is something else because you haven't given me the authority to look at the filing systems or talk to anybody, but it wouldn't take more than an hour or two looking at their records to say whether it is two or three, but let's say it's two. We'll take the shortest one. If eight judges were full-time and it takes two days to have a trial they could dispose of four cases a day. Do you get that? Okay, so you've got ten cases coming in and you've got four cases going out so you've got six a day that are growing on you. So without hiring at least up to 16 judges working full-time, and none of the judges work full-time on the cases, you have a system that will grow infinitely according to queuing theory. Now if you want to take another way so from queuing theory study of what I can find out from what is in the paper and who will talk to me when most people won't it is impossible to build a jail big enough. It's not possible. Now I told you my thing and the Sheriff is here, you verify it for me. If you built a jail...if the jail had 9,000 beds in it he could fill them tomorrow or as soon as he could get around. He's got 9,000 arrest warrants, okay. Now this is what it's saying, for years and years the capacity hasn't been right and the cases are building up to infinity. Now let's look at another side. There are over 250,000 people in jail in the United States. That works out to about one percent of the population. Okay, now Evansville is a typical city. It's like Peoria. They do studies here because we're like everybody else. The population of Vanderburgh County, I called the Chamber of Commerce and they told me it was 165,000. If one percent of those people are in jail that is 1,650. And if you're going to build something you should build double of what you need. That's the rule of thumb for the queuing theory. The queuing theory you've got to have capacity double of what you need or you're going to run out of space, so you should if you're going to solve the problem by building jails 3,300 is the number of beds. You should let the bids out today because it's going to take three to six years to build it.

President Jerrel: Mr. Helzerman?

Richard Helzerman: Yes.

President Jerrel: Let me stop just a minute.

Richard Helzerman: Okay.

President Jerrel: Because we're going to have a difficult time proceeding because every week you've got a lot of interesting ideas. There is no question that they are interesting and your dedication is not questioned in any way at all. I want you to know I know you care about human beings. Let me correct a few things so that you can get it in the proper perspective. These weekly reports of who is in the jail frequently have just one charge written when there may be numerous charges so you only got a snapshot picture. If someone has a \$40,000 bond that bond was established by the judge because that person was viewed as a flight risk and they probably had five or six other charges. The first one you mentioned I believe does have.

Richard Helzerman: He had two charges, but both were \$40,000.

President Jerrel: And he had numerous—

Richard Helzerman: His total bail was \$80,000.

President Jerrel: Yeah, I know but there were numerous charges that were not listed. Now I'm agreeing with you that there are issues and I'm going to cite just a few for you to think about that you can't easily fix. I mean, it's not only systemic, but it requires cooperation to make it happen. After a person is arrested and the decision to file the charges are made there are issues that begin there. You alluded to some of them. Lots of charges may be to get a plea bargain, but those are not the Commissioners' decision. We don't have that right under the criminal code. We don't do those things. The case moves to the judge. The judge at that point has to take a lot of things under consideration, but just assuming that everything went right we know that the time in jail if it exceeds 60 to 80 or 90 days is too long unless there is some extenuating circumstances. Now I say that because everything just doesn't work exactly as it should. There may be another reason why that person is being detained on a higher bond. Again, that is not our call. We have to look, and that's the reason we hired this company, because they're very adept at this side of it. They have to look at the reasons for the normal delays that we can improve and that includes the judges moving the cases along without excessive continuances. That's just one aspect and it is not our call what is excessive. That's not only a public opinion call, but it's a judicial call based on the circumstances. After a public defender is appointed if we can improve that system we should and this will help us to see where it needs to be improved. We're not criticizing any public defenders. We know that there are...in many cases we may need additional public defenders. In the case of when a public defender starts they must first get a case file from the Prosecutor's Office. Maybe we can help speed that along. It runs about 45 days now. Maybe we can get it compacted to 30 or whatever, 20, but that is not my call either. We Commissioners do not determine when the defense gets the case file. That's the Prosecutor's Office, not ours. After a person gets sentenced they frequently have to wait a month before the penalty is determined. I mean, get convicted, they wait a month for sentencing. Maybe we can speed up that process of gather the long or short probation form or whatever that form that they fill out is and then they can proceed to determine in a faster manner. The abstract that gets done by the Clerk's Office and goes to the judges for their signature. Maybe there are things that stay on desks for some length of time. Maybe we can compact that so after conviction the sentencing can occur maybe in two weeks. Right there we have accomplished something. All of this will have to be worked out with the people that deliver these services. Pat and I don't do any of that and we're not going to do any of it. It's not...our role is to see that the jail is provided in the county. I'm going to ask my attorney to talk to you just a second about the criminal part of our responsibility.

Joe Harrison, Jr.: Well, we don't have any responsibilities as far as the criminal aspect is concerned. Commissioner Jerrel is correct. The Commissioners are charged with establishing and maintaining a county jail, period. Bond is set by judges. Sentences are imposed by judges and the duty that the Commissioners have is strictly to establish and maintain a jail and I know that they're working to see that they continue to comply with that statute. I think the Sheriff may have some comments also that he may want to make, but as far as you did make a comment earlier about the Commissioners haven't given you the authority to look at files. You can look at files. All you've got to do is go to the Clerk's Office, the County Clerk's

Office.

President Jerrel: Or the public computers.

Joe Harrison, Jr.: And look at any file. They're public records.

President Jerrel: Pull them up and look at the docket sheets.

Joe Harrison, Jr.: So the Commissioners can't tell you what to do or not to do as far as looking at files. I think you've got some information that has been provided to you and certainly you could follow-up on that information in the Clerk's Office on charges and status of cases.

Richard Helzerman: Is it your opinion that the constitutional guarantee against excessive bail is a completely meaningless phrase?

Joe Harrison, Jr.: No, but it has nothing to do with this body.

Richard Helzerman: Well, did not--

Joe Harrison, Jr.: It's a meaningful phrase to those who are in the judicial system and those that are charged with crimes, and their attorneys, and to prosecutors it's a meaningful phrase, but as far as this body is concerned unless they are charged with a crime I don't think they concern themselves with that particular issue. Again, their duty is simply to establish and maintain a county jail.

President Jerrel: We have eight minutes to finish this meeting.

Richard Helzerman: Okay.

President Jerrel: And we have our engineer, and I don't want to shut you off, but we welcome your comments. You can call me any time and you can come down here any time and I would be happy to direct you to any information, but it isn't our call.

Richard Helzerman: I appreciate your letting me speak to you.

President Jerrel: Thank you.

John Stoll - County Engineer

President Jerrel: County Engineer.

Joe Harrison, Jr.: Did you formally go ahead and approve the contract?

President Jerrel: Yes, we did.

Joe Harrison, Jr.: Did you say so ordered?

Commissioner Tuley: Yeah.

Joe Harrison, Jr.: Okay.

John Stoll: The first item I've got is a soil agreement with Alt & Witzig Engineering to get some soil borings on Seminary Road Bridge No. 1961. This is for an amount not to exceed \$2,320 and this is a bridge that Valerie is currently working on a design.

President Jerrel: Is there a motion? We need a motion.

Commissioner Tuley: I'm sorry. Motion to approve the—

John Stoll: Soil agreement.

Commissioner Tuley: Soil, okay I was trying to remember what you said. This is the one you and I talked about last week, John?

John Stoll: No, this is for Seminary Road Bridge.

Commissioner Tuley: Seminary Road, I'm sorry. This is a different one. Okay.

John Stoll: You're thinking about Fulton Avenue.

Commissioner Tuley: Exactly, like everybody else.

John Stoll: We've already signed off on that soil agreement.

Commissioner Tuley: Okay.

John Stoll: It's just we don't have a design situated just yet.

Commissioner Tuley: I'm sorry, okay. So this is with Alt & Witzig, is that how you say it, Engineering?

John Stoll: Correct.

Commissioner Tuley: Okay, and it's your recommendation that we approve this then?

John Stoll: Yes.

Commissioner Tuley: I'll so move.

President Jerrel: Second and so ordered.

John Stoll: Next I've got a supplemental agreement with Bernardin Lochmueller for the reconstruction of Gregory Court. This is for an amount not to exceed \$8,500. This is the agreement that will result in the need to rebuild the embankment on Gregory Court and get the street rebuilt in conjunction with the lawsuit filed out there for that street collapse. The agreement calls for Bernardin Lochmueller to prepare a design and specifications over the next 40 days. It's recommended that this be approved also.

Commissioner Tuley: So moved.

President Jerrel: Second and so ordered.

John Stoll: Next I would like to recommend that the county hire American Consulting for the construction inspection services for the Burkhardt and Morgan intersection project. This is the project that was recently bid last week.

Commissioner Tuley: John, is that phase three?

John Stoll: Correct, phase three.

Commissioner Tuley: Okay. I think we took in bids several weeks ago or whenever it was. All of us reviewed those bids and I know there was a lot of stress or a lot of importance put on who was going to be the site manager. United has done, I think, did the design work and inspection work on phase one and phase two, correct?

John Stoll: Correct, and they did the design on phase three as well.

Commissioner Tuley: In phase three, okay. Did we have any problems whatsoever with Stewart May or whoever was assigned to that that you are aware of?

John Stoll: No.

Commissioner Tuley: Everyone okay with him?

John Stoll: Yeah, it all went smooth.

Commissioner Tuley: Richard is not here so I can't ask him why he doesn't want to be consistent, but in talking with different ones I think the three of us couldn't agree to who we wanted to have do this. My first choice would have been to keep it with United, but I don't want to delay this so I want to go ahead and make the recommendation that we go ahead and use American Consulting so we can go ahead and keep going on this. But you're comfortable with American Consulting?

John Stoll: Right.

Commissioner Tuley: And what you've got. And I know the company so they were my second choice, but I want this thing to keep going forward so I am going to go ahead and make a recommendation that we take your recommendation and go with American Consulting on this one.

John Stoll: The reason we need a consultant on this job is we just don't have sufficient in-house staff to take care of this, so we definitely need the service consultant.

Commissioner Tuley: Oh, we would of had to of had somebody.

John Stoll: Right.

Commissioner Tuley: That's not what I am asking about. My question was the consistent part, but, again, we've got three Commissioners all looking at it from three different points of view. It looked like to me that we probably wouldn't agree...I don't think any one of us had our number one choice the same, so therefore, you know, to keep this moving I'm going to go ahead and go with you and go with American Consultant. That's my move.

President Jerrel: And I concurred with you.

Commissioner Tuley: Yes, you did.

President Jerrel: So I'll second and say so ordered.

John Stoll: As a result of that I've got a letter to send to INDOT that would forward all the agreements to INDOT for their review and approval. The agreement that I contacted American to have them prepare is for an amount not to exceed \$253,993.30. We don't sign the agreements now. We would just submit a letter to INDOT saying here they are, please review it and make any changes you see necessary. Once they review and approve it then they would return it to us for final signatures, so I would like to get a letter forwarding this information to INDOT for their review.

Commissioner Tuley: You need a motion to approve that? So moved.

President Jerrel: Second and so ordered.

John Stoll: That project, the bids were received last Thursday, but all the bids came in over the engineer's estimate. It will be rebid in March as far as we know and that bid date is March 21st. I didn't have an official word from INDOT just yet that it is definitely on the March 21st bid letting, but I spoke with Steve Dilk at INDOT and he felt that it would go on that March 21st date. Next I've got a street acceptance. This is for 1,131 linear feet of Virginia Street. This is in Cross Pointe Subdivision. This is for the portion of Cross Pointe that was built when the county's portion of Cross Pointe was built last year. It's just we just now received the as built for this section of the road and the developer has asked us to accept this portion now.

Commissioner Tuley: Does that need a motion or do we just need to sign it?

Joe Harrison, Jr.: Need a motion.

Commissioner Tuley: Okay, I move at this time then for the acceptance of the street road improvements in Cross Pointe Section 5, Virginia Street, .21 miles.

President Jerrel: I'll second and say so ordered.

John Stoll: The next three items are also street acceptance requests. The first one is for an extension of Riverside Drive in Carneal Commercial Subdivision. This is in Section 2A of that subdivision. This is a short segment of Riverside off of Green River Road as it leads into an apartment complex that was built over the past year. It's 265 linear feet and it's recommend that it be accepted also.

Commissioner Tuley: So moved.

President Jerrel: Second and so ordered.

John Stoll: Next I've got a request for acceptance of Fickas Road in Riverwind Pointe Subdivision, Phase 1. This street acceptance is a correction to one that was done on June 7, 1999. At that time the developer had proposed that the whole subdivision was going to be recorded, so we accepted the entire street on the basis that the right-of-way would be dedicated. Now the developer is submitting a letter of credit that only covers the first five lots of this subdivision, so he is only going to be dedicating enough right-of-way to pick up the street across those first five lots so this supersedes the acceptance from last June. This is for 535 linear feet of Fickas Road

in Riverwind Pointe.

Commissioner Tuley: I'll move approval.

President Jerrel: Second and so ordered.

John Stoll: The final acceptance request is for Spring Park Subdivision, Section A. This is for 970 linear feet of Periwinkle Drive and 130 linear feet of Daffodil Court. It's recommended that these streets be accepted as well.

Commissioner Tuley: So moved.

President Jerrel: Second and so ordered.

John Stoll: That's all I've got unless you've got any questions.

Commissioner Tuley: I've got a couple of things for you. I got a call from a Ron Happe. I think you talked to him too last week.

John Stoll: Out on Mt. Pleasant?

Commissioner Tuley: Up on Mount Pleasant.

John Stoll: Yes.

Commissioner Tuley: I guess the concern which anybody living along there if a lot of that widening was going to come out of their yard is going to be asking questions about it.

John Stoll: Right.

Commissioner Tuley: The point he made after he explained to me we were widening it so wide and there was going to be quite a bit of the back of his yard, I guess, along with about eight other residents out there was that in the original design there would have been a lot of wrecks maybe because of when...was it Clearcrest? Not, Clearcrest, what is the...?

John Stoll: Clearcreek.

Commissioner Tuley: Clearcreek, there was a big hill there and maybe some views were being blocked and now they have taken that down. Where are...I guess basically the question I am trying to get to is where are we in the design and approval and is it too late or is it even necessary to really go back and look at the design?

John Stoll: The draft set of plans was sent over from Morley's office probably about a week and a half ago, two weeks ago or something like that. It's still a draft set of plans so changes can still be made. I've heard from several of the residents along the south side of Mt. Pleasant in Copperfield Subdivision and the question has always been why is the road being so wide? Basically, it's going to be a three lane road 41 feet in width at that point. We've got it set up to provide left turn lanes into all the subdivisions, Deerfield, Copperfield, Clearcreek and then left turn lanes at Old State as well. The intent on the left turn lanes is to get the left turning vehicles out of thru lanes so that way it will lessen the chance of more accidents because of

somebody coming through at higher speeds and rear-ending somebody making a left out of a thru lane so that's the intent on why three lanes. As far as any changes, changes can still be made because we haven't gotten to the point where we are starting to buy right-of-way as of yet. I need to finish a review of the plans and then I was needing to talk to each of you to show you what we've got and then see what changes if any we needed to make before we have Morley and Associates finalize the plan and proceed to right-of-way acquisition.

Commissioner Tuley: Okay, are there any neighbors?

Unidentified: My name is—

Commissioner Tuley: Come up the mike if you would please.

John Griffin: My name is John Griffin. I live at 8635 Greendale Subdivision...in Copperfield Subdivision. The north side of my property borders the south side of Mt. Pleasant Road and I'm not against the widening and straightening out and getting the dips out of Mt. Pleasant Road. It's necessary. But my question is like the road now, I don't know if you know the exact figures, but the road now from the center of the road to the edge is like nine to ten feet wide and they're going to put another ten to 12 feet on each side. That's why. I mean, that just seems way too wide to me. I mean, granted, it's going to take some of my property and that is what I am fighting for or fighting...or what I am talking about, but a perfect example is Old State Road from Mt. Pleasant Road to city limits going in towards town there are like three or four subdivisions most of them on the left side of the road and several cross streets and there is only one turn lane and that is if you're heading back north, you know, a right-hand turn lane and that road handles traffic fine and there is a lot more traffic on that road as opposed to Mt. Pleasant. I can see the deceleration lanes may be lengthened. I can see that. If somebody is turning left into Clearcreek then you can go around the right of them with a deceleration lane there, but why have a turn lane, a left turn lane, for just three streets? I just don't...I'm not an engineer, but I mean I just don't see—

President Jerrel: Well, have you two had a chance to talk?

John Griffin: I came down here about a week ago.

President Jerrel: And you looked at the plans? Well, if...I think maybe what we need to do, I'm not trying to delay your discussion now, but I think, you know, I know the reason that we are doing Mt. Pleasant is because it's an opportunity to do it right and do it for safety's sake, but obviously these are draft plans and we need to take a look at what...how much of your property will be needed in right-of-way?

John Griffin: What, six feet?

John Stoll: I don't remember.

John Griffin: Six to eight feet, I think. You know, it has been a while.

President Jerrel: If you don't object, may we have your phone number, Mr. Griffin?

John Griffin: 867-2309.

President Jerrel: Okay, well let us give you a call this next week.

John Griffin: I mean, I can see widening it two or three feet on each side, but keep it two lanes. I mean, there have been some accidents there, but they haven't been...my house is right at Clearcreek Subdivision across the street, but they haven't been because people have been rear-ended. It's just turning and cutting in front of each other or, you know, whatever. I would appreciate that because I think it is a waste of taxpayer's money and just overkill to have a three lane road when you only have two...three turns off of Mt. Pleasant.

Commissioner Tuley: Yeah, do you know how many homes are currently in the new subdivision across the street from you guys?

John Griffin: Three hundred and—

Commissioner Tuley: That's planned for 360.

John Griffin: I don't know how many is in there now.

Commissioner Tuley: Do you know how many is in there, John, off the top of your head?

John Stoll: No.

Commissioner Tuley: Nobody knows? Yeah, because that is one of the things that we have to be aware of. It's not just meeting the needs of what is there today. It is a concern for the taxpayer's money. If we do just a little bit to meet now and then it continues to grow like we believe it is going to and it was plotted to grow, I mean that's the reason I just said I wanted to look into it a little closer and get with John and see if there is room where we can still meet you guy's concerns, those of you that live on the south side, plus also meet the needs for future traffic plans. So we'll take a look and meet with John. I wanted to make sure tonight, and I just wanted to hear it in a public meeting, that we weren't so far at this point in time that we can't at least take a look at it.

John Griffin: One more question. How long will it be before these are finalized? A month or two months?

John Stoll: I still need to talk to the Commissioners and then I guess we all need to get in touch with you and the other residents it is going to affect.

John Griffin: Okay.

John Stoll: So there is no set time table.

John Griffin: So it will be at least a month probably?

John Stoll: It's hard to say.

John Griffin: Okay, I just don't want to let it, you know, get past.

John Stoll: No, I still got your number.

Commissioner Tuley: I was going to say we could just ask John that any time there is going to be any discussion particularly if it comes to this meeting with any kind of recommendation or something that you guys at least maybe you be the point of

contact and we notify you and you can let anybody else that is concerned.

John Griffin: Or Mr. Happe?

Commissioner Tuley: Or Mr. Happe. I've got his number here.

John Griffin: Okay, because he is home. He doesn't work.

Commissioner Tuley: He is retired, yeah.

John Griffin: And he is home more than I am.

Commissioner Tuley: We can use Mr. Happe then as the point of contact.

John Griffin: Okay.

Commissioner Tuley: He'll probably be easier to get hold of.

John Griffin: Okay, thank you.

President Jerrel: Uh-huh, thank you.

John Stoll: I was going to say I heard from, I believe, five or six residents on the south side of Mt. Pleasant in Copperfield Subdivision.

John Griffin: One of the big things we're concerned about is it will lower our property values, you know, and we just moved in there a year and a half ago.

President Jerrel: Having a bigger road?

John Griffin: Well, it's just going to take our property, you know, some of our property.

Commissioner Tuley: This is all your backyard?

John Griffin: Yeah, we didn't have much backyard anyway. Really, that is not a county problem either, but still I just think it is something that doesn't need to be that wide.

Commissioner Tuley: We're willing to look at it.

John Griffin: Okay, thanks for your time.

President Jerrel: Thank you.

Commissioner Tuley: The only other thing I have for John I got another call on Number 6 School Road can you or someone in the Engineer's Department take a look, I don't remember if it is actually the north side or the south side of the road, the ditching along there has maybe been filled in with some pipes and some of them may have been requested and authorized and some of them maybe not so that when we get a good downpour the water does not stay on that side. It sheets over onto the south side. Erik is nodding his head like he knows exactly what I am talking about.

John Stoll: I was going to say, do you know what the approximate address was or anything or is it just in general?

Commissioner Tuley: I would just say it's Number 6 and just start going west off of 65 up to about Henze.

John Stoll: Fairly common problem.

Commissioner Tuley: Yeah.

John Stoll: That we've seen all over the county.

Commissioner Tuley: I said that when they called. I said, I got a feeling. I mean, you guys have all heard this and you are probably even aware of it, but what we do I don't know, but if you can just kind of take a look and at least let me know what you think has happened out there.

John Stoll: Okay.

Commissioner Tuley: That's all I had.

John Stoll: Okay, thanks.

Erik Bentle

President Jerrel: County Garage.

Erik Bentle: Erik Bentle, County Garage. You've got my reports for the last two weeks. A report for this week and my work schedule for this week. The other thing is we have...me and the Engineer has got together and issued the list of roads to be paved this year. We've given them to you for you to look at before we release it to the public. If there are any additions you would like to add to it or anything that we missed please let us know. I think the hearing is the 13th or something like that.

President Jerrel: Right.

Erik Bentle: The last thing I have is the County Garage has established their goals for 2000. Is there anything that you wish to cover on that?

President Jerrel: I think maybe we'll take some time next week and Richard will be back and give us a chance to review those because we're going to do the same thing with Burdette Park, but like we said we're on a tight schedule tonight.

Erik Bentle: Okay.

President Jerrel: We're running ten minutes late, but we'll do it and thank you for getting those ready.

Erik Bentle: Alright.

President Jerrel: We're going to be posting...have we...yeah, we've posted them and...is that this years?

Commissioner Tuley: The 2000 goals?

President Jerrel: Okay, alright 2000 goals are on the board and we'll get yours and we'll put yours up there also and Burdette's, so we'll know what we're going to do.

Erik Bentle: And I did talk to John about that road and it is on the contract list.

Commissioner Tuley: Oh, okay.

President Jerrel: We didn't go far enough.

Commissioner Tuley: Oh, okay, I missed it. I'm sorry.

President Jerrel: Thank you very much.

Commissioner Tuley: I appreciate that.

Erik Bentle: Okay.

Commissioner Tuley: So do the people that live there.

Joe Harrison, Jr.

President Jerrel: County Attorney.

Joe Harrison, Jr.: I've got a couple of items. The first are the bids that came in on VC00-01, St. Joseph Avenue and Commercial Court intersection. There were three bids and they are as follows:

Company name	Amount bid
J.H. Rudolph & Co., Inc.	\$94,290.00
Deig Bros. Lumber & Constr. Co., Inc.	\$91,864.50
CCC of Evansville, Inc.	\$135,351.03

I would ask that you take these three bids under advisement and review them for their responsiveness.

Commissioner Tuley: I will so move.

President Jerrel: Second and so ordered.

Joe Harrison, Jr.: The next group of bids is for the demolition of seven pieces of property for SEMA flood mitigation. There were five bids submitted and they are as follows:

Company name	Amount bid
Ray Stradtner Excavating, Inc.	\$36,950.00
Naas Brothers Trucking, Inc.	\$27,490.00

Company name	Amount bid
Koberstein Trucking, Inc.	\$58,794.00
Deig Bros. Lumber & Constr. Co., Inc.	\$51,245.00
Floyd Staub, Inc.	\$62,400.00

And I would ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Tuley: I will so move.

President Jerrel: Second and so ordered.

Joe Harrison, Jr.: The last item I have has to do with a blue claim that is in your file. It's a settlement proposal to be paid by the county in the sum of \$30,000 on behalf of the Area Plan Commission in connection with a lawsuit filed by Tim Major several years ago. I believe it was filed in 1998 against the Area Plan Commission. This particular lawsuit the county or the Area Plan Commission lost at trial level about a \$130,000 judgement. On appeal it was reversed and it now goes back to remand and the parties have agreed to a settlement of \$30,000. This was the exact same amount, if you may recall, that was offered before the trial several years ago. So there is a blue claim in the file and I would ask that be approved in the sum of \$30,000 on behalf of the Area Plan Commission for a judgement against them.

Commissioner Tuley: I will so move.

President Jerrel: I'll second and say so ordered.

Joe Harrison, Jr.: That's all I have.

Superintendent of County Buildings

President Jerrel: Okay, Superintendent of County Buildings.

Tony Greubel: I'm submitting a 501(c)(3) application on behalf of Burdette Park for approval and signature. That's it.

President Jerrel: Is there a second...a motion?

Commissioner Tuley: I will move approval of the submitting of the 501(c).

President Jerrel: And I'll second and say so ordered.

Weekly reports

President Jerrel: You do have your other reports.

Steve Craig - Burdette Park

President Jerrel: I would like for Burdette to come up now.

Steve Craig: Steve Craig, Manager of Burdette Park. The first thing I would like to ask the Commissioner is to sign the variance for the parking at the O'Day Discovery Lodge.

President Jerrel: We'll need a motion on that.

Commissioner Tuley: I'll move that we sign the request before BZA.

President Jerrel: And I'll second and say so ordered.

Steve Craig: Thank you. The second thing I have is the proposed Burdette Park rates for 2001 as suggested by the Burdette Park Advisory Board.

President Jerrel: Is it alright with you if we take these under advisement until next week when Richard is back?

Steve Craig: Yeah, that's fine.

President Jerrel: Is there—

Commissioner Tuley: I would move that we delay this for one more week.

President Jerrel: I'll second and say so ordered.

Steve Craig: The last thing that I have is the 1999 year end report and cost analysis for Burdette Park.

President Jerrel: Well, it looks like you're making more money.

Steve Craig: Yeah, expenses were up a little bit, too, but—

President Jerrel: Yeah.

Steve Craig: —we try to keep ahead of the game.

President Jerrel: Well, it looks good and I appreciate this. I want to sit down and digest it a little bit.

Commissioner Tuley: You want to digest it and you said they actually made money?

President Jerrel: Yeah, well, their revenue was up.

Commissioner Tuley: Revenue was up.

President Jerrel: Over \$2,452.

Commissioner Tuley: Okay. I'll move acceptance of the reports as submitted.

President Jerrel: And I'll second and so order.

Steve Craig: Thank you.

Consent items

President Jerrel: The remaining items are consent items. Is there a motion to approve? They relate to travel and employment changes.

Commissioner Tuley: Okay, I'll move approval of the consent items and I also want to move approval of acceptance of the reports by Soil & Water Conservation and the Ozone Officer.

President Jerrel: And I'll second and say so ordered.¹

Old business

President Jerrel: Is there any old business to come before the board?

Commissioner Tuley: No old business.

New business

President Jerrel: We do have one new business item.

Commissioner Tuley: Yes, at the request of Shirley James or the recommendation of Shirley James would like to submit the name of Jane Manis to the Greenway Committee.

President Jerrel: And I'll second that and say so ordered. We do have before we close some comments from the Sheriff.

Brad Ellsworth: As much as I think the \$40,000 I offered for the use on the study is a good use of those funds I just wanted to let the Commissioners know that I will be approaching the Council for an appropriation in March to repair the roof at the correction complex so in case we need to move inmates. We currently have some housed in the jail are petitions to revoke from the SAFE House. You know, with some minor adjustments and some bed building we should be able to put some more inmates, at least the people who belong in the SAFE House out there and some were petition to revoke so I am going to ask to spend a little money to try to get some numbers down in the jail, so I just wanted to let the Commission know about that. We'll be coming to you with that and the Council.

President Jerrel: What did you do, did you solicit?

Brad Ellsworth: Well, we're going to solicit new bids. The current bids that I went off of last time were the old bids and they gave additional bids on the section that is currently tarped, so we'll ask for new bids from the same companies, but it looked like the bid last time that would have won was about \$17,000. We can probably figure pretty close to that.

President Jerrel: Okay.

¹See page 29 for consent item listings.

Brad Ellsworth: Thank you.

President Jerrel: Thank you. Any other business to come before this board?
Hearing none...

Commissioner Tuley: Motion to adjourn.

President Jerrel: Second and so ordered.

The meeting was adjourned at 6:48 p.m.

CONSENT ITEM LISTINGS:

Employment changes:

County Clerk	Burdette Park	Coroner's Office
Pigeon Assessor	Health Dept.	Circuit Court
Prosecutor's Office	Sheriff's Dept.	Superior Court
County Clerk	County Council	

Travel requests:

Auditor	Area Plan Comm.	Pigeon Assessor
Burdette Park	Health Dept.	

Treasurer:

Submitting monthly report

Weights & Measures:

Submitting monthly report

Prosecutor:

Permission to declare terminals/keyboards surplus

Those in attendance:

Bettye Lou Jerrel
Patrick Tuley
Joe Harrison, Jr.
Suzanne M. Crouch
Charlene Timmons
Tony Greubel
Mark Townsend
Barry Moore
Brad Ellsworth
Joe Coleman
Richard Helzerman
Phil Hoy
John Stoll
John Griffin
Erik Bentle
Steve Craig
Others unidentified
Members of the media

**Vanderburgh County
Board of Commissioners**

Bettye Lou Jerrel, President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
March 6, 2000**

The Vanderburgh County Board of Commissioners met in session this 6th day of March at 5:35 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners' meeting to order. I'd like to introduce to you those people before you. On my far right, Tony Greubel, Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; Commissioner Tuley is unable to be here this evening; my far left, Charlene Timmons, the Recording Secretary; Bill Fluty, Deputy Auditor; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. Would you join me in the Pledge of Allegiance?

Approval of minutes

President Jerrel: Thank you. The first item on the agenda is the approval of the minutes and since I'm the only one here that was here we'll just have to wait on that one.

Certification of Executive Session

President Jerrel: The next item is the certification of the Executive Session.

Commissioner Mourdock: I'll move certification or approval of the minutes of tonight's Executive Session which began at 5:00, ended at 5:25 and dealt with real estate lease issues and with pending litigation.

President Jerrel: I'll second and say so ordered.

Open bids - VC BP-00-01, Bishea Building improvements

President Jerrel: The next item is the opening of bids. Is there a motion to open the bids on the Bishea Building?

Commissioner Mourdock: So moved.

President Jerrel: And I'll second and say so ordered.

Jerry Bryan - Director of City/County Purchasing

President Jerrel: Next we have Jerry Bryan from Purchasing.

Jerry Bryan: Good evening, Commissioners. I have before you in your packet the analysis of the award APA014-2000. This is our annual joint city/county bid for traffic paint. This was approved at the last Board of Public Work's meeting. On the summary, I'm going to quickly go through this, on traffic paint there were two bidders: Aexcel from Mentor, Ohio bid \$53,502.25 and Swarco Reflex from Media, Texas that bid \$7,588. This is a waterborne traffic paint. You can refer to the summary for pricing. We awarded it to Aexcel Corporation in Mentor, Ohio and the total for that

award was \$35,502.25. The next item is the glass spheres, part of this bid. The bidders were Swarco Reflex and Flex-o-lite. These are 50 pound bags and the award went to Swarco Reflex in Mexia, Texas. The white thermoplastic alkyd bags is the last item. The total bid was \$7,660 and we awarded that to Cataphote in Jackson, Mississippi. The total bid of all the awards listed was \$50,450.25. I would like your approval on this award.

Commissioner Mourdock: Jerry, just to clarify on the first one, the traffic paint, you said Aexcel was \$53,502?

Jerry Bryan: Yeah.

Commissioner Mourdock: And Swarco was \$7,588.

Jerry Bryan: Right, they didn't bid all the items.

Commissioner Mourdock: Okay, so it's not responsive in that sense?

Jerry Bryan: Yes, sir.

Commissioner Mourdock: Okay, I just want to be sure.

Jerry Bryan: Right.

Commissioner Mourdock: Okay, I'll move approval of the...I'll stop.

Joe Harrison, Jr.: When was this approved by the Board of Public Works?

Jerry Bryan: They approved it on the 28th of February.

Joe Harrison, Jr.: Okay.

Commissioner Mourdock: I'll move approval of the awards for APA014-2000 as recommended.

President Jerrel: I'll second and say so ordered.

Jerry Bryan: Thank you.

ASAP Transportation - Amendment to H & E Transportation contract

President Jerrel: The next item on the agenda is the ASAP Transportation and that is an additional add-on.

Tony Greubel: I guess you can say this is an amendment to their existing contract raising the annual fee from \$66,660 to \$73,600. This is guaranteed for two years and Mr. Dillon contacted us in January and I was wondering if we can make this retroactive to February 1st. I told him in January we wouldn't consider it, but make it retroactive to February 1st starting February 1st to get the new price going.

Commissioner Mourdock: Okay, it is my understanding in reviewing the information that the number of...the ridership has gone up dramatically here for them due to changes in METS so I think it's a reasonable thing to do and I don't have any

problem with going back to February 1st, so I would make the motion for the approval with the effective date February 1, 2000.

President Jerrel: I'll second and say so ordered.

Joe Coleman/DMD - Environmental services contract and award of bid

President Jerrel: The next item on the agenda is from DMD.

Joe Coleman: Hi, I'm Joe Coleman with the Department of Metropolitan Development. Tonight I have two things. At the last meeting the professional services contract for asbestos abatement plan services was approved and I have that here for your signature.

President Jerrel: Thank you.

Joe Coleman: Also at this time I would like to recommend the award of the demolition contract which was opened last Monday to Naas Brothers Trucking, Inc. They were the low bidder at \$27,490 to remove all seven houses. I have met with Mr. Naas and made sure that he does understand the scope of work and pending the receipt of an insurance binder and a performance bond we would then bring back the contract for your approval.

Commissioner Mourdock: I would move approval of the demolition contract with Naas Brothers.

President Jerrel: And I'll second and say so ordered. That's all seven of them?

Joe Coleman: That's all seven of them, yes ma'am. That's why it took some time to discuss it.

Joe Harrison, Jr.: That was the low bid?

Joe Coleman: Yes, sir. I do have a bid table that I prepared.

Joe Harrison, Jr.: Yes, thank you if you could submit that into the record. Is there a motion to submit that into the record?

Commissioner Mourdock: Yeah, I would move that we include the bid tabulation as supplied by Mr. Coleman into the record.

President Jerrel: Thank you.

Commissioner Mourdock: We need a second.

President Jerrel: And I'll second and say so ordered.

Commissioner Mourdock: Just to clarify before you leave, when I was looking at my computer you gave Bettye Lou something for signature prior to the demolition. Do we need to act on that as well?

Joe Coleman: That is the contract for environmental services to provide the abatement plan for the seven houses. We did have RFPs sent out and I do have a

copy of the bid tabulation on that.

Commissioner Mourdock: Okay, and who was that contract with?

Joe Coleman: That's with Hinderliter.

Commissioner Mourdock: Okay, I would move approval of that contract.

President Jerrel: And I'll second and so order and I would like to put that into the record, too.

EMA - Proclamation for Severe Weather Awareness Week

President Jerrel: The next item on the agenda is a proclamation and is there anyone here from Emergency Management?

Tony Greubel: Mr. Greer was supposed to be here, but perhaps the incident today delayed him.

Commissioner Mourdock: Did you hear of that incident today?

President Jerrel: Well, I heard we had a slight earthquake.

Commissioner Mourdock: You weren't on the north side of the county.

President Jerrel: Well, I know.

Commissioner Mourdock: It was quite an earthquake.

President Jerrel: We didn't feel anything.

Commissioner Mourdock: No, I thought maybe Curt had done something over in Darmstadt! The epicenter was up there.

President Jerrel: He may have. We're not sure.

Commissioner Mourdock: It was 2.2.

President Jerrel: Really?

Commissioner Mourdock: Yeah, we had a good thump.

President Jerrel: Well, at any rate we do have a proclamation announcing severe weather awareness if you would like to put that into the record.

Commissioner Mourdock: Okay, I would move that we enter into the record and officially adopt as Severe Weather Awareness Week the week of March 12 through the 18, 2000.

President Jerrel: And I'll second and say so ordered. That's next Monday.

Commissioner Mourdock: Yeah, there is one more in between there.

EMA

Approval to participate in Integrated Emergency Mgmt Terrorism training

President Jerrel: We have also submitted an approval for the Integrated Emergency Management Terrorism training.

Commissioner Mourdock: And I'll move approval of the EMA request here that we accept for the record the survey and information they provided on the Integrated Emergency Management Terrorism Consequent Management Planning, Training and Exercise Program.

President Jerrel: And I'll second and say so ordered.

Commissioner Mourdock: And it is my understanding as a result of this that we would then be eligible for some additional federal funding.

President Jerrel: Right.

Judge Bowers - Additional courtroom space

President Jerrel: The next item on the agenda is Judge Bowers.

Scott Bowers: As you know, Commissioners, the Commissioners do have statutory authority in regard to approval of courthouse space. The judges have because of the pending docket crunch gone to the Council for some emergency funding for recording equipment to open some courthouse areas to expedite particularly those cases involving those people detained in the jail. The proposal is a three part temporary plan for the months of April, May and June. Superior Court would be proposing to use the Museum Courtroom, the Wedgewood Room, and the Old Probate Courtroom in the Old Courthouse. This has been...we've been given permission to use those facilities for free by the Old Courthouse Preservation Society. There are some furnishings for receptions and such that could be used in a pinch on an emergency basis and Mrs. Gibson is present to answer any questions about the position and authority from the Old Courthouse Preservation Society in regard to that space. The second component of this involves the Council chambers which were offered to the courts free of charge. It was suggested, and the Council asked that I come and make this suggestion known to you, that we also use the Commissioners' office...meeting room, this room. I thought it probably would be best to come ask you about that and also I thought it would be best for me to keep my promise to the Council that I would make the request. As a third option we have made arrangements to rent conference rooms of approximately 900 square feet. That's about the size of the canteen on the second floor of this building, which are available in the Radisson. We could have up to four of those. This would be \$50 per room per day we would rent on an as needed basis. We would primarily be looking to those when...if the weather just became too hot since as everyone knows the Old Courthouse is not yet air conditioned on the second floor. Those are the outlines of the requested emergency space use. I can go into any detail that you would wish in regard to the need, but at this point I have presented the outlines of the request and would be happy to answer any questions that you have.

Commissioner Mourdock: For the second time, Judge, I will say I appreciate your leadership on this issue because obviously we need to keep this system moving

along and I know you have come forth...come before us previously and spoken of the Old Courthouse and I think that is a great way to use the facilities there. I certainly am supportive of what you want to do there. As far as using Council chambers or this room it seems to me it might make more sense than going across the street to the Radisson where we are otherwise paying rent.

Scott Bowers: Yes, sir.

Commissioner Mourdock: We have the sound system in place and whatever. I guess three words, "go for it".

Scott Bowers: Thank you for your generosity.

Commissioner Mourdock: I don't have any problem at all. If this speeds the process up I think we'll consider just about anything.

Scott Bowers: Thank you and we did ask for the rental funding from the Council with the understanding that it would be a last resort that we would use available facilities within this building and within the Old Courthouse before any use was made of facilities at the Radisson precisely because that way we would avoid any rental space costs.

Commissioner Mourdock: Okay, sure. I do have a question for Faye, if you don't mind. Faye, you'll need to come to the microphone. Last year, I believe it was last year, the state provided some funding or you otherwise came up with some funding for an architectural study. Was that done?

Faye Gibson: Two-fold. We got a \$5,000 grant for architectural studies and it has been about preliminary...there are preliminary drawings with it, okay. Where that drawing was heading us to though was something totally out of the ballpark of the money that we got from the state of \$90,000 to air condition the second floor. So will we be able to use the plans as drawn up right now by the architect? Probably not.

Commissioner Mourdock: I'm not sure I am following you. The five thousand dollars worth of plans you're saying were not consistent with what the \$90,000 expenditure would be for air conditioning? Is that what you're saying?

Faye Gibson: Right, it kind of took it to the nth degree what could be done to the entire second floor to make it totally restored courtrooms again including such things as replacing all lighting and including such things as replacing the slate steps that are 110 years old which are wonderful steps that don't need to be replaced. So we ended up with a figure closer to \$900,000 to do this project and Judge Bowers and I discussed that several months ago and neither he nor I would come before this board or the County Council board and say I need \$900,000 to do anything with the Old Courthouse, so we're back to scaling everything to within that \$90,000. We are proceeding with air conditioning the second floor. It will be our hope that at a minimum the former Superior Courtroom, the one still as a museum, will be air conditioned. Hopefully, both ends, but at a minimum the end that had the...the Fourth Street end that has that courtroom and some offices that go along the Vine Street side of the building that could be used for jury deliberation and a place for the judge to meet with the attorneys and so forth. We'll take it as far as we can take it, obviously, but we need to ensure that we're going to do it well and that there will be no cooling problems whatsoever once it is done.

Commissioner Mourdock: That's the point of my question. We need to make sure we do it right the first time as we remodel. You can piecemeal those kind of remodeling projects and then you end up with the project that looks like it was piecemeal and I hope we don't go that route.

Faye Gibson: We're making every effort not to do that.

Commissioner Mourdock: Yeah. Judge, coming back to you for a moment. In putting these several different rooms into use and helping you with more courtroom scheduling do you have any feel at all as to what you think that might do to the jail population? Obviously I am guessing it is going to help.

Scott Bowers: We're focusing on those inmates who are awaiting felony trials and who have been in the jail more than 70 days. My belief is...now, I don't have the numbers right in front of me, but I believe that may be about 100 inmates and so...now, many of those are Circuit people, but if we have real good success with the enhanced use of the senior judges on the Superior Court docket and the facilities are available to help on Circuit Court matters that would be probably the upper limit of what can be accomplished. How far we can move those cases I just don't know because that depends on matters of human volition by way of plea bargains and decisions to go to trial and those are inherently unpredictable, but that is the scope of the population that we're dealing with, the subsection of the population that we're dealing with in trying to work particularly on felonies that are older than 70 days.

Commissioner Mourdock: Okay, well I was out of town for two weeks and spent most of Sunday reading through a stack of newspapers and, again, let me say I appreciate what you are doing. You and Judge Trockman especially. I know you are looking at the 70 date issue has been out there as far as keeping things moving along. It is much appreciated.

Scott Bowers: Well, we'll do everything we can to continue to merit your confidence and support. Thank you.

President Jerrel: I'll have your 51 tomorrow. I didn't...I had a meeting. But what you're...when you look at this list now it is beginning to look different.

Scott Bowers: Yes. Yes, and in fact if you take a look at the jail report you'll see that just within the last two weeks the average stay in jail has dropped about two weeks.

President Jerrel: Uh-huh.

Scott Bowers: And I think a lot of that is because we have moved some of these older cases. Also, Chief Williams has worked with the database that goes into that list and he has given me a copy that is prioritized by days in jail, highest days first, so I have already got that, Commissioner.

President Jerrel: I do...and I am looking at the other two ends. We talked a little bit about last week, you weren't here, but the pre-sentencing.

Scott Bowers: Good.

President Jerrel: Getting the case files to the defense attorneys as quickly as possible from the Prosecutor's Office and then the abstract side.

Scott Bowers: Yes.

President Jerrel: And I'm going to give this to you, Eric, before you leave tonight. You know, there are some numbers and things that must come from the SAFE House, too, for those abstracts and I've got four of them I wanted to give you tonight because if we keep both those ends moving then that will help the overall picture.

Scott Bowers: Yes, and I think there are some things that can be done in terms of preparation, pre-sentence reports, that would be important and in working with Chief Williams it also occurred to me that the Sheriff's Department probably needs some legal assistance in sorting those prisoners who have been sentenced who can be moved to the Department of Corrections from those who need to be held here and that really is something that they have to have somebody with criminal law experience help them look through the docket sheets so they can tell when those prisoners are ready to go, so that will be something that will be brought up and discussed with the Prosecutor's Office and the Sheriff's Department at the felony process meeting on the 22nd of March.

President Jerrel: That's good.

Scott Bowers: Thank you.

President Jerrel: Well, thank you very much. Faye, thank you.

Commissioner Mourdock: I guess we formally need a motion to accept the recommendations of Judge Bowers and I so move.

President Jerrel: And I'll second and say so ordered.

Commissioner Mourdock: Any chance your trials in this room will run long into Monday evening at 5:30?

Scott Bowers: We'll try to keep it a minimum. We'll work something out.

Faye Gibson: We have room at the Old Courthouse.

Commissioner Mourdock: There you go.

President Jerrel: Okay.

Sherman Greer - EMA

President Jerrel: The next item on the...oh, I'm sorry. Sherman?

Sherman Greer: Yes.

President Jerrel: I want to recognize you and if you would like to come for just a moment, we approved your proposal and your proclamation and we thought you might be busy with an earthquake.

Sherman Greer: Well, I was up at Jasper to tell you the truth at INDOT's in-service that they are having today and tomorrow on bridge preparedness. Preparedness for the bridges for earthquakes and lo and behold before we got up there we had an

earthquake today and it was about five miles...I'm sorry, it's west of us up by New Harmony is where the epicenter is and it was about...just a second here and I can give you information. It seems to be that it was by Harmonie State Park on Route 69, between there and the Wabash River. It was approximately a 3.2 earthquake and it seems like there hasn't been any damage reported or anything of that sort, but that is just a wake-up call for us. I felt it in my office. I don't know if anyone else felt it today, but it sounded more like a sonic boom to me than anything else.

President Jerrel: Uh-huh, it did.

Sherman Greer: We just felt today and was kind of laughing up there today at the seminar that it's kind of a wake-up call for us all that this could happen at any time. I appreciate this, do you have any questions on that weapons of mass destruction?

President Jerrel: I don't have any, but I wanted to thank you for the information.

Sherman Greer: No questions on weapons and mass destruction?

President Jerrel: No, we're alright there.

Sherman Greer: Okay, thank you.

President Jerrel: The judge just left, so we took care of that!

Sherman Greer: Okay, fine.

Tony Greubel - Permission to conduct surplus real estate auction

President Jerrel: The next item on the agenda, Tony, you had a--

Tony Greubel: Yeah, permission to conduct year 2000 county surplus real estate auction on Tuesday, April 11th at 10:00 a.m. Hugh Miller of Curran Miller Auction Realty has agreed to be the auctioneer for the third year in a row.

Commissioner Mourdock: So moved.

President Jerrel: I'll second and say so ordered.

Interlocal agreement regarding Human Relations Commission
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President Jerrel: The next item on the agenda is...I don't believe there is anyone here from the City Clerk's Office. It's to amend an interlocal agreement on the Human Relations Commission.

Commissioner Mourdock: I think Joe has some information.

President Jerrel: Do you have some?

Joe Harrison, Jr.: The only thing I have prepared a resolution approving the ordinance that was passed by the City Council. The ordinance requires the approval of the Board of Commissioners of Vanderburgh County as well as the Vanderburgh County Council and the city's ordinance essentially is proposing a reduction in the

number of members to the Human Relations Commission from the current make-up to 13 members from January 1, 2000 to December 31, 2001 and then I guess in 2002, January 1, 2002, thereafter to 11 members. The County Commissioners would continue to appoint the same two members...the same number of members as they are now, two members, and the County Council would appoint one member. I don't know if that is the same number that they are appointing now or not, but I know the Commission number would stay the same. So essentially it is reducing the number that would be appointed by the city. It's got to be the same thing for the county. It's got to be the same because the city wouldn't be able to reduce their number, so this is a resolution approving their ordinance and essentially what it is doing is modifying the interlocal agreement between the city and county.

Commissioner Mourdock: We simply need a resolution. We do not need to do this by ordinance?

Joe Harrison, Jr.: No, essentially what we are doing is modifying the interlocal agreement and we're saying we approve what they did. They had to pass the ordinance but we are simply approving it.

Commissioner Mourdock: I'll move the approval of the resolution regarding the interlocal agreement on the Human Relations Committee as recommended by the County Attorney.

President Jerrel: And I'll second and so order.

Auditor - Permission to advertise vacation of easement

President Jerrel: The next item on the agenda, the Auditor's Office.

Charlene Timmons: Just asking for permission to advertise a vacation of an easement in German Pines Subdivision. The suggested hearing date is March 20th.

Commissioner Mourdock: And that is for an easement between Lot 6 and 7 in German Pines, so I'll move approval.

President Jerrel: I'll second and so order.

Marsha Abell - County Clerk

President Jerrel: Is there any group or individual that wishes to address—

Tony Greubel: Marsha Abell, the County Clerk.

President Jerrel: Oh, I'm sorry, Marsha. Your name wasn't on here and if it isn't on here I just—

Marsha Abell: It's on mine.

Commissioner Mourdock: Yeah, that's the draft.

Marsha Abell: It's highlighted on mine. I thought maybe that is what it meant, you're going to leave me out.

President Jerrel: Go ahead.

Marsha Abell: Marsha Abell, County Clerk. I have two issues. I think you must of...did they get it in their packets? The County Council has approved \$40,000 for records storage for the rest of this year along with an employee to man that. It looks like the person we're going to go with is Kinder Moving & Storage which has Kinder Records Management Company. Their bid is in here. It includes the transportation of the documents. New cartons, they are going to have to box some that are torn apart and they have to take some out of file cabinets. We have a lot of them stored in file cabinets. And the money fee to stay in the facility. I guess, will Joe Harrison be working this contract out with Kinder? I have just a few reservations about it and I would kind of like to talk to you about it. I have some concern about the retrieval cost of \$1 per file. That could get extremely expensive if we don't put a cap on it and I have put a call to State Court Administration to see if that is a fee we can pass through to the people requesting the file.

Commissioner Mourdock: Do you retrieve by file or by box, Marsha?

Marsha Abell: Well, we'll retrieve...they'll pull the carton down, but we'll actually just be getting a file out. We won't be getting a whole box.

Commissioner Mourdock: That would be expensive.

Marsha Abell: Hopefully everything can be faxed back to us. Certification things cannot be faxed unless my employee faxes them, so after we get past the stage where we have my employee there and we no longer have someone there on site anything that has to be certified will have to be physically brought to this location. So there are some things we need to talk about when it comes time to sign a contract and I would like to work with Mr. Harrison on that.

President Jerrel: Okay, so you do intend to...I mean, the issues that you and I talked about like the retrieval, you haven't had a chance to talk that over with them yet?

Marsha Abell: About our staff doing the retrieval while she is there?

President Jerrel: Yeah, right.

Marsha Abell: Yes, she will be doing the retrieval while she is there.

President Jerrel: Okay.

Joe Harrison, Jr.: How many different proposals did you get?

Marsha Abell: Every warehouse in Evansville.

Joe Harrison, Jr.: Okay, roughly how many? More than three?

Marsha Abell: Oh, 12.

Joe Harrison, Jr.: Okay.

Marsha Abell: I mean, Susan Taylor can tell you, what 12 or 13? Yeah.

Joe Harrison, Jr.: And what you may want to do is maybe you can enter into the

record some of the other ones that you received and this is the one that you want to select from.

Marsha Abell: Okay.

Joe Harrison, Jr.: Is that correct?

Marsha Abell: Sure.

Joe Harrison, Jr.: So maybe at some point you can if you have written proposals if you can submit some of those into the record so at least we have a record reflecting that you solicited more than three.

Marsha Abell: At a later date? I mean, I can tell you tonight with guesstimates, but I don't have anything with me.

Joe Harrison, Jr.: But you had more than three proposals?

Marsha Abell: Oh, yes. We submitted all of those to the County Council.

Joe Harrison, Jr.: Okay.

Marsha Abell: In writing.

Joe Harrison, Jr.: Okay. That's all I need to know, but if you can do that in the next couple of days and submit it to the Auditor some of those proposals.

Marsha Abell: I can do that.

Joe Harrison, Jr.: That would be helpful.

Marsha Abell: Okay.

Joe Harrison, Jr.: And I'll work with you.

Marsha Abell: Okay.

President Jerrel: Is there a motion to approve?

Commissioner Mourdock: I move we direct the County Attorney to work the contract with Kinder as requested.

President Jerrel: I'll second and say so ordered.

Marsha Abell: Okay.

President Jerrel: And the other—

Commissioner Mourdock: You said there was a second item.

Marsha Abell: Yeah, the second issue that I have involves an employee in my office who has a lot of overtime hours. She has asked that the county buy her out of 200 hours. She is not leaving county employment and I know that is not in keeping with the policy so I kind of want to tell you why this would work...why we want this to work.

In October of '99 the IV-D money that I get from the state changed as to what it can be used for. It can now only be used for child support related matters and nothing else. Right now this person actually is in my child support division. We could use that money to pay her...buy her out of 200 hours and I have that money in my account and then bill that back to the state and get 60 percent of it back because they pay us back 60 percent of all of our expenses. If we wait until she retires and she happens to be in a different department or different office the county will have to pay for her overtime hours with no ability to get reimbursement. This way we can get 60 percent back and it is money we can only use for child support issues anyway.

President Jerrel: Do you...did they send that to you in writing, the IV-D change.

Marsha Abell: Oh, yeah, it's statutory.

President Jerrel: Okay, but does it affect all IV-D?

Marsha Abell: It affects all IV-D, mine and the county's. I don't know about the Prosecutor's because he gets some different money for prosecution, but for the...what they consider the incentive fund out of the state all that money has to be used only for child support issues.

President Jerrel: Huh. Well, we need to sit down and review that. Have you...you haven't talked to the Prosecutor's Office?

Marsha Abell: I haven't talked to the Prosecutor's Office. I have talked to the Auditor's Office several times about it.

Joe Harrison, Jr.: Again, all these hours are overtime?

Marsha Abell: Yes.

Joe Harrison, Jr.: Well, it's got to be paid.

Marsha Abell: It just seems like it is best to pay it now out of this money instead of having this money sit there and we can't use it and then have to pay her out of the General Fund.

President Jerrel: Well, I would like to know that there is a IV-D plan in place. Again, it wouldn't be anything that we would have anything to...it's not our call, but it would be nice to know that IV-D offices are all aware. Again, you might check with the Prosecutor's Office and see—

Marsha Abell: Okay.

President Jerrel: —what their rules were.

Marsha Abell: Okay.

President Jerrel: So that we know we've got whatever we're doing. It's in such a manner the Auditor's Office is aware of it.

Marsha Abell: Okay.

President Jerrel: Okay? Is there a motion?

Commissioner Mourdock: I'm sorry, I was asking Bill a question there. Are you looking...I heard you make the comment that you wanted to look into it to make sure it was only—

President Jerrel: No, we'll do that. I just meant is there a motion to approve the payment?

Commissioner Mourdock: As requested by Marsha?

President Jerrel: Yes.

Commissioner Mourdock: Okay, yeah, because to get the 60 percent back, I mean, I think your logic is exactly right if we can get the state to do that we're probably better off than having to have the county do it and as Joe said we have to pay the overtime anyway, so I'll move that we approve that as requested.

Marsha Abell: Okay.

President Jerrel: And I'll second and say so ordered.

Marsha Abell: Thank you.

Any group or individual wishing to address the Commission
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President Jerrel: Okay, any group or individual that wishes to address the board at this time?

Richard Helzerman: My name is Richard Helzerman and I would like to speak to you about the jail overcrowding.

President Jerrel: Do you have something in writing, Mr. Helzerman, or is this going to be long?

Richard Helzerman: I will try to keep it to three minutes.

President Jerrel: Okay.

Richard Helzerman: I don't have anything in writing this time.

President Jerrel: Okay.

Richard Helzerman: Two times ago I was here and the question came up on how much it costs to keep a prisoner in the jail. There was some confusion, but no definite answer. In the paper 2/19/00 Page A-1, Brooks calls jail a political hot potato. He says that after looking at the county's current budget about \$19 million a year is spent housing inmates and operating the jail and the costs are only going up. Now, I called him specifically to verify that he said that. I didn't talk to him about anything else just verified because I didn't know if it was a misprint. He verified that he did say that. If you take \$19 million and divide it by 268 spots in the jail that is \$70,000 a year. If you divide the \$70,000 a year by 365 that's \$194 a day or almost \$200 a day. One of those lists that I had I figured 51 were guests from other

counties and another had 41, but best as I could figure—

President Jerrel: Well, before you proceed down this road, and, Eric, that is not the correct amount of budget for the jail, so I don't know where he got that number, but that is not accurate.

Richard Helzerman: Okay, so alright.

President Jerrel: I didn't say anything that day to the judge because I don't say things to the judge that they're wrong, but that was wrong.

Richard Helzerman: Okay.

President Jerrel: It's a good bit less than that.

Richard Helzerman: A good bit less, okay. In that case, I would like to say that you have told me that the jail overcrowding is not your problem, but I went to the federal courthouse and evidently the judge accepted a case, you know, that says that you are responsible—

President Jerrel: The building is our responsibility.

Richard Helzerman: Yes.

President Jerrel: Providing a building.

Richard Helzerman: The gentleman who gave the suit his mother wrote me a letter and I would like to read it to you if you don't mind.

“Mr. Richard Helzerman, I appreciate your letter of concern dated February 24, 2000. I believe you are thinking in the right direction. The general public does not feel the impact of the Vanderburgh County jail situation of this at all. You see until you have a loved one involved either side of those bars on the other side of those bars you do not know. I have empathy for the guards who could be involved in an escalating situation very quickly and also for the offenders who are living in animal like conditions with no concern for what or helping them return to be productive citizens. The answers are not simple for this out of control situation, but if we all form all aspects of this situation, work to find some answers I feel peace will follow. You see, I have a loved one in there who I pray for every night, but I also pray for those who truly help and want to see their lives return to an acceptable lifestyle.”

The first time I offered a six month solution. The second time I offered a solution that I believed would clear the jail in a week. The last time I was here I offered a solution that I feel could cure the overcrowding in one day. Today I am going to want to present to you a long-term solution to the problem and that has to do with the problem of police entrapping people. Now, the County Council or you guys have given to the Sheriff \$10,000 a year to buy drugs. I would like to ask you to stop that practice. It corrupted one of your finest police officers and there are policemen that go out and try to solicit prostitutes and there are policewomen who dress up like prostitutes and try to solicit people for prostitution. There are people that are actively trying to trick people into buying drugs and then arresting them. I would like the County Council to exert some leadership and say we've got enough people in the

jail, let's stop trying to tempt people to get more people into it. I think it is morally reprehensible that, you know, the taxpayer's money is used to corrupt people and to entrap them. I would like to have you make a proclamation something to the order that we ask the Sheriff's Department, we ask the Evansville Police Department, we ask the State Police who are working in our area, we ask the FBI, we ask the ATF, we ask the Drug Enforcement Task Force to please stop the practice of entrapment at least until we get the jail overcrowding. Thank you very much.

President Jerrel: Thank you, Mr. Helzerman. Is there anyone else that would like to speak to the board?

John Stoll - County Engineer

President Jerrel: Seeing none, I'm going to ask for reports from our department heads. County Engineer.

John Stoll: First I've got a request for street plan approval for a street in Cross Pointe Subdivision. This street would be called Wilbert Way. It's a short cul-de-sac that will come off Virginia Street about 500 feet east of Cross Pointe Boulevard. It's a curb and gutter street just like everything else out in that area and I have reviewed the plans and would recommend that they be approved.

President Jerrel: What was the name of the street?

Commissioner Mourdock: Wilbert.

John Stoll: Wilbert Way, W-i-l-b-e-r-t.

Commissioner Mourdock: I'll move approval.

President Jerrel: I'll second and say so ordered.

Commissioner Mourdock: John, before you go to another one you and I spoke a couple of weeks ago about the barrier out there. Did you tell me that the reflective—

John Stoll: We sent a work order.

Commissioner Mourdock: Okay.

John Stoll: I don't know if the work has been completed as of yet given the fact that the temperature restrictions on application of paint and the adhesive for the reflectors I doubt if it has really been done yet, but we can check on them and I can let you know.

Commissioner Mourdock: Okay, because that would be just south of this new one, right?

John Stoll: Correct. Next I've got a plan for a northbound right turn deceleration lane to be constructed on Oak Hill Road and Bergdolt Road. This was a request that was made by EUTS in conjunction with the Arrowwood Subdivision which is located on Bergdolt. It's about a quarter mile or half mile east of this location. This is to try and mitigate some of the traffic that would be turning off Oak Hill onto Bergdolt just to get it out of the thru lane and cause less interference for the Oak Hill Road traffic. I

recommend that this be approved subject to the fact that the contractor involved may be required to get off onto private property. The way this is drawn up it all works within the right-of-way, but in order to provide him with some additional construction area and area to maneuver his construction vehicles he may need to get a temporary easement off the church property located immediately east of here.

Commissioner Mourdock: Are you leaving that up to the contractor though?

John Stoll: Yes because what is drawn there does fit within the right-of-way and you can see spaced from the back of the curb to the right-of-way line they do have some room where they can work from the lane up to the property line. So if they do need the extra space they'll be required to contact the property owners to get the authorization to work there.

Commissioner Mourdock: So there is a possibility that they may not need the space?

John Stoll: Right. In fact, several months ago when Jim Morley and I met out there to look this over one of the people, it might have been the minister at that church, came out and discussed the piping of the ditch and things like that, so I don't think that they would have a problem if the contractor wanted to get out on the property.

Commissioner Mourdock: Okay, my only comment, and I don't have a problem with the plans, but let's make sure when the bid documents go out that is very, very clearly specified otherwise that sounds like it has gotten change order written all over it if they want to come back and say, well, gee yeah.

John Stoll: This won't be county bid. This is going to be done by the developer.

Commissioner Mourdock: Ah.

John Stoll: So what I was going to do was if this was approved this evening I was going to send a memo to Morley's office stating that it was approved subject to the fact that we're only approving what is within county right-of-way and any temporary easements required by the developer's contractor will have to be acquired separate from this group of work we're going to grant.

Commissioner Mourdock: Okay. Motion to approve.

President Jerrel: And I'll second and say so ordered.

John Stoll: Next I have a street acceptance request for Clear Creek Subdivision. This is for 170 linear feet of Clear Creek Drive; 1,112 of Sterchi Drive; and 1,289 of Southport Drive. All these streets are located within Section 2 of Clear Creek Subdivision and it's recommended that these streets be accepted for maintenance.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: The next street acceptance is for Kingsmont Subdivision. This is the new sub going in next to Scott School. The acceptance request is for 1,110 feet of Kingsmont Drive and 283 linear feet of Arborfield Drive. It's recommended that these be accepted as well.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: Next I would like to request approval to work with Jerry in the Purchasing Department to purchase a new truck to replace a 1990 Chevrolet Caprice that we've got. We budgeted \$25,000 in this year's budget for the replacement of that vehicle so the money is in the account. What we plan to buy is a truck comparable to what Erik has purchased out at the County Garage last year.

Commissioner Mourdock: So moved.

President Jerrel: And I'll second and so order.

John Stoll: The final item I've got is a recommendation to award contract number VC00-01-01, Commercial Court/St. Joe Avenue intersection improvements to Deig Brothers. This is for the amount of \$91,864.50. Deig was the low bidder on the project.

Commissioner Mourdock: (Inaudible, mike not on.)

President Jerrel: And I'll second and so order.

John Stoll: That's all I've got unless you've got any questions.

President Jerrel: I'm just going to mention something at this point. John and I talked this morning and I've got a leave request to go to Indianapolis. There are three areas I want to go up and, I guess, talk to people about and see if we can't get some action and that relates to the railroad that didn't seem to know that there really was an issue at the Burkhardt intersection with Morgan. The other is the Fulton Street Bridge and the third one is I'm going this week to meet with Warrick County people because when we get this Lynch Road interchange completed and we go to county line unless they get some kind of funding we're going to come to a halt. So I'm going to meet with Steve Sherwood and with one of the Commissioners and see if we can't develop some regional effort, so that is the third item on my agenda when I go up there this week. If it doesn't work I'm going back next week and I told John and he has helped prepare some information for me.

Commissioner Mourdock: Okay, is Dave Rector spearheading that from the Commission side or Jack Pike?

President Jerrel: Well, Jack is going to be the one I am going to meet with Wednesday.

Commissioner Mourdock: Okay.

President Jerrel: But they all are in agreement that needs to happen.

Commissioner Mourdock: Great. I think that is a good idea because it would be capital D-dumb to put in that intersection out there without access to the east.

President Jerrel: Right.

Commissioner Mourdock: They've got some other issues out there they obviously

need to face, but I think if we don't and particularly if we don't take the lead on it it's probably not going to happen so I'm all for that.

President Jerrel: Yeah, and I think this is one time when we can step up to the plate to help our neighbors if we can. It's discretionary money we would be going after and it would help us.

Commissioner Mourdock: It would and the second point and we talk about it each year as one of our goals on our interregional or regional coordination and we've got several groups out there working. The ozone group, the overall economic development group and aside from having meetings I don't know that they are going to accomplish much. Sometimes our state legislative group doesn't work together as closely as county officials would like for them to and I think this is a good way to be the lead dog, so I think it's a good idea.

President Jerrel: Well, I'm going to meet with them Wednesday at the site and then John has gotten some stuff for me to use so I'll get a report to you Monday.

John Stoll: I was going to say, once you get a chance to take a look at that if there is anything else that you want added let me know and I can see what other documentation I can find.

President Jerrel: Well, you put some names in so I can say who knew what and when they knew it.

John Stoll: Hopefully it helps.

President Jerrel: Alright, thank you.

County Garage

President Jerrel: Erik has had a member of his family is ill and he is not going to be here for the County Garage.

Joe Harrison, Jr. - County Attorney

President Jerrel: County Attorney.

Joe Harrison, Jr.: The bids were opened in connection with the Bishea Building. I've got those bid amounts. It's VC BP-00-01.

Company name	Amount bid
Lichtenberger Construction, Inc.	\$64,267.00
Castle Construction & Development	\$65,333.00
Phoenix Construction Company	\$64,620.00
Deig Bros. Lumber & Construction	\$72,305.00

I would ask that the Commissioners take these bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

Joe Harrison, Jr.: I believe that is all I have. No, I'm sorry, I've got something else. Oh, I don't know if all of the reports that the Sheriff or that Chief Deputy Williams has submitted over the last month have been submitted into the record, but if they have not been I would ask that they be included into the record and also I believe Commissioner Jerrel has included a summary for, I know for February, it was dated February 6th, so it must have been for the first report prepared by Chief Deputy Williams that would have been dated February 2nd. I believe there is another report for a subsequent week and I would ask that those two reports also be added into the record and that these documents be included.

Commissioner Mourdock: So moved.

President Jerrel: I'll second and say so ordered.

Joe Harrison, Jr.: Thank you.

Tony Greubel - Superintendent of County Buildings
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President Jerrel: Superintendent of County Buildings.

Tony Greubel: I have two issues. The first one is submit titles for...vehicle titles for signature for the two trucks from the County Highway Department that were traded in for the new ones. Miller Truck is waiting for these. The other one has to do with Hillcrest Washington Youth Home. They have retired one of our old county vans that they have been using since they have been running it. It's a 1986 Ford Econoline van. It's been retired and it is now at Wolfe's Auto Auction ready for auction this October. So they want to declare that vehicle surplus.

Commissioner Mourdock: First of all I move that we act on the two titles as requested.

President Jerrel: I'll second and say so ordered.

Commissioner Mourdock: And I'll move we declare the Hillcrest vehicle as surplus.

President Jerrel: I'll second that and say so ordered. Is that all?

Tony Greubel: Yes.

Steve Craig - Burdette Park

President Jerrel: Burdette Park.

Steve Craig: Steve Craig, Manager of Burdette Park. The first thing I have is the Burdette Park rates for 2001 as suggested by the Burdette Park Advisory Board.

President Jerrel: Commissioner Tuley...do you want to relay what...I mean, if we can go ahead. If you're prepared to vote.

Commissioner Mourdock: Yeah, I have looked over the rates and I had a brief discussion with Pat in the parking lot and he said he had looked them over also and felt that it was appropriate to go with the recommendations of the Advisory Board. I'm comfortable with that.

President Jerrel: Okay, well I just...and you talked to Pat, too? So Pat did indicate that was fine with him.

Steve Craig: We had discussed at the Advisory Board meeting we had took into consideration what inflation was and what the raises was for our employees and felt that was a fair raise to put on the buildings just so that we wouldn't lose any ground and we would at least stay even on what the pricing is for the buildings.

Commissioner Mourdock: I'll move acceptance of the 19...it was 1990 something...for the year 2000 rates as submitted by the Advisory Board.

President Jerrel: And I'll second and say so ordered.

Steve Craig: That was for 2001.

Commissioner Mourdock: Oh, that's right. It's for 2001. I amend the motion.

President Jerrel: And I'll second that and say so ordered.

Steve Craig: The second thing is the goals at Burdette for 2000. Are we doing them this evening?

President Jerrel: Well, Pat wanted to—

Steve Craig: Yeah.

President Jerrel: If we can. I mean, we wanted to have some dialogue and Pat was unable to be here tonight, so if that is alright with you we'll wait until he is here.

Steve Craig: That's fine.

President Jerrel: Okay.

Steve Craig: And the third thing I have is the 1999 year-end report and cost analysis. Do you want to go through that tonight?

President Jerrel: Yeah, if you would like to.

Steve Craig: Do you have any questions?

President Jerrel: You know, it's the change in terms of the science camp and then the rentals seem to be there is a fluctuation. Is it—

Steve Craig: The science camp and that was because it was two weeks shorter.

President Jerrel: Oh, okay, good. Well, I'm glad. I didn't realize that. School started August 13th didn't they?

Steve Craig: Yeah.

President Jerrel: Now when do they begin this year?

Steve Craig: I think it's August 12th.

President Jerrel: So we'll have the same experience.

Steve Craig: But we're gong to open the pool to the public on May 25th which is a week earlier than normal. Hopefully we'll have good weather. I mean, May can be 90 or it can be 60, so August is more predictable, but we're going to try to get it open a week earlier.

President Jerrel: That's a good idea.

Steve Craig: Yeah.

President Jerrel: And the kids will be out in some cases.

Steve Craig: Right, they will be out of school because we have trouble with opening them early or closing them...or staying open later because kids are...our lifeguards are back in school. We usually do our grade school picnics and that with college kids. This year I think by the 24th is their last day, so the 25th we're going to open full-time.

President Jerrel: Well, that's good. I hope the weather agrees. Did you have any questions about the financial report? No? It looked good.

Steve Craig: Thank you.

President Jerrel: I appreciate it.

Steve Craig: Joe, on that first number that you gave, could you repeat it please?

Joe Harrison, Jr.: It's \$64,267, Lichtenberger?

Steve Craig: Yes, sir.

Joe Harrison, Jr.: And \$65,333; \$64,620; and \$72,305.

Steve Craig: Very close.

Joe Harrison, Jr.: Yeah.

President Jerrel: Sure were.

Steve Craig: That's all I have.

President Jerrel: Okay, thank you very much.

Steve Craig: Thank you.

Weekly reports

President Jerrel: You also have reports from Soil & Water and the Ozone Officer.

Commissioner Mourdock: I'll move we accept the weekly reports of the County Garage, the Superintendent of County Buildings, Burdette Park, Soil & Water and the Ozone Officer.

President Jerrel: And I'll second and say so ordered.

Consent items

President Jerrel: Under the consent items did you have any questions?

Commissioner Mourdock: Move approval as filed.

President Jerrel: And I'll second and say so ordered.¹

Old business

President Jerrel: Any old business?

Tony Greubel: I do have with the consent items under Superior Court, that inoperable copy machine. It does not work. We have to keep it in storage for a couple of years until we have another auction. Perhaps we can just scrape it for scrape metal value. There are some metal components to it that Bennie was wanting to...it's a big machine, too, and it's easier to get out of here if he can just break it apart and sell it for scrape and have the County Highway Garage put it in their dumpster and we'll get money for that.

President Jerrel: So you want us to—

Tony Greubel: We can get more money for scrape then selling it for \$5 at the next auction.

Commissioner Mourdock: So what are we doing, are we declaring it surplus?

Tony Greubel: Yeah, declare it surplus and then permission to destroy it.

Commissioner Mourdock: So moved.

President Jerrel: I'll second and say so ordered. Is there any other old business?

New business

President Jerrel: Any new business?

Commissioner Mourdock: I see Chief Williams back there. He's been there so attentive and I didn't know if there was something he had as far as the jail report. I know we have the detention thing here, but is there anything new?

Eric Williams: I believe you probably got e-mailed a copy (inaudible, comments made from audience).

¹See page 25 for listing of consent items.

Commissioner Mourdock: I may have. I had 253 e-mails awaiting me this morning so I didn't get through all of them, so it may be there. I haven't seen them.

Eric Williams: Basically, I'll bring the updates (inaudible, comments made from audience) and I believe he is going to be in town Wednesday.

Commissioner Mourdock: Okay.

President Jerrel: Okay, no other business, is there a motion to adjourn?

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

The meeting was adjourned at 6:32 p.m.

CONSENT ITEMS:

Employment changes:

Cooperative Extension Service
Center Township Assessor
County Council
Sheriff's Department

Prosecutor
Pigeon Township Assessor
Recorder's Office

Travel requests:

Engineer's Office
Commissioners' Office

Health Department

Treasurer:

Year-to-date investment report

Prosecutor:

Submit Federal Annual Certification report

Auditor:

Submit monthly financial, cash and expenditure reports

Superior Court:

Declare surplus inoperable copy machine

Sheriff:

Inmate general information report

Those in attendance:

Bettye Lou Jerrel
Richard E. Mourdock
Joe Harrison, Jr.
Suzanne M. Crouch
Charlene Timmons
Jerry Bryan
Joe Coleman
Sherman Greer
Scott Bowers
Faye Gibson
Marsha Abell
John Stoll
Steve Craig
Others unidentified
Members of the media

**Vanderburgh County
Board of Commissioners**

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

**Vanderburgh County
Board of Commissioners
March 13, 2000**

The Vanderburgh County Board of Commissioners met in session this 13th day of March at 5:38 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners' meeting to order. At this time I would like to introduce to you the people before you. On my far right is the Superintendent of County Buildings, Tony Greubel; County Attorney, Joe Harrison, Jr., is next to him; Commissioner Pat Tuley; on my far left is Charlene Timmons, our Recording Secretary; next to her County Auditor, Suzanne Crouch; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel and I would like for you to join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: Thank you. The first action item on the agenda is the approval of the minutes of the previous meeting.

Commissioner Mourdock: I think there are actually two sets to approve or there should be because last week we weren't able to do the prior week.

President Jerrel: Right.

Commissioner Mourdock: So starting in reverse order I will move approval of the minutes of March 6, 2000.

President Jerrel: And I'll second and say so ordered.

Commissioner Mourdock: And you two need to do the others.

Commissioner Tuley: I'll move approval of the February 28th minutes.

President Jerrel: And I'll second and say so ordered.

Jerry Bryan - City/County Purchasing

President Jerrel: The first item on the agenda is the Purchasing Department.

Jerry Bryan: Good evening, Commissioners. The first item that I have is the award of our annual bid for uniforms and rentals, APA038-2000. Cintas has our uniform and uniform rentals and Siegel's downtown here furnishes the uniforms for the Police, Fire and the Sheriff's Department. We made a review of the department heads and they thought the satisfactory service was good. These two companies will give us firm pricing for another year and the Board of Public Works has approved a renewal on 1/6. Joe, I did not get the contract signed until this afternoon. Kevin Winternheimer gave a contract for one more year. What this is, Joe, is just one more year with both companies.

Joe Harrison, Jr.: The percentages on the purchase from the city and county is it comparable?

Jerry Bryan: Two-thirds, one-third.

Joe Harrison, Jr.: Two-thirds, one-third to the city?

Jerry Bryan: Yeah, I would have to go back and review that if you wanted a dollar amount.

Joe Harrison, Jr.: But it's two-thirds, one-third roughly?

Jerry Bryan: Yes, sir.

Joe Harrison, Jr.: The city has the majority of the purchases?

Jerry Bryan: Yes, sir.

Joe Harrison, Jr.: And they approved that today?

Jerry Bryan: Yes, sir.

Joe Harrison, Jr.: At the Board of Public Works?

Jerry Bryan: They approved the original renewal on the 6th of January, but by the time they got organized and the new people in there and Kevin Winternheimer had a chance to review it he gave me the contracts last week and I had the two vendors come in and sign it and then Tom Shetler signed it this afternoon so the deal is basically struck.

Joe Harrison, Jr.: Okay, that's fine.

President Jerrel: Is there a motion regarding that?

Commissioner Mourdock: I would move approval of the contracts for one more year as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Bettye, I've got one quick item here. I didn't have a chance to get to Tony with an agenda, but Joyce from Burdette Park has come to me and asked me to send out the food and beverage bid for the year 2000 and I would like the record to show that we're going to advertise that bid on the 22nd of March, the 29th of March and then we would open that bid at this meeting on April 10th and I would ask your motion for that, please.

Commissioner Mourdock: I'll move approval of that advertising.

Commissioner Tuley: Second.

President Jerrel: And I'll say so ordered. That's in part because they are going to be opening before Memorial Day and we've got to hope for good weather.

Jerry Bryan: Right, thank you.

GIS - Professional service agreement with Schneider Corporation
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President Jerrel: The next item on the agenda is the GIS Committee.

Roger Lehman: Good evening, Roger Lehman, Chairman of the GIS Technical Subcommittee. I have with me Cheryl Musgrave, County Assessor. We are here today to request the Commissioners approve a professional services agreement between the county and Schneider Corporation. We have requested their services to do quality control on the orthophotography. The funding for this will be part of the orthophotography funding. There is adequate funds for that. We did get three prices from three different consultants and this was the lowest price by a fairly good margin, but we believe they are totally qualified and would like the Commissioners to approve it.

Commissioner Mourdock: You said quality control, do you mean actually the surveyor control?

Roger Lehman: No.

Commissioner Mourdock: Actually putting targets out and surveying them in so they've got control points?

Roger Lehman: No, the control points are done by the contractor, Western Air.

Commissioner Mourdock: Okay, so it truly is quality control?

Roger Lehman: Schneider Corporation will check the control points and will also check the orthophotography and also the DTM and DEM modeling to be sure it is in compliance with the standards that we have set.

Commissioner Mourdock: Okay.

Roger Lehman: The amount of that contract was \$7,447, I believe.

Joe Harrison, Jr.: And I've had a chance to review it. The contract looks fine. I just wanted to make sure we had funding in place and that is the case, correct?

Roger Lehman: Yes.

Commissioner Mourdock: I'll move approval of the contract with Schneider Corporation as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Roger Lehman: Thank you very much. That's all we have for this evening.

Cheryl Musgrave: Thank you.

Health Department - World Tuberculosis Day proclamation
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President Jerrel: The next agenda item is the Health Department's proclamation and I don't think there is anyone here. Would you want to go over the proclamation?

Commissioner Mourdock: Alright. Well, I won't read it into the record here, but the Vanderburgh County Health Department has requested of us and the City of Evansville that we adopt a proclamation regarding tuberculosis in that the Vanderburgh County Health Department supports and promotes effective disease surveillance and prevention as well as other efforts focused on the eventual elimination of tuberculosis. The city has adopted this resolution and I would move that the county do so as well.

Commissioner Tuley: Second.

President Jerrel: So ordered.

SWIRCA - Request for computers

President Jerrel: The next item on the agenda is SWIRCA.

Martin Staab: Good evening, Commissioners.

President Jerrel: Good evening.

Martin Staab: I would like to now introduce Kim Miles. He is the Director of Information Technology at SWIRCA in regard to obsolete county computers and he will tell you what they're used for. He can tell you much better.

Kim Miles: Hi.

Commissioner Tuley: I'm sorry, Mr. Staab. We know who you are, Martin, but can you state it for the record because the lady taping it may not realize who you are.

Martin Staab: Martin Staab.

Kim Miles: It has come to my attention that you have some obsolete PCs here in the county. Down at SWIRCA we decided last year in the fall to try to offer to seniors basic computer instructions that we believed would be 15 to 20 students per 13 week period has now grown to over 80 students per 13 week period. It has really mushroomed. Since our funds are limited what we're looking for is obsolete PCs that we can use parts out of and upgrade at a much lower cost thereby letting our buck go a little bit farther so we would request that you approve the obsolete PCs be given to SWIRCA.

President Jerrel: It seems to me we're going to have some. We have some.

Tony Greubel: Yeah, actually, Bennie and I have been down to look at those in the basement with some of the ones that we have and Bennie is good about keeping track of who needs which ones and Sarah and I have actually been looking at old PCs because we have a spare PC in our office which is not Y2K compliant anymore, so we've been testing out to see which ones were surplusd are good or not and the ones that they're asking for are totally worthless. I really don't think they're going to be able to use them, but they might be able to upgrade them or use some parts in them. Our other option is to wait a couple of years and have an auction, but then it's

going to be about two or three years until we have an auction and then we'll be lucky to sell them for about \$20 or \$25. They have been declared surplus. There is about four or five of them. Some of them are 386. I think there is one 486 down there. None of them are pentium chips or 32 megs of ram, modems or anything.

Commissioner Mourdock: I have one question. Didn't, and I don't have a problem in doing this, but didn't someone else come to us with a request for our old PCs a while back?

Martin Staab: That was me.

Commissioner Mourdock: Oh, okay.

Martin Staab: Last year.

Commissioner Mourdock: Alright, I just wanted to make sure we weren't obligating computers twice here.

Martin Staab: That was for CAPE.

Commissioner Mourdock: Okay. Well, we were then.

Martin Staab: Yep.

Commissioner Mourdock: Same messenger, different organization.

Commissioner Tuley: Martin wears a lot of hats.

Commissioner Mourdock: Yes, okay.

President Jerrel: I think it is admirable that he does it.

Commissioner Mourdock: Yeah.

President Jerrel: Because he helps spread the word. So, I mean, I don't have a problem and if a motion is appropriate—

Commissioner Mourdock: If CAPE is upset and SWIRCA is upset they can each grab one arm and start pulling! I'll move that we act to comply with the request and provided the outdated machines as they become available.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Kim Miles: Thank you.

President Jerrel: You're welcome.

Martin Staab: Thank you, Commissioners.

President Jerrel: The next item is not on the agenda. It was requested and Rose Zigenfus has some information she wanted to share with us.

Rose Zigenfus: And I apologize for any mixup in not getting that to Tony. But some time ago Maura Carriel from our staff was here to present the bicycle/pedestrian draft plan. I'm here tonight, Madam President, to ask you and your fellow Commissioners for approval so that we can move forward with the concept and I want you to be sure because other entities, the city, was particularly interested in not giving us carte blanche so that we would go out and spend money, but if necessary we would be coming back to you after further studies for approval for any removal of parking or any major change to the roadway to install any type of bicycle/pedestrian facility. So there is money available at the federal level. It's CMAQ money. We hope to start small and maybe just identify some routes that would need signs to encourage people to be aware that bicyclists are the road. We would do further studies to see if anything major needed to be done and then we would be back to you for those approvals.

President Jerrel: Are there any questions? I have a question. When you come back we have not really had a presentation, and I don't think we need one, from the Greenway for some time, but since the bike path ties in with that could you find out when they can possibly begin actually laying the asphalt for that bike path that they are going to build starting out by the river on down over the levee because I think we're beginning to get calls from people. The issue is obtaining right-of-way in a lot of places around the city, but is that a reason why we wouldn't go ahead and pour the asphalt and get the pike path going on the areas that we already have the right-of-way on?

Rose Zigenfus: Well, it is my understanding the phases that you're talking about downtown by General Waste and that there is some right-of-way issues there. The section that was going to built along the river front was to be done with the river front project by the city. That was all supposed to be done at the same time. The second phase from, I think it's Sunset Park on down through Angel Mounds—

President Jerrel: That's the one I am speaking of.

Rose Zigenfus: Okay, that is still being designed and we've applied for the money from the INDOT. We don't have it assured yet, but they are making those decisions. I don't know when that is going to get done, but I'll be glad to check.

President Jerrel: Well, what I was thinking, Rose, is CMAQ money sometimes becomes available because it isn't used somewhere else.

Rose Zigenfus: Uh-huh.

President Jerrel: And if some CMAQ money is going to be used for any of this if we had the design completed that's the easiest to pour because there is no right-of-way issues involved as you have on all these other parts.

Rose Zigenfus: Right. The only issue I know we're still hammering out is with the state so that this bicycle/pedestrian off-road facility greenway can encroach into INDOT's right-of-way. So while that's not an issue, we don't have to buy it, but we have to work out the agreement of maintenance and a few other things.

President Jerrel: Warrick County was talking about their bike path over the weekend

on one of the radio shows and they were intimating that, you know, this is what they're going to tie into and thought it's a very nice project that probably because it was waiting for so many other things to get finished is one that needs a little push, so could you find out?

Rose Zigenfus: I will.

President Jerrel: Okay. Is there a motion regarding procedure here?

Commissioner Mourdock: Yeah, I'll move approval of the bicycle plan as presented to us several months back with the caveat that any request for funding come back to this board before any action be taken.

President Jerrel: And the signage that...the removal of parking that's a city issue.

Rose Zigenfus: Pretty much a city issue, but we may run into it in the county somewhere.

President Jerrel: Right.

Rose Zigenfus: We just don't know.

President Jerrel: But that is on hold until—

Rose Zigenfus: No, we're not looking to do any project that would affect on-street parking at this point.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Rose Zigenfus: Thank you.

Public road hearing

President Jerrel: The next item on the agenda is the public hearing on county road paving. I guess, Erik and John, are you the two that are going to handle this?

Erik Bentle: This year the county is looking at approximately a little over 31 miles of paving. The majority of these roads are located on the west side that have been neglected for several years. We've got, let's see, three...nine of them that we're going to contract to be milled down this year.

President Jerrel: And do we have...is the price for the contract approximately...?

Erik Bentle: One million, six fifty-four.

President Jerrel: Okay.

Erik Bentle: And that's depending on the oil price the way it is right now.

President Jerrel: So we don't know for sure?

Erik Bentle: Yes.

John Stoll: I was going to say, in talking with some asphalt contractors (inaudible) the asphalt prices are up about 20 percent from last year's prices due to the increase in oil prices, so that (inaudible).

Commissioner Mourdock: And the \$1,654,000 that you just mentioned that is for those nine sections that you would contract out?

Erik Bentle: No, that's the for total.

Commissioner Mourdock: Including those?

Erik Bentle: Including those, yeah.

Commissioner Tuley: Am I missing figures for Caren Drive. I see Caren Drive on there.

Erik Bentle: Yes, the figures aren't on there for Caren Drive yet. They'll have to be added.

Commissioner Tuley: So the \$1,614,000 doesn't include Caren Drive?

Erik Bentle: It doesn't include Caren Drive, yes.

Commissioner Mourdock: With the question of the asphalt prices going up obviously we have so many dollars to fund as the price per yard of asphalt goes up that means we can lay less asphalt. Are these prioritized in any way so that later in the year when you're going to know where we are funding wise you can start?

Erik Bentle: The ones that are of main concern right now are the ones that we have starting out at the top the first page and then from there on it is going to be depending on what side of the county we're on. The first page are the ones that need the most attention.

John Stoll: As far as the contracted portion goes the ones that we're planning on contracting out initially include the ones that need milling, the streets out in Melody Hills plus Mesker Park Drive, so we should get a pretty good indication of what the asphalt prices are as we get our (inaudible).

President Jerrel: Tony, do you have copies, a few copies? Erik, do you have a few. Somebody had...if there is anyone in the audience that this is a public hearing so anyone that wishes to speak about any of the roads or if you would want to pass out any that any people would want.

Commissioner Mourdock: And while people are thinking of that, how did we contract out the asphalt? We bid that out on a per cubic yard or per ton basis, correct? And how was it caveated for the fuel price adjustment in that contract?

John Stoll: I'm not really sure. (Inaudible) and I didn't have a copy of that bid so I didn't it if was possibly a purchase order now.

Commissioner Mourdock: Right.

Erik Bentle: Yeah, I called Rudolph and they didn't like the idea of setting a price now.

Commissioner Mourdock: Well, they've already bid the price. I mean—

Erik Bentle: Pardon.

Commissioner Mourdock: They have already bid the price.

Erik Bentle: Yes, but they're saying they are not for sure how high it is going to go right now.

Commissioner Mourdock: Yeah, but they bid the price. Don't get me wrong, I'm not be too mercenary here, but money is money.

Erik Bentle: Yeah.

Commissioner Mourdock: Joe, do you know off the top of your head? That is something we definitely need to check.

Joe Harrison, Jr.: Yeah, we're going to need to check although—

Commissioner Mourdock: And let me just make my point.

Joe Harrison, Jr.: We haven't had as far as the work for these projects, obviously that is going to be bid out later, but the prices have been bid out.

Commissioner Mourdock: Right, and like I said I don't want to be too mercenary, but I would point out that a few years back when we bid them at this time of year the bid price was set and when the price kept going down on fuel—

Commissioner Tuley: The bid price remained.

Commissioner Mourdock: Yeah, the bid price remained, it didn't go down.

Joe Harrison, Jr.: But there is some caveat, isn't there, about oil...about the increase in oil?

Commissioner Mourdock: There is probably a (inaudible) if nothing else.

Joe Harrison, Jr.: Yes, there is some provision in there with an escalator.

Commissioner Tuley: I believe there was one of them who called me recently, but I think their concern is that it wasn't tied to something that they knew. I mean, I don't think there really was a tying...and that's what they are concerned about now. I am following what your thought process is is that they would like to change those bids if possible and I am not exactly sure what that bid called for and I don't want to shut them down and put them out business either, but, again, I don't think anybody knew. I don't know if they tied that to some sort of index because that's what I was trying to arrive at when he called me. I said if you guys tied it to some index that can be readily identified and verified then maybe you'll have a fluctuating price in there, but I don't think they do to be honest with you.

Commissioner Mourdock: Yeah, I don't think so either.

Erik Bentle: They were real reluctant when I talked to them on the phone about it.

President Jerrel: Well, we did that through the Purchasing Department. Yeah, you need to get a copy of the contract and take a look at it.

Commissioner Tuley: But, you know, I mean that's when we buy it, but when we go out and bid a job, you know, all is fair.

John Stoll: Right, and we've got Tom in my office working on drawings right now for things like Melody Hills and Mesker Park so we can get the contract out as soon as possible. If the prices keep going up throughout the summer (inaudible).

Commissioner Tuley: I would like to follow-up on something Richard said right off the bat.

Commissioner Mourdock: (Inaudible.)

Commissioner Tuley: Right. On this prioritizing, I mean I realize it makes sense not to pick up a piece of equipment if you are working out here and move it over to another area, but because we don't know what it is going to cost and we may not be able to pave as much as we think I think we do need to prioritize it just because we may be on the west side doing a road and the next road on the west side may not be as bad as a road or a group of roads on the east side, north side or whatever and maybe we need to move that equipment, forget about that road and come back to it later if money is still there.

Erik Bentle: Okay, that's fine. Like I said, the first page is the worst ones we've got right now. That's why we put them on the first page so you could see them, but the other ones we can prioritize them, that's no problem.

President Jerrel: Is there anyone here that would like to speak to the roads or have any comments related to the published list? Sure, you want to come up?

(Inaudible comments from audience.)

President Jerrel: Okay, you want to come up? Sure.

Jerry Jones: My name is Jerry Jones. I sent the Commissioners and Mr. Stoll a letter approximately February 9th and for public record I just want to get this out. My letter says since we've had a mild winter this year I hope there will be sufficient funding to elevate Lisle Road approximately four feet. According to my survey last year there are several families that would benefit and appreciate this improvement. Taxpayers deserve to have the peace and protection...fire protection...police...fire protection, but this high water is a problem on this road and the residents should have the comfort of knowing that they can get this done especially for emergency care. I hope you do give this some serious thought. We're not asking for \$1,600,000 in paving. We just want some dirt and some rock put on the road about two blocks long and I hope that the Commissioners will entertain this and give it some serious thought of putting it up for bids.

President Jerrel: Does anybody have any questions of Mr. Jones?

Commissioner Tuley: No, Jerry had called me probably right about the time he wrote that letter and that's what I said if maybe we had a mild winter, but of course at that time I think the gasoline prices and stuff and crude oil prices were quite a bit lower

than what they are and what they are predicted to go to so all we can do is look at it and see if there is any feasibility for doing it.

Jerry Jones: Okay.

Commissioner Tuley: But I wouldn't hold my hopes as high at this point with the change in that crude oil prices as maybe we could have back in January or February, Jerry, just to be honest with you. I imagine we're all open to at least exploring what possibility there is, but I think you heard the concern there that they are not even sure what the price is going up that we'll have enough to do what is on here right now and some of these roads may not even get done.

Jerry Jones: Right.

Commissioner Tuley: But you just kind of remind me of the guy that used to come over here, and I forget...that's terrible, I forgot his name.

President Jerrel: Mr. Moser.

Commissioner Tuley: Mr. Moser, and you just got to keep coming back and asking and hopefully some day if not this year just keep coming back and maybe one year we'll have excess money and a real mild winter and we can get it done if we don't get it done this year.

Jerry Jones: I understand. I've been trying to get this done since '96 and I am still waiting to build a home out there on our property, but the survey that my brother and I went out and did last year I thought those names might be beneficial to you. We had about 75 to 100 people from Union Township that want this done. I would appreciate it if you would come up with the money somehow. Thank you.

Commissioner Mourdock: John, do you recall off the top of your head how many cubic yards of material we were looking at for fill there? I remember when we spoke of that once before it was like 40,000?

John Stoll: I don't remember the exact number. Give me just a second and I'll dig it out of the folder. I pulled the cost estimate from last year out and depending on what numbers you use for the dirt it ranged \$60,000 to \$100,000 for that, to raise the road. Just a second I can get you the cubic yardage of dirt.

Commissioner Mourdock: And the borrow you were looking for was right there at the site, right? Am I thinking of that correctly?

President Jerrel: Uh-huh.

Commissioner Mourdock: Yeah, someone was...that's what my recollection is. Somebody was going to donate the borrow.

John Stoll: Yeah, Staub owns the property right next to it, so I guess if he got the project if we bid it out he could give us a better price, but there is no guarantee that he would end up getting the project. We estimated 6,140 cubic yards.

Commissioner Mourdock: Okay.

John Stoll: And the price ranged from \$4 a cubic yard estimate that Mr. Jones had

provided up to \$10 a cubic yard based on what we've seen on some of our other project.

Commissioner Mourdock: And was there sufficient right-of-way width?

John Stoll: No, we estimated it would take another 20 feet of additional right-of-way.

Commissioner Mourdock: Ten feet on either side.

Commissioner Tuley: Was that right-of-way acquisition included in that \$100,000 figure?

John Stoll: No.

Jerald Jones: My name is Jerald Jones. I would like to address the right-of-way problem. My brother talked to Mr. Staub and he said there would not be any problem with the right-of-way whatsoever. He would be willing to cooperate with us and the county in any way. My brother and I's offer is still open. We'll provide the fill dirt for this project and I think it's a win-win situation. I also would like to add that maybe if it is possible, I am very familiar with Union Township. I have lived down there for a long time, but you have a road from Happe Road that was going to be paved down to the gravel road. I'm very familiar with that road. I've been down it just recently. It is in need of repair, but nothing that can't be delayed for maybe a year. I'm just wondering if we could take that money for pavement of that road and apply it to another road in Union Township. I think it would make a lot more people happy, so that is a recommendation I would like for you to consider.

Commissioner Mourdock: Which road was that Mr. Jones?

Jerald Jones: The Happe Road to, it says down the list if you go down the list, Old Henderson Road and then it says it will be paved from Happe Road down to the gravel road and I don't know, I am estimating that the distance is probably a mile perhaps, maybe a mile and a half. I don't know what it costs per mile to pave, you know, but I'm sure that that money if it could be applied to our road and if we provide the fill dirt I believe we can get the job done. Thank you.

President Jerrel: Is there anyone else that would like to speak to these issues. What is our time table? Is this advertised more than once? No one else wishes to speak to this?

Commissioner Mourdock: Just one other road that I received a call on is Mossberg. I didn't know if you had any comments as to why that one is not on the list or any comments as to why it should be on the list.

John Stoll: I was going to say right now it's a rock road. The one thing we need to look at is quantities and materials needed, check the width of the road, the available right-of-way and things like that for what improvements we could do out there, so it's something we could look at as well.

Commissioner Mourdock: What would the length of that one be, John?

John Stoll: It's about a mile and a half.

Commissioner Mourdock: Okay.

President Jerrel: Is there anyone else that wishes to speak to this? You understand what we'll do is the County Engineer and the Superintendent of Roads will begin and these are including all of them that have been recommended will be on the list, but they may or may not be paved depending upon how much it costs. I mean, we just start with the worst ones and go as far as we can go and in the case of the ones that have to have milling and efforts like that which we have listed at the bottom of the list they will be put out for bid and be contracted out. Again, that will depend on how much them come in for whether or not we can do them.

Commissioner Mourdock: And is it the consensus of the board of the recommendation of the Engineer and the Highway Department that those several that need to be bid out that we do that sooner rather than later? Are you looking to do that at the start of the season even though all the work may not commence right at the start of the season?

John Stoll: Right, we're working on the quantities right now and I hope to have a Notice to Bidders if not next week the following week.

President Jerrel: Okay.

Commissioner Mourdock: Even though it is not specific to this one thing I remember Jerry Schmits, if I heard him say it once I must of a hundred times, whenever you've got a spot of bad road you've almost always got a spot of bad drainage that goes with it and I have certainly observed that to be true. Are you doing anything differently this year to coordinate your ditching and your ditch maintenance pertaining to these roads?

Erik Bentle: We've started our ditching early this year. (Inaudible.)

Commissioner Mourdock: Okay, kind of prioritizing those the same as what you've done here.

Erik Bentle: Basically.

President Jerrel: You've done a lot of work to the shoulders, too.

Commissioner Mourdock: Right, the new shoulder machine ought to help out.

President Jerrel: That's really done a lot. It will protect the roads that we have, the ones that have been newly paved particularly.

Commissioner Mourdock: You put down a lot of rock with that.

Erik Bentle: Yeah, they paved Hogue Road from the city limits to county line in two days.

Commissioner Mourdock: I know you did Darmstadt Road at one point, too.

Commissioner Tuley: On your ditching there, Erik, you said basically and you said it with hesitation, so I think if we're going to prioritize the road we need to go back and check the ditching as well.

Erik Bentle: (Inaudible) times when people have called in with emergencies where the ditches were caved in and we would get off the list we were on. Yeah, we've got

a list that we try to stay with.

Commissioner Tuley: So barring emergencies and within reason you'll follow that same—

President Jerrel: Well, you'll give us a copy of that also like you did last year.

Erik Bentle: Yes, I'll get a copy of that ditch list for you.

Commissioner Tuley: I mean, I read...I'm sorry.

Erik Bentle: We already advertised that out in the paper for ditches this year, too.

Commissioner Tuley: Yeah, I was reading in some notes, I think it was from last week's meeting, that you had submitted that you had already done quite a bit of tree removal and ditching and what have you already so that's fine.

President Jerrel: Okay, if no other comments and no other questions we're going to proceed with getting final dollar amounts and go as far as we can go on these roads this year.

Commissioner Mourdock: And I'll move that we accept the recommendation then of the County Engineer for the year 2000 paving list.

Commissioner Tuley: I'm going to second although I do want to go out and look at that section of Old Henderson Road that was brought up by...was it Jerald? I'm sorry, Jerald Jones. I'm going to take a drive out there myself and take a look at that, so Erik or John I may be calling you to take a ride out there with me and a little comparison between the roads.

President Jerrel: That's a good idea. Is there a second?

Commissioner Tuley: I'll second, having said that.

President Jerrel: Okay, and I'll say so ordered.

Any group or individual wishing to address the Commission
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President Jerrel: The next item on the agenda is the open item. If there is anyone that wishes to address the board at this time they're welcome to do so.

Richard Helzerman: My name is Richard Helzerman. I would like to address the board about the problem of jail overcrowding.

President Jerrel: Uh-huh.

Richard Helzerman: I appreciate all the efforts that you have done toward working toward it, the attitude toward it. I still would like to renew my offer to have a computer program that would help the judges to schedule the trials. After I talked to Jeff Lantz I understand a little bit more about their procedure and what they do they schedule four trials at one time and that encourages the people to settle out of court and I presented to him my concern that this was unfair to the defendants and he said the pressure really is not on the defendants, the pressure is on the

Prosecutor because he is over...he is inflating the charges and he doesn't really want to settle until the trial comes. But with the computer you can look at millions of different options. When you look at it manually you can only look at two, or three, or four, or five, or ten, or something like that. I believe with the 11 judges available we can have a virtual courtroom of 44. As I presented last week you've got ten cases coming in a day and you can only deal with four so you've got six building up every day. But by setting up a computer program if we say all of the judges would be available if there really was a trial they would have to bump whatever trial they were planning to do. Knowing that only four or five percent of them go to trial, so if you scheduled 44 trials for the same day, only four percent of those are really going to go, four times 44 is one, so you really only have one real trial, but you would be encouraging, you know, the parties to settle. I would just like to say, you know, my offer is still out there and I believe that it would help you. Thank you.

President Jerrel: Thank you. Any other comments?

John Stoll - County Engineer

President Jerrel: Alright, let's move on then to the County Engineer's report.

John Stoll: The first item I've got are agreements for the Burkhardt and Morgan railroad crossing in conjunction with the Burkhardt/Morgan Avenue project. There are three copies of one agreement and two of another agreement. The first agreement is between the state, the county and Norfolk Southern Railroad and that agreement basically says that the railroad will do all the work as a part of the Burkhardt and Morgan project and then we will...we...I should say the state and the county, excuse me, will pay the railroad for their work that they will be doing out there. The estimated cost for the surface and the warning devices is \$236,600 of which we will pay \$47,320. So the three copies of one agreement are between three parties and the other agreement is just between the county and the state and that agreement basically says that the state will pay 80 percent and the county will pay 20 percent. I had the County Attorney review the agreements and...pardon?

Joe Harrison, Jr.: Did we get that language changed?

John Stoll: Yes.

President Jerrel: The money is in place?

John Stoll: Yes, it is, so it is recommended the agreements be approved.

Commissioner Mourdock: What is the time frame for getting the work done that the railroad has committed to?

John Stoll: It will be in conjunction with the project when we get the project out for bid. It is now on an April bid letting. I believe it has 110 work days in the contract.

Commissioner Mourdock: So the railroad would have to have it done within the 110 days?

John Stoll: Correct.

President Jerrel: I checked on that Thursday and it is listed.

Commissioner Tuley: I sure don't want to sound like a smart aleck, is this not the same one that two weeks ago they knew nothing about?

John Stoll: Yes.

Commissioner Tuley: Boy, they move fast don't they?

Commissioner Mourdock: When they want to.

President Jerrel: Right.

Commissioner Mourdock: I was going to ask what we...well, never mind. I figure there must have been some negotiations or hostages or something that they moved that quickly. I'll move approval.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The second item I've got is a request for a sidewalk waiver on Expressway Commercial Subdivision. This is out on the west side where the new Lowe's was recently built. A sidewalk waiver was granted for everything but the frontage on Red Bank Road.

Commissioner Tuley: Everything but?

John Stoll: Correct. Because of that a sidewalk was constructed in front of the convenience store located just down University Drive. When the Lowe's development came in the Letter of Credit for (inaudible).

Commissioner Tuley: Is this by the Circle S?

John Stoll: Yes, Circle S is here. This is a vacant lot. Lowe's is back here.

Commissioner Tuley: (Inaudible.)

John Stoll: Right, (inaudible).

Commissioner Tuley: Where are the sidewalks, right down here?

John Stoll: The sidewalks (inaudible).

Commissioner Tuley: (Inaudible.)

President Jerrel: It's probably hidden.

Commissioner Tuley: (Inaudible.) Second.

President Jerrel: So ordered.

John Stoll: That's all I have unless you've got any questions on anything else. Thanks.

Erik Bentle - Superintendent of County Garage
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President Jerrel: County Highway Department.

Erik Bentle: Okay, you've got my reports for this week and my work schedule. The only other thing I have is back February 17th our '97 gradall was taken to Cummins Diesel to have some motor repair done and they damaged the cab on it pretty bad. Carlisle is saying it's about \$8,000 worth of damage and they are recommending that they replace the cab and not repair it because it is a safety cab. They boomed the boom out on it and didn't have it lined up with they boomed it back in and they boomed it into the cab and crushed the top of it. That is a new gradall. It's only got 700 ours on the front motor, so I...no, they were in the back cab when they did it.

Joe Harrison, Jr.: It think they're denying it.

Erik Bentle: Now they're saying that nobody is owning up to doing it, but it wasn't damaged before they took possession of it.

Joe Harrison, Jr.: We're dealing with our county insurance carrier.

Erik Bentle: Yes.

Joe Harrison, Jr.: In fact, I discussed it with them last week and we're taking steps to proceed along the appropriate channels and to get the gradall repaired or replaced.

Erik Bentle: The cab replaced.

Joe Harrison, Jr.: The cab replaced as soon as possible and then we'll have to fight the next battle.

Erik Bentle: Carlisle is not recommending any cutting or welding on that cab due to the computer system in it and the safety factor of the cab. They are recommending replacement, so my recommendation to you is to let us go ahead and replace the cab. It is a brand new vehicle. I mean, there is no sense in going in and just patching it up.

President Jerrel: And, Joe, that's the appropriate procedure we should follow is do what they are going to and replace the cab?

Joe Harrison, Jr.: Yes. I mean, it has been turned into our county insurance carrier and they need to get the gradall repaired, but the recommendation was as opposed to repairing the damage is to replace the cab.

Erik Bentle: Replace, yes.

Joe Harrison, Jr.: That's the letter from Carlisle which is the equipment company where it was purchased from?

Erik Bentle: He is the dealer of the equipment, yes.

Joe Harrison, Jr.: They're recommending as opposed to repairing replacement. Obviously we need that for our records.

Commissioner Mourdock: Do we have to bid that or anything?

Joe Harrison, Jr.: No.

President Jerrel: Okay, so is there a motion to proceed with replacement of the cab?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Erik Bentle: The other question I had, it's looking at being out for approximately a month. Is there any way I could lease a piece of equipment to take its place to keep us up-to-date on our ditching and pipe installation for this month so we don't get behind?

Commissioner Mourdock: Will our insurance cover that, Joe? It ought to.

Joe Harrison, Jr.: Well, it should and we've discussed that, but again that is going to be our insurance is going to be looking to subrogate so that's going to be another issue, but yes is the answer.

Erik Bentle: That keeps us from getting behind because we want to keep these ditches ahead over the pavers.

Commissioner Mourdock: And you can get pretty readily three bids for similar types of equipment?

Erik Bentle: Pardon?

Commissioner Mourdock: You can pretty easily get three quotes for that type of rental equipment?

Erik Bentle: Yes.

President Jerrel: And the money is in place?

Erik Bentle: The money is in place. Though we should recoup for that.

Commissioner Mourdock: Exactly.

President Jerrel: Between \$6,000 and \$7,000.

Erik Bentle: Right.

Commissioner Mourdock: I'll move that we go ahead and begin procedure to get a short-term lease for a gradall to use to help with the ditching while our other one is being repaired.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Erik Bentle: That's all I have.

President Jerrel: Thank you.

Joe Harrison, Jr. - County Attorney
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President Jerrel: County Attorney.

Joe Harrison, Jr.: I don't have anything other than I would like to have the jail report prepared by Chief Deputy Williams entered into the record. I might add it does indicate that on the day the report was prepared that there were under 300 inmates in the jail, I think 295 was the number.

President Jerrel: Is there a motion to accept the report?

Commissioner Mourdock: I'll move that we accept the jail report as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: I do have a question for Eric while we're on that subject, if you don't mind. I'm not quite sure even how to phrase the question here, Eric, but as I notice going through it again I noticed there were some folks in there for...well, one for 240 days, one for 320 days on what would seem to me to be relatively minor things. At least you're showing on one of them theft/shoplifting of value \$50 to \$199. There is a \$500 bond placed or required. On the other one there is theft/shoplifting \$50 to \$199, \$1500 bond. Do you have any knowledge of those specifics why? I mean, that one just seems to defy logic why they would be (inaudible).

Eric Williams: I guess what I should do is clarify a little bit of that report, too. The way our court system handles chargings we would...the police, we might arrest somebody and charge him with seven counts of theft. It would be listed at theft, whatever the primary or generally the first charge that we list in the charging information of subsequently the Prosecutor lists in his charging information, but what the courts will do is they roll that all up into one single cause number which is what you see there so we no longer know what the true charge really is on that cause number so it will show whatever we think the primary or the preliminary charge was, but there may be seven counts of that same charge rolled up into that one cause number. So where it shows one there may be an unlimited number of actual counts of a crime underneath that and different crimes. It could be theft, burglary, robbery, all rolled into one cause.

Commissioner Mourdock: Okay, and—

Eric Williams: So it's a little deceiving when you look at that without actually looking at the cause number itself through the courts.

Commissioner Mourdock: So in the same way if it shows for one of those items the bond is \$500 and there is seven different items then in fact that bond may be a whole lot more than \$500?

Eric Williams: Well, no it may be \$500 for all seven of them which might be why

some of them look excessive for one charge, but if you've got seven charges or seven counts of theft 200 degrees the courts at that time in their wisdom may have decided that \$15,000 is appropriate for seven felony charges.

Commissioner Mourdock: Okay, and then my other question was I notice that there are...here is one of 100 days. Here is one of 114 days, 108 days, 92 days, 93 days and the only thing showing on these are failure to appear.

Eric Williams: Correct.

Commissioner Mourdock: Do you know what the usage of the electronic house arrest is at this point?

Eric Williams: We've got approximately 60 to 70 open bracelets right now that are not in use.

Commissioner Mourdock: Are those ever being used for those failure to appears, do you know?

Eric Williams: Not to my knowledge, no. I don't believe we have a great percentage of people that are on electronic home detention or house arrest in lieu of bond right now.

Commissioner Mourdock: yeah, I know because the jail committee, we bought 75 sets of bracelets and you're telling me 60 of them are still--

Eric Williams: Basically last time I believe there were approximately 60 still boxed up and not in use.

Commissioner Mourdock: Okay.

Eric Williams: I would tell you that I have a meeting scheduled with the court liaison with SCT and Judge Bowers this Thursday and we're going to discuss the possibility of being able to link some of our data files together which may help eventually. Give me access to some of their data that I can pull in from their system and ours to help generate a more inclusive and comprehensive report. I don't know where that is going to go.

Commissioner Mourdock: I need to return a call to Judge Bowers tomorrow myself, but would you also make a note and ask him about those failure to appears?

Eric Williams: Sure.

Commissioner Mourdock: Where you've got 90 plus days and see if that might be an application for the electronic arrest. I mean, maybe it isn't, I don't know.

Eric Williams: I'll mention it to him.

President Jerrel: Another issue that I spoke to the judge about that you might want to...because you and I have already talked about it, he was going to have because the Courtview will pull up who the public defender is.

Eric Williams: That is part of our project that Tim and I are going to work on to see if we can include the attorney of record at the time.

President Jerrel: Right, that's good.

Eric Williams: Because that's one thing that we have no way of knowing and it would help us to know that, too, if we need to make contact with somebody.

President Jerrel: Well, I met with SCT and Judge Bowers and I met about that issue so I think that everyone will cooperate to get that.

Eric Williams: I don't know if it is feasible at this time or what the expense will be and if it is something we can do in-house or not, but we want to know because that is one of the most common requests we get from the inmates is they want to know who their public defender is because they have no idea.

President Jerrel: Well, Judge Bowers told me what needed to be done to get the information so he seemed to feel like it was—

Eric Williams: Yeah, he seems to be shoving this along.

President Jerrel: Yeah, so anyway that will be something else.

Eric Williams: Okay.

President Jerrel: Thank you.

Joe Harrison, Jr.: I discussed this with you before, but I was wondering if you think it will be feasible to also include on the report the list of those individuals who are convicted, those individuals who are convicted and then sentenced, and then those individuals who are simply pre-trial or pre-conviction detainees.

Eric Williams: Pre-trial detainees?

Joe Harrison, Jr.: And then those who are, I guess, federal prisoners.

Eric Williams: Right, the federals are about cut in half right now. I don't know what the exact number is, but those have gone down dramatically after we asked them to move as many as they could into surrounding counties. The other issue we are still working on that, but that is part of the problem in the way that the courts roll charges up and they do different things. What I did differently on this report this time was give you all the charges from this booking incident, so you'll see that there are a whole litany of new charges that you probably didn't see before but it also lists what the disposition on that particular cause number. You'll see that several of them are court ordered dismissed, or dismissed, or felony sentenced because we can't really classify a person as completely felony sentenced or misdemeanor sentenced if there are still open charges on there. It's one of those, well, do you classify them as sentenced or opened because DOC won't let us charge them for them if there are still open local charges, so, you know, that's one of those just where do you make the determination when are they classified as sentenced or when are they not sentenced? You know, very rarely do they have just one charge sentenced and then they are done. There are generally several charges we are waiting to deal with. I think that addresses that a little better and maybe there is a way we can continue to refine that so it's easier to ascertain what it is telling you.

Commissioner Mourdock: I think the information you are giving us in these reports weekly, Eric, is very important and I do appreciate it.

Eric Williams: You're welcome and we're trying to just give as much information as we can so everybody has a clear understanding of what it is we're dealing with. I would note that the population this afternoon when I left my office was 285 which is as low as it has probably been in eight months. The other thing is I believe the two...I don't know if all three of you are receiving the weekly update from PMSI on where they are. We had a very productive meeting last week with their entire team and we have started compiling all our statistical information and data for them.

Commissioner Mourdock: I can't help but note we're paying a lot of attention and the number has gone down again.

Eric Williams: Yeah.

Commissioner Mourdock: Coincidence, correlation?

Eric Williams: It's amazing. It's unfortunate that 268 is our capacity, 200 to 220 is working number for us, but 285 almost seems livable at some times which after being at 425 it's a great relief just to be at those numbers.

Commissioner Mourdock: Sure.

President Jerrel: There is a SAFE House meeting Thursday--

Commissioner Mourdock: Thursday at 4:00.

President Jerrel: --at 4:00?

Eric Williams: I believe so.

Commissioner Tuley: In this room?

President Jerrel: On the second...no, they've scheduled it at the SAFE House.

Commissioner Mourdock: SAFE House.

Eric Williams: Off-hand I can't tell you. That sounds correct.

Commissioner Mourdock: That's right. Yeah, at the SAFE House at 4:00.

President Jerrel: Thanks, Eric.

Eric Williams: You're welcome.

President Jerrel: Is that all, Joe?

Joe Harrison, Jr.: That's all I have.

Tony Greubel - Superintendent of County Buildings
--

President Jerrel: Okay, Superintendent of County Buildings.

Tony Greubel: We received a letter from residents who live on Kings Hill Drive. That is a drive that is not accepted by the county and the road is deteriorating and they

are interested in initiating a Barrett Law project. I am bringing that up. They were wanting to address the Commissioners and ask for a start on the process although they're going to have to hire an engineer first.

Commissioner Mourdock: We put together a little bit of an outline at one time of how the Barrett Law functions, so certainly if they want to come by the office they can pick that up.

Joe Harrison, Jr.: It would be fine if they want...if someone, I think, would want to show up to this board—

Commissioner Mourdock: Sure.

Joe Harrison, Jr.: —but certainly to pass a resolution to start the process they are going to have to of retained an engineer on their part to come up with the plans and specs and an estimate as to the cost so the County Engineer can review the same and then make a recommendation to this board, but certainly if they are wanting to come to this board and show their support for what they are wanting to do that's fine, but I don't know how far along they are with speaking with the County Engineer. I will talk to him and see if he has had some discussions with them.

Commissioner Mourdock: Okay.

Steve Craig - Burdette Park

President Jerrel: Burdette Park.

Steve Craig: Steve Craig, Manager at Burdette. The first thing I would like to do is recommend that we award the contract on VC BP-00-01, Bishea Building improvements to Lichtenberger Construction. They were the lowest bid.

President Jerrel: Is there a motion?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Steve Craig: Okay, and then I think you got a thing on our new web site and was wondering if you had a chance to take a look at it.

Commissioner Mourdock: I have not. I did see your...the thing in the file here on it.

Steve Craig: It looks better than the copy machine.

President Jerrel: Maybe next week...be sure you come next week because I got a call about an item on the agenda that might interest you.

Steve Craig: Okay. We would like to thank Suzanne and Gary for initiating it and everybody else that worked with it. We're all proud of it. We think it's great.

Commissioner Tuley: (Inaudible, mike not on.)

Steve Craig: Pardon me? We wanted it that way.

Suzanne M. Crouch: At no additional cost.

Steve Craig: That's great.

President Jerrel: Do though and maybe Gary can come next week, too.

Steve Craig: Okay. We have our weekly report.

Commissioner Mourdock: I'll move acceptance—

President Jerrel: Any questions.

Commissioner Mourdock: I was going to move acceptance of the weekly report from Burdette.

Commissioner Tuley: Second.

President Jerrel: So ordered. You have sent a letter thanking the Auditor's Office and the Commissioners will do the same. We appreciate that.

Steve Craig: Thank you very much.

Weekly reports

President Jerrel: Soil & Water.

Commissioner Mourdock: I'll move acceptance of the Soil & Water report and the Ozone Officer's report.

Commissioner Tuley: Second.

President Jerrel: And I'll say so ordered. There is a letter in here. Carrie Parmenter at Soil & Water is resigning.

Commissioner Mourdock: Right.

President Jerrel: So that's just for your information.

Consent items

President Jerrel: Is there a motion to accept the consent items?

Commissioner Mourdock: There were two items that appeared on our desk here this evening that I believe need to be added, Randy Giles, Jon Hill and Brian Bobbitt.

President Jerrel: So these will both be added. That will be Burdette's and Voter Registration.

Commissioner Mourdock: With those two additions I'll move approval of the consent items.

Commissioner Tuley: Second.

President Jerrel: So ordered.¹

Old business

President Jerrel: Is there...we've had the update on the jail. Is there any old business? I'll just make a comment. I did have an opportunity to go to Indianapolis and I did meet with Steve Cecil last week and presented three areas to him prior to going. I met with the Commissioner and the Engineer from Warrick County and went around the areas that they're concerned about and looking for funding for and they gave me a lot of information to take to INDOT which I did deliver and I am going back not this week but next week and have an additional audience to talk about Fulton Street Bridge and their mitigation funding and our report should be in. John, he's gone, but he'll get that in to us next week and then the second issue for us was the interchange plans and when they go on bid and the amount of money available for the state to make sure that is in place and then to proceed by helping out Warrick County. They do not have enough funding to do their part of the road after it goes past the county line and I gave them as good an argument as I could think of why they ought to do that because it will be a relief valve for the Lloyd. Anyway, they listened and as I said, I'm going back week after next. We talked about the railroad and some of those issues.

Commissioner Mourdock: If they can move on that part of the road up there in Warrick County that would certainly do a lot for pulling economic development that way too which would kind of help their county also.

President Jerrel: Well, Steve did a lot of work and went out and looked at all the area where the plan is and walked the lines where the new road is going to go and a great big coyote about as big as my shepard went out off in front of us. Okay, but that's all I have to report.

Commissioner Mourdock: One other bit of old business and I guess Tony just stepped out. I wanted to know how the meeting with the Southwest Indiana Regional meeting went. I think he was planning on going to that either Thursday or Friday of last week.

President Jerrel: He did go, it was Friday.

Commissioner Mourdock: Did he give you a report?

President Jerrel: Well, he talked to me about it, but I think it would be...well, we can have him do it next week. He did go for the entire meeting.

New business

President Jerrel: Any new business?

Commissioner Tuley: None for me.

¹See page 27 for listing of consent items

President Jerrel: Motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 6:40 p.m.

CONSENT ITEMS:

Employment changes:

Voters Registration	Burdette Park
Sheriff’s Department	Prosecutor IV-D
Health/WIC	Pigeon Township Assessor
Election Office	County Clerk
Property Tax Assess. Board of Appeals	

Travel requests:

County Assessor

Auditor:

Satisfaction of Barrett Law Assessment
Accounts payable vouchers

Area Plan Commission

Communication towers report

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock
Patrick Tuley	Joe Harrison, Jr.
Suzanne M. Crouch	Charlene Timmons
Tony Greubel	Jerry Bryan
Roger Lehman	Cheryl Musgrave
Martin Staab	Kim Miles
Rose Zigenfus	Erik Bentle
John Stoll	Jerry Jones
Jerald Jones	Richard Helzerman
Eric Williams	Others unidentified
Members of the media	

**Vanderburgh County
Board of Commissioners**

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
March 20, 2000**

The Vanderburgh County Board of Commissioners met in session this 20th day of March at 5:35 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners' meeting to order. At this time I would like to introduce to you the people before you. On my far right is Tony Greubel, the Superintendent of County Buildings; next to him is Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley; my far left Charlene Timmons is the Recording Secretary. She gets to do all these minutes of every word that is spoken verbatim within the week. Next to her, County Auditor, Suzanne Crouch; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel and if you'll join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: The first item on the agenda, action item, is the approval of the minutes.

Commissioner Mourdock: And we received by electronic mail or otherwise a copy of the minutes of March 13th and I'll move approval of those minutes as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Certification of Executive Session

President Jerrel: The next item is the approval and certification.

Commissioner Mourdock: And we have summary minutes this evening of the Executive Session that began at 4:30 this evening and ended at 5:30 and dealt with county real estate lease and purchase issues.

Commissioner Tuley: Second.

President Jerrel: And I guess officially I should also add pending litigation since that may go to litigation.

Commissioner Tuley: Absolutely, second.

President Jerrel: So ordered.

Jerry Bryan - City/County Purchasing

President Jerrel: Purchasing.

Jerry Bryan: Good evening, Commissioners. I have before you in your packet the first item is the permission to award traffic signs. This is an annual bid. It was

approved by the Board of Public Works. Approximately 70 percent of this is city and 30 percent of it is county. Last year this bid was split between three vendors. However, this year Vulcan Signs of Foley, Alabama submitted the lowest responsible and responsive bid of \$47,582.87. I request that you approve this bid. Are there any questions?

Commissioner Mourdock: Is it Vulcan, V-u-l-c-a-n?

Jerry Bryan: Yes, sir.

Commissioner Mourdock: Same as the materials/asphalt?

Jerry Bryan: Yeah.

Commissioner Mourdock: I'll move approval of the bid.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: The next item I have is the approval of the awards of shirts and hats for Burdette Park. I worked closely with Joyce out there and we bid the local vendors, Doerner's, Soccer Selections, Southwest, Oswald and Memories. After compilation and tabulation of the bid we recommend awarding Soccer Selections \$4,129.48 and Southwest \$1,709.81. I request permission to make this award.

Commissioner Mourdock: I'll move approval of the awards as recommended.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Thank you.

President Jerrel: Thank you.

Commissioner Mourdock: Jerry?

Jerry Bryan: Yes, sir.

Commissioner Mourdock: Before you get away, last week we had our County Highway hearing where we spoke of which roads would be coming up and being paved.

Jerry Bryan: Yes, sir.

Commissioner Mourdock: And a discussion took place at that time regarding the bidding of the asphalt that had been done for this year.

Jerry Bryan: Right.

Commissioner Mourdock: Obviously, fuel prices have gone up a lot and there was some question that came up—

Jerry Bryan: Right.

Commissioner Mourdock: –as to what was–

Jerry Bryan: Let me bring the board up-to-date on this. Mr. Tuley had made a request, I believe one of the pavement vendors has asked us for relief and I have given a summary to Kevin Winternheimer and he is in agreement that we can give some price relief based on a formula. The state statutes, Joe, allow us to do that but we're having trouble establishing the base formula for asphalt and I have asked J.H. Rudolph, which is one of the biggest pavement people, to take a leadership role and they are working with me on a base asphalt price and then we'll give the riders to the vendors, so it appears we'll be able to give some price relief. I just haven't got the formulas down for this, but I am working on it and I hope to have some information in a couple of weeks before we get into paving season.

President Jerrel: Can you get us some at the pump maybe, too?

Jerry Bryan: Yes, yes.

President Jerrel: No, I am serious.

Jerry Bryan: Yeah.

President Jerrel: What about those paying the bill, do we get any price relief?

Jerry Bryan: Right now the gasoline supplier, Busler, has not asked for any price relief although we have it built into the formula. Some of the miscellaneous items, the oils and things like that, we have given relief there, but there are formulas in there that allow us to go up and go down. For example, all the buses, for example Petroleum Transport Corporation is a \$200,000 bid to the city and the county and I took all last year's 52 prices and I averaged them and they went up and they went down and the price is about the same. How do we know what the crystal ball is going to be in the next 12 months? We don't know, but we hope to be able to...that's my job is to monitor those prices weekly and monthly and if we have to give relief going up we also want by the same token to get relief when it goes down and I am watching those OPIS prices very, very carefully so that when the market goes down we will get the price relief we want.

Commissioner Mourdock: Jerry, with that same theory in mind here and I wouldn't be doing the job right if I didn't ask the question. When you talk about the asphalt bid, and I understand in the fuel pricing in the distillates we do have that commonly published indices that you can work off of,–

Jerry Bryan: Right.

Commissioner Mourdock: –but to my recollection whenever we bid asphalt it has always been a hard price for the year.

Jerry Bryan: It has been and Kevin and I had to look that one up.

Commissioner Mourdock: Okay, I thought that was the case. If, in fact, we're looking to do something different this year with that kind of escalation to give that relief, and I am not saying that isn't justified, but it also raises the question shouldn't we look back a couple of years to see where we bid the price to see how prices were

affected by fuel during that same period?

Jerry Bryan: That's a good idea. Mr. Mourdock, when this came up to ask for asphalt relief I checked the bids for the previous two years and we had never had this circumstance where we had to ask for relief for that so we went back—

Commissioner Mourdock: Right.

Jerry Bryan: —and checked the statutes so I am doing some homework on that, but your point is well taken.

Commissioner Mourdock: Because prices certainly fell a whole lot from where those bid numbers came in originally a year ago.

Jerry Bryan: Right. Right, and your point is maybe we didn't get the decreases we had, but now they want the increases—

Commissioner Mourdock: Tallyho, exactly.

Jerry Bryan: —and so what is plus and minus and that's a very good point.

Commissioner Tuley: But the point you brought up that I want to commend you on was the fact that you said that's your job to monitor that.

Commissioner Mourdock: Right.

Commissioner Tuley: And you will ask for that in the event that happens.

Jerry Bryan: Right.

Commissioner Tuley: As opposed to maybe we didn't get that in the past.

Jerry Bryan: Right. For example, Gabe's Oil Company does all what I call the miscellaneous supply of gasoline to all the city and the county buildings and every week he sends me the OPIS prices and I average them and I check the OPIS price because the OPIS is what they call Oil Price Information Service. All oil companies use that. It's a bible, it's published, everybody knows it and I take those and I add their margins that you all approve on these awards and I very carefully watch those prices because these fuel prices are tough to watch and they're going up and we've got to play ball with the vendor, but by the same token when the prices go down we want to make sure that we get the down size too.

Commissioner Tuley: Absolutely.

Jerry Bryan: And get the supply we need.

Commissioner Mourdock: It would seem to me, and again I'm not trying to be unreasonable,—

Jerry Bryan: No.

Commissioner Mourdock: —but for those who want the adjustment this year we need...especially, and it's my recollection one of those contracts we actually renewed on a yearly basis.

Jerry Bryan: Right, right.

Commissioner Mourdock: One of the asphalt contracts.

Jerry Bryan: The four asphalt people are renewed on an annual basis and they are locked into that prices, that's true.

Commissioner Mourdock: So if we're going to renew it for this year let's take a look at it and see what it was last year and see how it averages out under that same contract.

Jerry Bryan: That's a good point and I am working on that and I will present those averages to you so that we can see where we are.

Commissioner Mourdock: Okay.

President Jerrel: Thank you.

Commissioner Tuley: Thanks.

Commissioner Mourdock: Thanks.

<p>Vaneta Becker and Greg Server Presentation of Build Indiana Fund to Burdette Park</p>

President Jerrel: Sandie Aaron isn't going to be here for another two weeks. She had to be out of town, but I would like for Steve Craig and Gary to come up now because at this point on the agenda we have two special guests with us. Gary, Steve. They're reluctant aren't they?

Commissioner Mourdock: Really.

President Jerrel: I would also like to invite Senator Server and Representative Becker to come forward. I told them they had a surprise coming tonight and that I didn't tell them what it was.

Vaneta Becker: Well, the Commissioners had requested some funding for the, I think you all have named it the Joe O'Day Discovery Lodge at Burdette Park. So Senator Server and I wanted to give to you two checks from the Build Indiana Fund. One is for \$95,000 and one is for \$50,000 for a total of \$145,000 toward the funding of the Discovery Lodge. We just received these checks last week from the budget agency who asked us to forward them on and we just wanted to make that presentation to you.

President Jerrel: Now see, Steve, that was good.

Steve Craig: Well, I would like to thank both of you especially for having the foresight to see the merit of this program. I would like to thank you for all the people in southwestern Indiana, but I would especially like to thank you for all the kids because they are the ones that are going to benefit from this money. It just tears us up to see this program when we have to turn kids away in the summer because we don't have the room for them and that is what this is all about. We want to have enough room for every kid to be able to come to our program and I thank both of you from the

bottom of my heart.

Vaneta Becker: Well, we think it's a great project and we're just glad to be able to support it and wish it was more, as a matter of fact, but we are pleased that we were able to get this amount of money.

Steve Craig: Well, we're very pleased to have it. Thank you.

Vaneta Becker: It's not often that we actually get to deliver money.

Greg Server: A lot of firsts!

Commissioner Mourdock: Yeah, we were going to invite you back next week!

Greg Server: To bring money? Yeah.

President Jerrel: Yeah. Well, I wanted to have a little fun with this because they don't really like to come down here all the time and I don't blame them, but this was special.

Greg Server: Well, I think it's a little unique that we have Republicans providing money for the Joe O'Day Center!

Commissioner Mourdock: Joe would get a kick out of that too.

President Jerrel: Yeah, he would.

Greg Server: Being a very staunch Senator who is very interested in kids, I think it's (inaudible), so thank you very much for all that you did.

Vaneta Becker: Yeah, Joe was a very good Senator and we're just glad because we do feel like this project will not only benefit the community, but it will also benefit kids.

President Jerrel: Thank you all very much from us, too.

Steve Craig: Thank you.

Bob Brennan - Request to relocate polling place
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President Jerrel: The next item on the agenda is Bob Brennan. He has a request.

Bob Brennan: My name is Bob Brennan. I live at 607 Ingle Street in downtown Evansville. I requested the Commissioners to change a polling place in the 4th Ward, the 1st Precinct from the location that it is now to a convenient, more convenient, I think, location for the public and an easier place to get to. I stated the reasons on the letter that I sent you and since talking to you I have looked at two different places. I looked at the Coliseum and it is not really agreeable because it does not have a ramp without building a ramp.

President Jerrel: Right.

Bob Brennan: They have a ramp that they could get it, but it would take it through

other functions. The other is the Old Courthouse. They have a ramp in the lower level and they could make accommodations for it. They did tell me that they would, if necessary, try to provide parking in the lot behind. All of a sudden I just accidentally stopped at the McCurdy Residential Center and they were very gracious and suggested a place. They have entries on the front and the rear. They have ramps on the front and rear. They would clear parking on the front and have their employees watch it for parking in the front of the building and they would provide space in the parking lot at the rear. Their facilities actually looked most adequate of any that I looked at.

President Jerrel: Okay, I was going to say...well, do you want to—

Commissioner Tuley: We've just got one other to add to the mix, C.K. Newsome Center.

Bob Brennan: Beg your pardon?

Commissioner Tuley: The C.K. Newsome Center.

Bob Brennan: I did not look at that.

President Jerrel: If you want to maybe we had...we wouldn't make a decision until next Monday anyway because Tony goes to these places and looks, but you might want to go over and take a look at it. It's right over there and has that big parking space.

Bob Brennan: I have been in that building. I'm not sure exactly what room they would put it in, but I will be glad to go take a look.

President Jerrel: Check and take a look at that one and then we'll come up with something. We've got a couple of other people that are looking and we'll get back and get your opinion and theirs and make a decision next week.

Bob Brennan: From what I have seen driving the downtown streets in the area which is bounded on Chestnut it would be interesting if we would go to Kennedy Towers, but I don't think that 4-2 and 4-1 will meet in that same location.

President Jerrel: It's...the boundaries are what?

Bob Brennan: Chestnut Street.

Commissioner Tuley: Bob, do you have a map of that 4-1 for us it looks like?

Bob Brennan: I have a copy of 4-1. It's from Chestnut Street (inaudible).

President Jerrel: Chestnut, the river front, the Lloyd Expressway.

Bob Brennan: Kennedy Towers is right here. Governor and back up to Chestnut.

Commissioner Tuley: It's fairly large.

President Jerrel: Yeah, it is a large one.

Bob Brennan: It's not a lot of residential.

Commissioner Tuley: No, no. Geographically it's large.

President Jerrel: Could you make a copy of that and then you can color in where these three are located. Okay, thank you very much.

Bob Brennan: Any other questions?

President Jerrel: He'll be right back with your copy.

Bob Brennan: Okay, I'll report to you next week.

President Jerrel: Okay, what you—

Commissioner Tuley: Next Monday. Yeah, we need to make a decision, what next Monday night?

President Jerrel: Yeah, because we have to advertise them.

Bob Brennan: Okay, that's what I want to do is get it so you can advertise it before we pass the deadline.

President Jerrel: Yeah.

Commissioner Tuley: Right.

Bob Brennan: Thank you.

Commissioner Tuley: Thank you.

Public hearing - Vacation of an easement in German Pines Subdivision

President Jerrel: The next item on the agenda is the public hearing regarding the vacation of an easement located between Lot 6 and 7 of the German Pines Subdivision.

Commissioner Mourdock: And this is just first reading.

Charlene Timmons: It's the public hearing.

Commissioner Mourdock: Okay.

James Wells: Good evening, Commissioners. My wife Sara and I have requested that we would like to vacate an easement that runs between two lots we own which are Lot 6 and 7 of German Pines Subdivision. Currently there are no utilities in there and we have received a letter from all the utilities and the neighbors giving us permission to go ahead and vacate that easement.

President Jerrel: Do you mind giving...you just gave Sara. Give us your last name on the record.

James Wells: Wells.

Commissioner Mourdock: You're James Wells, correct?

James Wells: I'm James.

Joe Harrison, Jr.: Yeah, this is first reading. This will take two readings, so next Monday would be the final reading on this. Again, this is a petition for vacation of a platted public utility easement and I guess the description is set forth there in paragraph three of the petition. You say that you've received, James, green cards or at least responses from the utilities and have provided the County Auditor's Office with the same?

James Wells: That's correct.

Joe Harrison, Jr.: Okay.

Commissioner Mourdock: And just for the record since this is a public hearing is there anyone else here to speak to this issue? None noted.

President Jerrel: Okay, then we don't vote tonight?

Commissioner Tuley: Yeah, we vote tonight and then we vote--

President Jerrel: Take a preliminary and then we'll be back next Monday at this time.

James Wells: Okay.

Commissioner Mourdock: On first reading I'll move approval of the vacation of the easement between Lot 6 and 7 on German Pines Drive.

Commissioner Tuley: Second.

President Jerrel: So ordered. Usually we hear, but SIGECO doesn't have any objections, I note. They don't have anything in that easement.

James Wells: No, ma'am.

Commissioner Mourdock: That is a strange...it's an unusual circumstance when SIGECO is not here trying to maintain them.

President Jerrel: Because, yeah, they have come before us before, but you don't have anything in there. Okay, well we'll see you next week.

James Wells: Okay, thank you.

President Jerrel: Uh-huh.

Auditor's Office - Permission to advertise vacation of easement
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President Jerrel: The next item on the agenda is the Auditor, permission to advertise.

Commissioner Mourdock: I'm sorry. I move permission to advertise the vacation of public right-of-way for Busler Enterprises for 401 Diamond.

Charlene Timmons: It's 915 Ruffian Way.

Joe Harrison, Jr.: No, this is—

Commissioner Mourdock: I'm sorry.

Joe Harrison, Jr.: That's where their address is.

Commissioner Tuley: Their home office, yeah.

Charlene Timmons: It's 915 Ruffian Way.

Joe Harrison, Jr.: Yes.

Commissioner Mourdock: Okay.

Commissioner Tuley: With the corrected location and you want to add with the suggested hearing date of April 3rd to your motion?

Commissioner Mourdock: Sure.

Commissioner Tuley: I will second.

President Jerrel: So ordered. You know, we ought to put these out so we can save them for next year.

Commissioner Tuley: It would make a lot more sense, wouldn't it?

President Jerrel: Uh-huh.

Appointment - Electrical & HVAC boards

President Jerrel: The next item on the agenda is the appointment of members to the Electrical and Heating and Air Conditioning Board. These were submitted by Roger Lehman and these were his recommendations.

Commissioner Mourdock: I'll move approval then to the board for the Electrical: Jim Rexing of 14437 Graves; Tom Guth of 424 Hanover Road; and Steve Newman of 6414 Colonial Avenue.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: And I would move appointments to the HVAC Board as follows: Larry Hagan, 5988A Kreager Road; Lloyd Hampton, 6909 Southport Drive; and Charles Mattingly P.O. Box 208, Evansville.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Tony Greubel - Permission to advertise surplus real estate auction

President Jerrel: The next item on the agenda is a request from the Superintendent of County Buildings.

Tony Greubel: Yeah, just permission to advertise the following legal advertisement for the auction on April 11th.

President Jerrel: These are the pieces of property.

Commissioner Tuley: Right.

Commissioner Mourdock: Yeah. Joe, do we...we don't need to read all these into the record since some of them are not addresses per se, correct?

Joe Harrison, Jr.: No, simply if you approve the notice as is submitted for the record.

Commissioner Mourdock: Yeah, I'll move approval of the Notice of Public Auction for the purpose of advertisement for the sale of Vanderburgh County surplus properties.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Any group or individual wishing to address the Commission
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President Jerrel: Item J, any group or individual wishing to address the board?

Richard Helzerman: My name is Richard Helzerman and I would like to talk to you about the jail overcrowding. The cause...jail overcrowding is merely a symptom of a bigger problem and the immediate cause of the problem is failure to give a reasonable bail, but it also is failure to give a speedy trial and tonight I would like to talk to you about the speedy trial part of it. In September 1997 the Scientific American had an article regarding false memories and what the false memories...what the gist of the article was that false memories are very easy to create in people and they did studies to determine how it happens. What they did was they called in a whole bunch of people and they asked them one question. The question was this, do you remember when you were five years old you had a birthday party and your mother was wearing a blue dress and she spilled the punch. Now, this was a completely fabricated thing, you know, and every single person that they asked that question to said, no, I don't remember it. But then they would call the people back on some other pretense but they would ask them that question again and what they found is if they ask them that question within three months of when they originally asked it everybody said, no, I don't remember it, but at three months people started remembering it as if it really happened and the longer...at six months more people remembered it, at nine months a higher percentage and at a year a whole bunch of them remember it. How they interpreted this was that in order to...when you ask a question did something happen you have to create in your mind a memory of that that you know is false and you compare it with your real memories. For a certain amount of time the brain is able to remember the difference between a created memory used to decide if something is true or not and a real memory, but at a certain point the brain can't any more. Now, this question as I presented it to you is what is known as a leading question. It is forbidden...it should be forbidden in trials that they, you know, the Prosecutor can ask a leading question. He is

supposed to say, what did you see, but when the police do their interrogation they ask leading questions. Did you see this person do this? So if a trial is not held within three months of the initial investigation of the police department you have a possibility, a very real possibility that has been scientifically validated, that a false memory will be implanted by the police questioning and the person cannot get a fair trial. I would again like to encourage you and thank you for what you are doing to try to avoid the jail overcrowding problem and, again, I have the offer to create for you 44 virtual courtrooms. If we schedule all 44 of them only four percent of them actually go to trial, so if you take four percent times 44 it's 1.76, about one and three-fourths, and so that would coalesce those 44 virtual trials would come down to about two trials which is about all the system can handle, two or three trials at a time. But they would have an opportunity to get their speedy trial. Thank you.

John Stoll - County Engineer

President Jerrel: The next item on the agenda is the discussion of the department heads. I'm not leaving the jail because we don't want to discuss it any more, but we do have your report, Eric.

Commissioner Mourdock: It is further down on the agenda.

President Jerrel: Yes, but you're here to make some comments?

Eric Williams: I can.

President Jerrel: Okay. County Engineer.

John Stoll: The first item I've got is an agreement between Vanderburgh County and the consulting firm of BUTLER, FAIRMAN and SEUFERT for the evaluation of the Fulton Avenue Bridge problems. Based on this agreement they will design temporary bents to jack and support the beams at pier number three, which is the pier that is leaning.

Commissioner Mourdock: Design temporary what, John?

John Stoll: Bents to jack and support the beams. Basically, it's—

Commissioner Mourdock: Bents, b-e-n-t-s?

John Stoll: Correct.

Commissioner Mourdock: I've never heard that word used, okay.

John Stoll: The piers out in the channel are piers, but the end to the bridge is referred to as bents as well, so that's where that is coming from.

President Jerrel: I didn't...I'm not smarter than you. He explained that to me earlier today.

John Stoll: They will also evaluate the existing condition of pier number three to make sure it has not been damaged structurally. They will assess the impact of the pier condition on remedial repairs that may need to be done...that may need to be performed for the project and they will prepare a technical report which will include

a summary of all findings regarding condition of the pier and any remedial repairs which may be needed to the bridge itself. So this is for an amount not to exceed \$7,000, but because this is like the soil agreement, an evaluation, it doesn't provide the end product of the final design, so there will be additional design fees associated with this once they can pinpoint exactly what the problem is. This will get the ball rolling and get the structural designers and the soil people coming up with solutions, but it won't be the final solution just yet.

Commissioner Mourdock: I'll move approval.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next I've got a Notice to Bidders for contract number VC00-04-01, repair and repaving of various roads. This is for several of the roads that were listed during last week's road hearing and we did add three that weren't on there. Those roads were West Haven Drive, Magnolia Drive and Meadow Lark Lane. These were in a subdivision where Caren Drive is located and those three streets are in the same condition as Caren Drive, so it needs milling and patching just like Caren Drive did so we added those three and then we've also got Mesker Park Drive, O'Hara Drive, Twickingham Drive, Dusseldorf Drive, Heritage Drive, Hamilton Drive, Twickingham Court, Venetian Drive and Caren Drive on this contract. All these roads require asphalt milling, concrete patching...actually it won't be concrete patching, it will be patching of concrete roads with asphalt and then asphalt overlays on top of what gets milled, so it is recommended that this Notice to Bidders to be signed.

Commissioner Mourdock: I'll make the motion. Before I do that, John, just the thought occurs to me here, and this may be a little crazy, but when we're doing the milling all the milled material goes back to the asphalt contractor, correct?

John Stoll: Correct.

Commissioner Mourdock: Do we ever have a need for that? Generally they're making more milled material than what they know what to do with because the specs for asphalt won't allow them to incorporate a hundred percent of it back in and there seems to be mountains of that stuff being generated. Do we have through the County Garage or anything any use for that material that we could otherwise—

John Stoll: I never discussed it with Erik. Probably the only thing I could think of off the top of my head would be say if you were going to try—

President Jerrel: Rip rap.

John Stoll: —and spread it on a rock road or something like that. Still you would have to roll it in and get it compacted good so it didn't turn around and—

Commissioner Mourdock: You guys might just put your heads together on that one. Otherwise we're giving away material that we paid good money for that may have some use somewhere, even something at Burdette. You know, if you're getting ready to do an extra parking lot or something. Putting all that aside for a moment, I'll move approval that we go ahead and advertise the bid as recommended.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: I've seen those millings used as parking lot surface in lieu of rock on occasion.

Commissioner Mourdock: Right.

John Stoll: But that's really about the only use that I've seen other than reusing it as asphalt.

Commissioner Mourdock: Right, and they generate more of it than they can reuse.

John Stoll: Right.

Commissioner Mourdock: It's getting to be a problem.

John Stoll: The final item I've got is a corrected street acceptance for Clear Creek Village Section 2. A few weeks ago we accepted these streets in the subdivision and the letter requesting acceptance listed all the road footage for Southport Drive as let's see, 1,289 feet when in fact the recorded plat splits that into two roads, Imperial Drive and Southport Drive, so this is just an amended acceptance form to correct that error so it puts in 819 feet of Southport Drive and 470 feet of Imperial Drive as accepted mileage instead of what we did the last time. I'll show you where the break is on this plat. It is at a curve.

Commissioner Mourdock: So we're just doing an acceptance?

John Stoll: We accepted all of this as Southport Drive.

Commissioner Mourdock: Okay.

John Stoll: And the engineer's letter listed it as all Southport. You can see right here the break from the addresses 9135 to 736. From this point on it's Imperial Drive and from this point southward is Southport, so that acceptance form corrects that error.

Commissioner Mourdock: Okay. I'll move the acceptance as recommended.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: That's all I've got unless you've got any questions.

Commissioner Tuley: Are you going to be here next week or are you going to be gone on spring break?

John Stoll: I'll be here.

Commissioner Tuley: Maybe I can get with you Thursday.

John Stoll: Okay.

Commissioner Tuley: And drive some of those roads, particularly that section of Old Henderson Road that was brought up last week. I didn't get a chance to do it over

the weekend. I don't want to bug you guys on the weekend. I'll be off that Thursday and Friday next week. I'll call you Thursday and we'll either do it Thursday or Friday, whatever your schedule.

John Stoll: Okay.

President Jerrel: I've got a couple of them out that way if I could give them to you?

Commissioner Tuley: Give them to me.

President Jerrel: Okay.

Commissioner Tuley: We'll go out together or he and I can go out together, whatever.

Commissioner Mourdock: I did the road inspection out there Saturday, 9.3 miles through that general area.

Commissioner Tuley: By foot?

Commissioner Mourdock: By foot.

Commissioner Tuley: Yeah.

John Stoll: Thanks.

President Jerrel: Thank you.

Mark Taylor - County Garage

President Jerrel: County Highway Department.

Mark Taylor: Good evening.

President Jerrel: Hi.

Mark Taylor: I believe you all have copies of our weekly work schedules and reports.

President Jerrel: Erik is on vacation this week.

Commissioner Mourdock: Anything to report other than this?

Mark Taylor: Yeah, once again this year we're going to need to lease a tractor with a fifth wheel to haul our paving equipment to and from the job site. We got three quotes and I believe you all have copies of them. The lowest quote was through Thrifty Car & Truck Rental through Sternberg International.

President Jerrel: Here it is, through Sternberg.

Mark Taylor: This is the same company that we leased the truck through last year. They could have that delivered April 3rd.

President Jerrel: Is there a motion regarding this? We did this last year.

Joe Harrison, Jr.: I'm trying to figure out the amounts here.

President Jerrel: It's 15...well, if you take four times \$375 or if you take the number of—

Commissioner Tuley: That mileage plus that weekly rate, Mark?

Joe Harrison, Jr.: Is that \$1,500 for the month compared to the other one's \$1,700? What is the last one? What was that?

Commissioner Tuley: For a weekly \$1,900 or \$2,000.

Joe Harrison, Jr.: Two thousand? Yeah, okay. So the first one does it say Thrifty through Sternberg?

Mark Taylor: Yes, it's Thrifty contract through Sternberg International.

Joe Harrison, Jr.: And you leased with them last year?

Mark Taylor: Yes, sir.

Joe Harrison, Jr.: And they appear to have the lowest rate?

Mark Taylor: That's correct.

Joe Harrison, Jr.: According to at least what I am looking at.

Mark Taylor: Uh-huh.

Commissioner Mourdock: You're showing a lease rate of .08¢ a mile. The other one is at .04¢ a mile, or at least one of the other ones, and I am just curious did we look to see last year's mileage to see how that worked out? I mean, is that in fact the lowest? It would appear to be lowest.

Mark Taylor: I talked to Erik about that and he said yes. He said the truck is not getting used that much. We take it to the job site and then we'll pave in that neighborhood and then when we're ready to move the equipment we'll move it to a different area, so the truck is not getting used all that often.

Commissioner Tuley: Four cents a mile would take a lot of miles to make a difference.

Commissioner Mourdock: Yeah, probably. I'll move approval of the request to rent the truck as recommended from Thrifty Car Rental.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: And also move approval of the acceptance of the Highway Department report.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Mark Taylor: That's all I have.

President Jerrel: Okay, thank you.

Mark Taylor: Thank you.

President Jerrel: That sheet I gave you on the request, will you check that out and let me know?

Mark Taylor: Yeah, I'll talk to John about it and I'll check it out.

President Jerrel: Okay, thank you.

Joe Harrison, Jr. - County Attorney
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President Jerrel: The next item on the agenda, County Attorney.

Joe Harrison, Jr.: The only thing I had relates to an upcoming Barrett Law project that will want to be pursued by those who live out on Whittman and Westchester, across from the County Highway Garage. They finally have decided that they want to pursue a Barrett Law project to improve the roads out in their subdivision. I spoke with a Donald Burton who is one of three or four people on a committee of the homeowners and they have apparently circulated a petition and roughly 75 percent or so of the residences in the subdivision have signed the same and they're in the process of securing the services of an engineer to assist them to come up with some plans and specs and will be in contact with the County Engineer regarding the process to move forward with a Barrett Law project. I would think within the next two months or sooner hopefully they will be making an appearance before us so that the board can consider a preliminary resolution. That's all I've got.

President Jerrel: Is it...did you and Tony make up some kind of instructions though regarding Barrett Law? Do we have that?

Joe Harrison, Jr.: I think we still do have one, but I'm more than willing if they can't figure that out to...and John has a copy of the same, but to contact me.

John Stoll: I sent, I believe it was Mr. Burton, a copy of the procedures that Keith Rounder prepared several years ago and I also sent...I can't remember the other guy's name that contacted me by e-mail last week, but Joe gave me a copy of all the Barrett Law statutes and I gave him a copy of that so they've got the information that we've got at this point.

Joe Harrison, Jr.: And if anyone...they can always call me and I'll get back with them.

President Jerrel: Well, this was a different person.

Joe Harrison, Jr.: Okay.

President Jerrel: Tony is going to do some follow through tomorrow. This was just ten people that live in the area and he has got to make a couple of calls, but I didn't

know whether they had any information or not, so if we've got anything maybe we could send some to them also.

Joe Harrison, Jr.: Yeah, I don't know what he is talking about, but anyway John has a copy of the information that has been sent out before and we've got a copy of the statute and if they want to call me that is fine, we can help them out. Unfortunately the statute does require that they obtain the services of someone to come up with the plans and specs and they're going to have to secure the services of an engineer to do that and John reviews the same, but that's kind of the first step before any plans and specs and possible estimates regarding the project cost can come to this board in the form of a preliminary resolution so there is a lot of things to have to happen up front and a lot of them don't know that. Certainly circulating a petition is very helpful and shows support early on for the commitment to go out and hire someone to do some independent work.

John Stoll: We did submit a preliminary cost estimate to that neighborhood for I believe it was around \$300,000 because the streets are basically going to need replaced in their entirety and that estimate was prior to the cost increases for the asphalt as well, so it could change substantially just like what we're going to see.
Commissioner Mourdock: Replaced in their entirety. Does that mean totally milled up and reroocked?

John Stoll: They're concrete streets.

Commissioner Mourdock: Yeah, I know.

John Stoll: We based the estimate two ways. One, to replace the street as concrete and one to replace it as asphalt. We tried to estimate total removal of the pavement. They were...I believe Tom came up with an estimate of like there were probably eight or ten slabs of concrete that were worth saving so at that point it's not worth saving.

Commissioner Mourdock: Right. Yeah, I have been back through there. That is in bad shape.

Joe Harrison, Jr.: You may recall that's the one we had the lawsuit over. I think Mr. Shively was involved in it.

Commissioner Mourdock: I recall it well.

Joe Harrison, Jr.: He stepped out in the hall, but anyway.

President Jerrel: Okay, thank you. Is that all?

Commissioner Mourdock: Moving right along.

President Jerrel: Yeah, is that all?

Joe Harrison, Jr.: That's all I have.

Tony Greubel - Superintendent of County Buildings
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President Jerrel: Superintendent of County Buildings.

Tony Greubel: We've got to submit an Ogden claim for payment and then one other issue that involves Burdette Park. Steve might want to come up. We got a call from Ameritech. The Commissioners signed a contract to put a pay phone out by one of the chalets at Burdette Park and the contract has expired and Ameritech from now on either wants us to pay \$50 to maintain the phone or they'll just go ahead and remove it. Yeah, \$50 a month to maintain the phone. I guess one thing to think about, like Steve said, there are no phones in the chalets. That's the reason we installed the phone in the first place, but now it is going to cost us money to maintain the phone.

Steve Craig: Yeah, a couple of years ago we had an emergency situation come up where an elderly couple was there and they didn't have a cell phone and she thought her husband was having a heart attack, which he wasn't, but she said you ought to have a phone up there so I got hold of Ameritech and they said no problem, no cost. They ran it and they put it in and now they want to charge us \$600 a year after our contract is up.

President Jerrel: Do you know...well, this is an idea and something for your board to think about, but most people, you know, either have a cell phone or they don't want a phone and are going up there for the express purpose to get away from the telephone. That would be the nicest thing.

Steve Craig: That was always our theory. If they wanted a phone there they would bring their own.

President Jerrel: Yeah, and these phones are going to get so cheap in the future that we might just have a cell phone to make available to some people if they need it. Now, don't go getting...you can keep long distance calls from being made. There is a way to do that now, Joe. You can control those things. They're giving them to domestic abuse. They're handing out phones. That's something to think about, but ask your board what they think we ought to do.

Steve Craig: Our old cabins out there used to have phone hook-ups in them where you could bring and plug your own in, but they were taken out when we redid the chalets, but our theory was back to what you said. If you were out there you didn't want a phone and if you wanted one you brought one with you.

Commissioner Mourdock: Has there been any maintenance problem with the phone? Has it been vandalized or anything.

Steve Craig: No, but when I talked to them they had told me that there was no cost. You know, they would run it. They ran it with no problem, they put it in and that there would be no cost to us. I don't know—

Commissioner Mourdock: And it is just a pay phone?

Steve Craig: It's a regular pay phone, but I heard that they're doing it to all the baseball diamonds and that in Evansville that they're taking them out because I think the cell phone use has probably made them where they are not profitable no more because people don't use them. They just get on their cell phone and use them. I'll bring it up before our board.

President Jerrel: Let your board see what they think.

Steve Craig: Okay. Are you done?

Steve Craig - Burdette Park

President Jerrel: You want to...did you have anything else?

Steve Craig: First of all I wanted to present a check or two checks to the Commissioners. I've had these long enough.

President Jerrel: Okay.

Steve Craig: The first thing I had on there I was wondering if any decision had been made on the surplus machinery from the work study program at the SAFE House? When we had originally talked about it they were going to disperse that the end of February, I think it was.

Commissioner Mourdock: Which machinery are you talking about, Steve? I do recall we spoke of it.

Steve Craig: Backhoes, lawn mowers, weed whips.

President Jerrel: The last word I got Jobs Program, Inc., the judge was going to sell them and keep the profits. That's the last I heard. Is that what you—

Commissioner Mourdock: I have not heard anything more. I remember now you and I spoke to that.

Joe Harrison, Jr.: Chief Deputy Williams was shaking his head also, so he might know something.

President Jerrel: Is that correct?

Eric Williams: There are a few items we were able to maintain that they turned over to us and the remaining the Circuit Court's intention was to auction off and do whatever with their profits.

President Jerrel: You know, Steve, I would call Judge Heldt if I were you. I mean, I think he is very understanding and would realize how important it would be to Burdette Park and that you don't have a lot of money, so perhaps he would be willing to reconsider that.

Steve Craig: Okay.

President Jerrel: Quick you better do it.

Steve Craig: The other thing that I was wanting to request was that we had purchased another smoker grill for the park. We've been buying one a year for the buildings and Netsky's is in Lincoln, Indiana which is right outside Indianapolis and on a rainy day I would like to send one of our employees up there to pick it up because they want \$325 to deliver it. We've went up there when we were slow on a rainy day or something and picked it up, but someone would be leaving the county in a county truck.

President Jerrel: Oh, okay.

Commissioner Tuley: No problem with me.

Commissioner Mourdock: Yeah, I don't have any problem. So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Steve Craig: I think that's all that I had for this evening.

Commissioner Mourdock: Just to pass one thing along, Steve, I attended on Wednesday the Governor's Council for the Assisted Living Group. A lot of disabled folks from the area were at that meeting and one of them stood up and made a couple of comments about some problem areas within the city and then specifically referred to the article that one of your board members had sent back into the Courier recently regarding some questions that had been raised and he basically just wanted to let everybody know there that he thought the park had done a good job in beginning to deal with the accessibility issues, so I wanted to pass that on to you.

Steve Craig: Thank you.

President Jerrel: Thank you very much.

Steve Craig: Okay.

Weekly reports

President Jerrel: Is there a motion to approve the remaining reports?

Commissioner Mourdock: I will move approval of the Soil & Water Conservation District report and the Ozone Officer's report. I note in the Ozone Officer's report she is finishing up a report for us due 3/24. So let's see, today is the 20th so we should get that for our next meeting.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent items

President Jerrel: You do have certain employment changes.

Commissioner Mourdock: I'll move approval of the consent items as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.¹

¹ See page 27 for listing of consent items

Scheduled meetings

President Jerrel: There is a schedule attached.

Jail and criminal system updates

President Jerrel: Jail and criminal system updates. Do any of you have any questions you would like to ask? Eric is here.

Commissioner Mourdock: I don't have any specific questions other than you might notice, Eric, on the blackboard behind you there I started on Saturday since you're giving this to us and we've got it when I come in here on Saturday we're just going to keep posting what the average daily stay is and then also the number and I do note with guarded optimism that we've gone from 332 to 284 in the last couple of weeks, so we're making some progress there.

Eric Williams: The jail continues to be crowded today though.

Commissioner Mourdock: Is that right?

Eric Williams: It is roughly in that 280 ballpark this morning. I don't know exactly what it is.

President Jerrel: You did get 28 abstracts though.

Eric Williams: Off-hand I don't know.

President Jerrel: Yeah.

Eric Williams: We've gotten...I have pretty much assigned one person full-time, but to keep the pressure on abstracts and we've pretty much allotted the necessary overtime to move people as fast as DOC will take them. You know, we have kind of put them on notice that if you've got an opening and nobody will fill it call us we'll find somebody to put in the opening.

Commissioner Mourdock: A rare event when they call you though.

Eric Williams: Yeah, it's still once a week. They haven't made any additional phone calls, but I just wanted to let you know that myself and Judge Bowers and representatives from SCT had a very productive meeting last week discussing being able to get into the Courtview 2000 database and make some links between the jail system to produce some even more informative reportings. Included in some of those reports we hope to be able to generate some actual court data as far as schedules, timing with the people that are in jail, attorney of record and judge of record on the cause numbers.

President Jerrel: Public defender.

Eric Williams: Public defender, everybody that is involved in it and get all that included into one synopsis report. The judge was very supportive and gave us the go ahead so myself and SCT met today and started laying the groundwork to be able to make those connections.

President Jerrel: Would you mind after you're comfortable with that, you know, when you get to that point where you are comfortable would you mind sharing that with Tony? We now have Courtview up here also so we can pull up and monitor things also.

Eric Williams: Specifically what are you asking for?

President Jerrel: The report sheet if we want to check out some time about what is happening.

Eric Williams: Sure, basically the report we're talking about will be a new version of what you're getting weekly.

President Jerrel: Yes.

Eric Williams: But I don't really see a big problem with being able to make that live anywhere on the network to somebody to execute the program and have it run and generate it, it will.

President Jerrel: Yeah.

Eric Williams: It will take a little work to get to that point, but provided the judge doesn't have...the courts don't have a problem because we'll be accessing their data. I know the Sheriff, he doesn't care.

Commissioner Mourdock: If you put it in a new format please do continue to do the summaries as you've got them at the end of this one.

Eric Williams: We also hope to be able to expand on those summaries as we learn more about our reporting capabilities and add some more statistical information on that. Another issue, PMSI will be in town tomorrow. Julie and Al will both be here. They're going to tour our facility and VCC tomorrow. We're going to meet with them for a while and discuss some progress. They also will be meeting with SCT tomorrow to discuss access to the court information. The Sheriff's Office has completed its first phase of interviews and information return for them. All of our staff people have now completed the initial questionnaire and space study and perception study for them, so that is done and should be submitted to them tomorrow.

Commissioner Mourdock: I know several others, the Auditor especially, has returned the information they requested. Do you know, is Bill Shepler going to be in town tomorrow as well?

Eric Williams: No, it will just be Julie and Al as far as I know.

Commissioner Mourdock: Next week we'll have a report. I don't know that Bill will be here personally, but he may be. Even if he isn't we will have a report on the status of the input of information back to them from the various folks here in the county.

Eric Williams: Okay. If anybody has any questions I know we've been in the paper recently with the warrant issue. If anybody has any questions I can try to answer those.

Commissioner Mourdock: Vanderburgh County's most wanted. The AWOLs from the SAFE House.

Eric Williams: I don't know that they really rank as most wanted, but they are wanted.

Commissioner Mourdock: Wanted, okay.

President Jerrel: You had a couple of Council people make comments at the end of the article and I don't have any reference to make judgement on that, but is it possible that very, very old warrants going back years...

Eric Williams: There are a substantial number of aged warrants out there. Stuart VanMeter who is my warrant liaison with the courts, he has been given that list and I have pretty much asked him to spend some time looking into a lot of those dated warrants to make sure number one, they are not typographical errors and they are not newer warrants than they really are saying on the file and two, find out what the status is if that is something that we can get dismissed. One of the interesting numbers out of that large pool of data is there was only 770 of that ten thousand some odd warrants that were new charges or felony charges, people that have been charged with a crime, but have not been initially arrested on them, which for Vanderburgh County is a pretty reasonable number in our opinion. That's not too bad. The high numbers came from the FTA warrants and the writs.

Commissioner Mourdock: Eric, you had mentioned to me something a couple of weeks ago in passing and is this correct, did you tell me that in the last ten years there had been 70,000 people booked into the jail, 70,000 actions, but in fact it only represented 20,000 individual people?

Eric Williams: Exact number, but yeah it was fairly alarming. I shouldn't say alarming, but it was interesting to look at that since 1992, I believe, when I ran the numbers we had booked just over 70,000 people into the facility. In other words, 70,000 separate bookings or events but of those events there were only 20,000 or 22,000 different names.

Commissioner Mourdock: Yeah, 22,000 I think.

Eric Williams: So 22,000 made up 70 some odd thousand bookings.

President Jerrel: That follows what the NIC though reported to us when they were here that we do have a high number of—

Commissioner Mourdock: Recidivism.

President Jerrel: —charges against—

Commissioner Tuley: An average of three and a half per?

President Jerrel: Well, whatever. You could have...but that's part of what they described.

Eric Williams: Well, this number wouldn't actually be charges. This would be actual booking events. One booking event could have one to an unlimited number of charges.

President Jerrel: Right.

Eric Williams: This issue really speaks to the recidivism rate in this county, that it is—

President Jerrel: High.

Eric Williams: –high.

President Jerrel: Well, that's one more thing that we can look at when we're doing this because if we could arrive at some of the programs it would help reduce that. That's what we're really aiming for.

Eric Williams: And a comment with the Council's comments in the newspaper, we have begun meeting with staff and are putting together some plans to help work on some of these warrants to try to take care of some of them.

Commissioner Mourdock: I appreciate the work.

President Jerrel: Thank you very much.

Old business

President Jerrel: Any old business? Christine Klika is here this evening. She is arriving right now. That's the INDOT Commissioner. Rose and the Mayor are picking her up. It is my understanding she is to appear at City Council to discuss an ordinance regarding, I believe, the Lloyd and it is my understanding she is not here to speak, but she is here just to listen to what they're going to say so I was just going to pass that onto you if any of you wanted to go here. Now I did get a little memo to Rose. In the ride from the airport to the Civic Center to remember our three projects, so we're not with her personally, but we are getting our projects reviewed. So I just thought I would pass that on.

New business

President Jerrel: Any new business? Is there a motion to adjourn?

Commissioner Mourdock: So moved.

Joe Harrison, Jr.: Is there one...I'm sorry. Could I...if it's not included in the record could the jail report be included in the minutes of this meeting.

Commissioner Mourdock: Yeah, I'll move approval or inclusion of the Sheriff's jail report in tonight's minutes.

Commissioner Tuley: Second to the inclusion.

President Jerrel: So ordered. Do you have a copy of that? Okay.

Commissioner Mourdock: Since this is a continuing thing for us can we just routinely put that in the consent items and then submit it that way?

Joe Harrison, Jr.: That's fine.

Commissioner Mourdock: Okay.

President Jerrel: Okay.

Commissioner Tuley: Second your motion to adjourn.

President Jerrel: Alright, meeting is adjourned.

The meeting was adjourned at 6:28 p.m.

CONSENT ITEMS

Employment changes:

Sheriff's Department	Circuit Court
German Township	Prosecutor
Circuit Court	Commissioners
Cooperative Extension	German Township Assessor
Election Office	County Clerk
Veterans Services	

Travel requests:

Veterans Services	Health Dept.
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Weights & Measures:

Submit monthly report

Treasurer:

Submit monthly report

Assessor:

Declare obsolete printer surplus

SCT:

Declare obsolete printer surplus

George Koch:

Letter of resignation from Board of Review Board

THOSE IN ATTENDANCE:

Bettye Lou Jerrel
Richard E. Mourdock
Patrick Tuley
Joe Harrison, Jr.
Suzanne M. Crouch
Charlene Timmons
Tony Greubel
Jerry Bryan
Vaneta Becker
Greg Server
Steve Craig
Gary Hohman
Bob Brennan
James Wells
Richard Helzerman
John Stoll
Mark Taylor
Eric Williams
Others unidentified
Members of the media

**Vanderburgh County
Board of Commissioners**

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
March 27, 2000**

The Vanderburgh County Board of Commissioners met in session this 27th day of March at 5:33 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners' meeting to order. I'm going to dispense with the introductions because we have a small crew and you all have been introduced to this group enough times. Richard Mourdock is on his way. He is in Louisville. I don't know, Pat and I may be through before he gets here. We're going to try. At this time I would like for you to join me though in the Pledge of Allegiance.

Approval of minutes

President Jerrel: Thank you. The first action item on the agenda is the approval of the minutes of the previous meeting.

Commissioner Tuley: I will move for approval of the minutes of the March 20th?

President Jerrel: Uh-huh.

Commissioner Tuley: It's kind of odd since we've got those all done by electronic means now not to have them sitting in front of me, but I'll move approval of the March 20th minutes as submitted.

President Jerrel: And I'll second and say so ordered.

Certification of Executive Session

President Jerrel: The next item, certification of Executive Session.

Commissioner Tuley: Move approval of the Executive Session that began at 5:20 and ended at 5:27 in which the only items discussed was pending or threatened litigation.

President Jerrel: And I'll second and say so ordered.

Permission to advertise - Ordinance amending Building Code

President Jerrel: Item C, County Attorney, permission to advertise ordinance.

Joe Harrison, Jr.: I believe a copy of the proposed ordinance amending the Vanderburgh County Building Code is in front of you and I would ask for permission to advertise the ordinance. Charlene, when did we indicate the public hearing would be in connection with the ordinance?

Charlene Timmons: We didn't.

Joe Harrison, Jr.: Okay.

Charlene Timmons: We hadn't decided.

Joe Harrison, Jr.: Well, it will be some time in April and she'll figure out accordingly how many days. We'll have to have advertising at least...publication at least ten days prior to the first public hearing.

Commissioner Tuley: So all you're needing tonight then is a motion to permit the advertising of the ordinance amending the Vanderburgh County Building Code?

Joe Harrison, Jr.: That's correct.

Commissioner Tuley: And I will so move at this time.

President Jerrel: And I'll second and say so ordered.

<p style="text-align: center;">Final reading Vacation of easement between Lot 6 & 7 German Pines Subdivision</p>
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President Jerrel: The final reading for the vacation of the public utility easement in German Pines. Is there anyone here that wishes to speak concerning this final reading?

Commissioner Tuley: Okay, we held the public hearing last week and I believe at that time there was no one to speak either for or against it other than the people filing the petition.

President Jerrel: Right.

Commissioner Tuley: And I believe they also stated for the record that there was not anybody, SIGECO or anybody, that filed an objection so with that I will move for approval of the vacation of public utility easement in German Pines Subdivision between Lot 6 and 7.

President Jerrel: And I'll second and say so ordered. And do we—

Joe Harrison, Jr.: Might want a roll call.

President Jerrel: That's what I...at this time I would like to call for a voice vote.
Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: And I vote yes. Thank you.

<p style="text-align: center;">Legal Aid - Appointment to Board of Directors</p>

President Jerrel: Okay, next item the appointment of Legal Aid representative and there is a letter in your folder.

Commissioner Tuley: Yes, we got the request and a letter dated and signed by Sue Ann Hartig. I'll move the appointment of Linda Williams as a board member. She lives at 70801 Ridgebrook Drive, Evansville. Her work address is 700 East Walnut

Street.

President Jerrel: And I'll second and so order.

Approval of polling places

President Jerrel: Superintendent of County Buildings.

Tony Greubel: There is a list of recommended polling places. Most of them are the same as the last few years. On the front sheet of the agenda request I have noted the changes and one of them, on 3-8, I'll let you know. I talked to Stan Hahn today, this afternoon, the manager at the Fendrich Golf Course Clubhouse Restaurant and Concession Stand and he would be willing to work...he confirmed that we can use the clubhouse there and get that facility.

President Jerrel: And the one that Bob Brennan asked about last week—

Commissioner Tuley: On 4-1.

President Jerrel: —4-1, they did go to C.K. Newsome and that will work out fine there.

Commissioner Tuley: That sounds fine.

President Jerrel: The rest of them 4-18 and 4-17 were almost mandatory. The Salvation Army closed on 2-17 and 2-13 there just wasn't any adequate space at the Armory. We did...Tony found a place at Willow Road Baptist Church for 4-18. Most of them we were lucky and you did a really good job on that, Tony.

Tony Greubel: Thank you.

President Jerrel: I know that you went out and actually looked at them and Susie and Randy helped also, so I think we got them all solved.

Tony Greubel: Yeah, one of them, like Union Township, we had to move from the Dogtown Garage. Susie Kirk found the Dove Chapel Missionary Baptist Church was willing to let us use that location.

Commissioner Tuley: Well, all of them seem to have a valid reason. I have not had any calls from either Randy or the chairmen asking that I be opposed to any of these, so at this point in time then I'll move approval of the polling places as recommended.

President Jerrel: And I'll second and say so ordered. You need to advertise these?

Charlene Timmons: Yes.

President Jerrel: Quickly.

(Commissioner Richard Mourdock joined the meeting at 5:39 p.m.)

Any group or individual wishing to address the Commission

President Jerrel: Okay, at this time any group or individual that wishes to address the board or appear before the board.

Richard Helzerman: My name is Richard Helzerman. I would like to talk to you about the jail overcrowding. Several years ago the airplane industry had a problem similar to what you had. They would spend millions of dollars buying airplanes and an airplane would have 80 seats and they would schedule 80 people into them and yet when the airplane flew there would be eight empty seats. They discovered that a certain number of people who signed up to go fly in the airplane aren't going to show. You have the same problem with the trials. You schedule a trial and they settle out of court. Two solutions were found to that problem. The first was to overbook and I've made one offer to you. Understanding the computer science techniques of over scheduling that are used successfully by the airline industry we can apply that same thing to the court system. The other solution they found to the problem was to offer tickets that were not refundable. Now, if a ticket is not refundable and somebody doesn't show up the airline doesn't care if that seat is full or not because they still got their money for it. Now, I made another offer that is similar to that for you and that is when someone is arrested and they cannot make their bond if you give them a piece of paper to sign saying if they don't show up for their trial they will be...a guilty plea would be entered and they would be sentenced at the minimum jail time. If you have a paper like that it would cost you almost nothing. Your county attorney could design a form like that that would be legally binding and you would solve the problem of the overcrowding in the jail caused by people who can't raise their bail and you could deal with the 9,000 or 10,000 backlog cases very simply. Thank you.

President Jerrel: Thank you. Any questions or comments?

John Stoll - County Engineer

President Jerrel: We're going to have our department head reports now. County Engineer.

John Stoll: I don't have anything new to report this evening unless you've got any questions on anything.

Commissioner Tuley: I understand we got a call this afternoon and Bergdolt is going to be patched?

John Stoll: That's what we were told. The Water Department has contacted their contractor and they are supposed to patch it tomorrow. They said they would of got it today, but they couldn't get any asphalt.

Commissioner Mourdock: Is that the one we got the letter on?

Commissioner Tuley: Uh—

John Stoll: The one that you had Tony forward over to me?

Commissioner Mourdock: Right.

John Stoll: No, that was a different one. That's a storm drain pipe that extends off the right-of-way and I put a letter together to the owners of the house to let them know it is off right-of-way so we can't make the repairs to the erosion and I made some suggestions that they might want to put some rip rap in the flow line and I'm going to get that in the mail to them.

Commissioner Mourdock: Okay.

John Stoll: I did verify with Mark out at the County Garage that what happened was they flushed the pipe out before they paved the road and these people probably weren't seeing water coming through that pipe because the pipe was totally plugged, but once the pipe was flushed then the flow started to erode down on their property.

Commissioner Mourdock: So their principal complaint is based on the fact that the pipe is doing now what it should have done before?

John Stoll: Correct, and there are no drainage easements on that property so it's just flowing across private property so there is really nothing the County Highway Department could do.

President Jerrel: Okay, thank you.

John Stoll: Thanks.

County Garage

President Jerrel: The County Highway Department is not here this evening.

Joe Harrison, Jr. - County Attorney
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President Jerrel: County Attorney.

Joe Harrison, Jr.: I don't have anything this evening.

Tony Greubel - Superintendent of County Buildings
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President Jerrel: Superintendent of County Buildings.

Tony Greubel: One thing I failed to request about the polling places, I guess to ask Voters Registration to send out notices that their polling places have moved for the ones that were totally relocated. That's all.

President Jerrel: Will you contact them tomorrow?

Tony Greubel: Yeah, I'll get started on that tomorrow.

President Jerrel: And get them the approved list. We did approve the—

Commissioner Mourdock: Polling places?

President Jerrel: —polling places, yes.

Steve Craig - Burdette Park

President Jerrel: Burdette Park.

Steve Craig: Steve Craig, Manager at Burdette Park. The only thing I have is to request your approval of the minutes by the Advisory Board and my worksheets.

President Jerrel: Is there a motion to that effect?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Steve Craig: Thank you.

Weekly reports

President Jerrel: Okay, we have Soil & Water and Ozone. The Ozone Officer is going to be here next week.

Commissioner Mourdock: Oh, okay.

President Jerrel: Have you talked to her yet? Yeah.

Commissioner Mourdock: Okay, that was going to be my question. She did provide...did both of you get a copy of her report?

President Jerrel: And she will be here to review it.

Tony Greubel: Actually, she was wondering if she could come on April 10th instead so that she has more time to prepare for that.

Commissioner Mourdock: Okay, fine with me. I just want to make sure that she does come in and that we can talk to her about this because I am really pleased with what she did.

President Jerrel: Uh-huh.

Tony Greubel: She is looking forward to doing that.

President Jerrel: Alright, is there a motion to approve all the reports?

Commissioner Mourdock: I'll move approval of the department head reports.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent items

President Jerrel: Under the consent items, any questions?

Commissioner Mourdock: I'll move approval of consents as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.¹

Old business

President Jerrel: Any old business to come before this group?

Commissioner Mourdock: Just by way of the jail report we've been listing that as a separate issue and for whatever reason we don't have it listed, so I guess it is old business, but I would make note from Chief Deputy Williams' report we had 277 now as the number in the jail as of the 22nd which was again down and we're at 81 days as the average stay of those folks. I also received, and I don't know if Tony made copies or if you receive directly from Mr. Shepler with PMSI his weekly update reports, did you all see these?

President Jerrel: No.

Commissioner Mourdock: Okay.

President Jerrel: You want to have Tony make them?

Tony Greubel: Actually, I haven't even seen it yet.

Commissioner Mourdock: Oh, I thought he was e-mailing it to everyone.

Commissioner Tuley: I was going to say, I got one on my e-mail.

Commissioner Mourdock: Okay, yeah that's—

President Jerrel: I don't have any on mine.

Tony Greubel: He didn't send one to my e-mail.

Commissioner Mourdock: Okay, well we'll make sure he e-mails everyone but he has been doing these on Friday and the principal thing from last Friday, and I had spoken originally and had a misunderstanding that all the letters had come in. In fact, all the commitment letters had come in to him except for three, from the Probation Department, the Juvenile Court Judge who had been on vacation, and I understand the County Clerk has not sent one back.

President Jerrel: She lost hers and they sent another one to her.

Commissioner Mourdock: Okay, alright, so that one takes care of that then. The other two we'll make a call and see if there is a problem there. The letters that were sent in, and I have copies of those from all the others, have been received. Some of the letters were modified slightly and I guess the other thing of worthy note is they

¹ See page 11 for listing of consent items

did pass on that the judges...the meeting that they had with the judges had been very helpful and he thought everything was very responsive. The judges are getting him some information that he had requested and all that should be back to them by the week of April 10th. The Auditor had sent back quite a bit of information as well. Making some progress and getting data going in.

President Jerrel: Has he indicated then what the next step...what's coming up?

Commissioner Mourdock: Well, the next step is to get in that data that he has requested. As of today he was going to be meeting with the Sheriff's Department. I think Al Bennett might have been in town. One of their folks was coming in to meet with them and that is ongoing. As far as the rest of the visit he is still scheduling with some of the department heads. So it is still on schedule as far as I know. Eric, anything significant to add?

Eric Williams: Al and Julie Von Arx were in town last Monday and I spoke to Julie—

President Jerrel: Von Arx.

Eric Williams: Von Arx, however she says her last name. I spoke to Julie again for about an hour and a half today on some issues and data that they are looking for.

Commissioner Mourdock: Has there been anything that they have asked for yet, Eric, that has been unavailable or I presume the information they are asking for is pretty routine?

Eric Williams: Yes, there are some things that are unavailable but not because they are not available. It's just because they don't exist or we have never recorded them before. That was part of our conversation today to try to extrapolate certain groupings of data out of this stuff that the information we do have to conform with what they are trying research, if that makes any sense.

Commissioner Mourdock: Uh-huh.

Eric Williams: There are a lot of things that they look for in other institutions and places that we have never tracked here just because of our situation that we haven't historically done classifications and the way our court system communicates with us as far as charging and tracking things we just, quite frankly, have never recorded some of the things that they were looking for.

President Jerrel: Are you now...you are on Courtview now?

Eric Williams: I have access to it.

President Jerrel: But you don't interact with Courtview?

Eric Williams: No. The only account that we use at the Sheriff's Office is the same one that is available to the public.

President Jerrel: Like we have here?

Eric Williams: Exactly.

President Jerrel: Okay.

Eric Williams: But Judge Bowers has pretty much opened the door for us to work on linking the two systems together. There are some hurdles we're going to have to get over to make that work, but they have pretty much given us an open door and said do what you've got to do.

Commissioner Mourdock: And that was very much what Bill mentioned to me last week when I spoke with him also. He thought there was a very good sense of cooperation and information going back and forth. Did they get to visit the SAFE House? I know they wanted to do that.

Eric Williams: Yes, they spent quite a great deal of time out there and took the grand tour.

Commissioner Mourdock: Okay.

President Jerrel: Good. Is anything...you haven't gotten that approval yet before Council for the repair?

Eric Williams: Our request for funds for the repair on the roof out there goes this Wednesday.

President Jerrel: Wednesday and next Wednesday.

Eric Williams: Correct. And then we have submitted to my knowledge all of our job descriptions and revised things as of today the last ones to Sandie for them to review and then I believe the representatives from Council and probably Tim Deisher are going to meet with us and refine those so those should be ready to roll here shortly.

President Jerrel: That's good. Okay, anybody else have any questions of Eric? Thank you.

New business

President Jerrel: Any new business? This isn't new, but it's just a comment. We've been having our census meeting regularly and if you have any contact at your place of business or any of the offices, Steve, maybe...this is where you say can I have your attention please?

Steve Craig: Pardon me?

President Jerrel: The teacher would say, may I have your attention please? If you would make sure all of your people ask them to please turn their census forms back in. The first is Census Day and the last time we had 183,000 people submit those in this metropolitan urban area and it isn't enough and we know only 73 percent. Now, if you do a little math with a little equation you'll find that we'll easily exceed that 17,000 if we get the numbers out. We had a great meeting last Thursday with the universities and several ministers and if you can take the time...the media has done a great job. The Courier has had several editorials and little, you know, You Count, and the schools have really outdone themselves, but if you have anybody that you work with or see every place you have any contact please urge them this next week to return their census form because it could mean a significant amount of money, over \$6 million to this area in funds over the next ten years. So that's just a pitch.

Commissioner Mourdock: Do you have any idea the 183,000 what percentage of that population actually did return? I mean, I know 183,000 didn't return, that was the determination from what was returned.

President Jerrel: Yes. No, but if you look at the undercount statistics and the undercounting is very prevalent among minorities and children. They're the most frequently...it's amazing, but a parent will fill out a form and not include the children's names. It just takes a family of four over ten years to cost the county, city and all services over \$14,400. So it is one thing to go out and urge people, but people are really reluctant to give government too much information. They don't trust them and that's the thing we need to...the money isn't going to us, it's going for everybody. Ten years ago SWIRCA, the Southwest Council on Aging, lost a lot of funding because the numbers went down. The school's title money is all furnished through the census.

Commissioner Mourdock: And EUTS.

President Jerrel: Well, and our level one...if we get to 200,000 we'll be a level one community and that will mean a lot of difference to us. If you could just...you're a small group tonight, but you'll talk to somebody in the next two days, so try to get them to return their form if they haven't. Anybody else? Is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 5:50 p.m.

**Vanderburgh County
Board of Commissioners
April 3, 2000**

The Vanderburgh County Board of Commissioners met in session this 3rd day of April at 5:34 p.m. in Room 307 of the Civic Center Complex with Vice President Richard E. Mourdock presiding.

(Due to technical difficulties with the recording equipment it is impossible to provide a verbatim transcript of the entire meeting. The following is a recap of the discussion and action taken at this meeting. A portion of these minutes will be verbatim as recorded by radio station WKY and provided to the Recording Secretary.)

Introductions and Pledge of Allegiance

The board was introduced and the Pledge of Allegiance was given.

Approval of minutes

The minutes from the March 27, 2000 Board of Commissioners' meeting were approved as submitted.

Motion: Commissioner Tuley
Second and so ordered: Commissioner Mourdock

Certification of Executive Session

An Executive Session was held beginning at 4:45 p.m. and ending at 5:15 p.m. Items discussed were the initiation of litigation, or pending or threatened litigation and county personnel matters.

Motion: Commissioner Tuley
Second and so ordered: Commissioner Mourdock

Jerry Bryan - City/County Purchasing

Jerry Bryan made the recommendation to award APA013-2000, tires and tubes. The award for passenger tires went to Reis Tire for a total of \$158,741.07. The second portion of the award was for the large bus tire and it went to Southern Indiana Tire & Truck Center for an amount of \$40,600.00. The last portion was for the small bus tire and it was awarded to Raben Tire for an amount of \$3,164.80.

Motion: Commissioner Tuley
Second and so ordered: Commissioner Mourdock

(Verbatim transcription begins)

Jerry Bryan: Can I take one minute of your time? I have been working on the asphalt pricing formula and I've got a little update. It will only take a moment. Joe, can I give you this? I have made a recommendation to Billie Sanders and Billie hasn't given me back her comments, but I thought I would pass along where I am on this right now. We have about \$3 million worth of contracts with the city and county that are affected by petroleum increases and I have listed those on the second page. I also got with Steve Rudolph with J.H. Rudolph, Mr. Mourdock, and

he has come up with a formula. I've got a little blue tag there and at your convenience between now and maybe the next meeting you could have a chance, I apologize for just dropping this on you now, but they have come up with a formula that I would like to incorporate and perhaps you could look at this thing. Joe, I have got Kevin Winternheimer who has given me some legal opinions on this thing and there is some case law that allows us to float these prices with their markups and then I would be very vigilant in watching the prices as they go up and also when they go down in the summertime so that they can't have the best of everything. Also, Mr. Mourdock, you asked me the past two years and I talked with Steve Rudolph and he said that there hasn't been that much volatility in those past two years as there has been now, so he didn't really see that much area for discussion in those two years, but he definitely sees an area of discussion right now.

Commissioner Mourdock: I would just as a suggestion recommend that...and I don't know what the answer will be here—

Jerry Bryan: True, I don't either.

Commissioner Mourdock: —but looking at this very quickly I see he is quoting some commonly published indices that are available on the Internet and you might want to go out there and check those and see what that volatility has been over the last two years.

Jerry Bryan: Yes, sir. Right.

Commissioner Mourdock: Not questioning what he says, but I know gasoline prices and the price of oil was down extremely low.

Jerry Bryan: Right.

Commissioner Mourdock: And it seems to me that it would make sense—

Jerry Bryan: That would only follow the simultaneous increase, so I'm not going to take him at face value on that. No, you're right and that needs some more work. But I've had two other vendors, Gabe's Oil and Petroleum Transport, which supplies about \$300,000 worth of gasoline and we have been able to use these formula pricing with them. The State Board of Accounts came down. They reviewed it, they liked it and we feel like we're on some good ground here, but this formula that they've come up with needs some work and Billie Sanders hasn't okayed it yet, but I thought I would give you a progress report that I am on top of it.

Commissioner Mourdock: Okay. I notice that they're talking about having a (inaudible) in there of \$10. Maybe \$10 is the right number—

Jerry Bryan: Maybe \$10 is the right number, maybe it isn't, but I think that's a good point. In other words, every time we get a \$1 increase is not to fiddle with it.

Commissioner Tuley: Right.

Commissioner Mourdock: Right.

Jerry Bryan: That's the point.

Commissioner Tuley: Yeah, and that makes sense.

Commissioner Mourdock: Okay, well you're requesting simply then that we take this under advisement?

Jerry Bryan: Yes, sir, and I'll report back later.

Commissioner Mourdock: Okay.

Commissioner Tuley: Thanks, Jerry.

Commissioner Mourdock: I appreciate it. That raises one other issue and this doesn't deal directly with Purchasing so much, but it reminds me and I'll mention it now, I did get a call this weekend on the reimbursement costs on a per mile basis when county employees are using their vehicles because we're still reimbursing at 28 cents. Again, with gas prices what they've been that is what caused the phone call. I think it's a pretty legitimate concern someone has. I don't know how many miles a year the county is paying for reimbursed mileage, but it might be something...I think IRS standards are currently 32 cents or something.

Commissioner Tuley: Thirty-two, yeah that's what we use in the school.

Commissioner Mourdock: Yeah, I think we ought to bump that up and start the wheels turning on that.

Mark Miller - Vacation of a public right-of-way
--

Commissioner Mourdock: Okay, the next item on the agenda, Item D, first reading and public hearing for vacation of a public right-of-way at 915 Ruffian Way. Mark.

Mark Miller: Thank you. We have petitioned to repeal a previous ordinance because it was worded for vacation of a public platted utility easement. I was notified by the County Engineer that this is not a utility easement, it is a right-of-way so therefore we ask to repeal the first ordinance and refile replacing the words public platted utility easement with a portion of a public right-of-way or street.

Commissioner Mourdock: Okay.

Mark Miller: This again is to allow for the installation of a compressed natural gas refueling station at Busler's on Highway 41 at I-64.

Commissioner Mourdock: Okay, Joe?

Joe Harrison, Jr.: No, it's fine. This is in the correct form. This is a first reading and a first hearing, so if there is a motion to that effect.

Commissioner Tuley: It's also the public hearing.

Joe Harrison, Jr.: That's correct.

Commissioner Tuley: We need to ask for remonstrators.

Joe Harrison, Jr.: Yes.

Commissioner Mourdock: Is there anyone here to speak on the vacation of public right-of-way for the common address at 915 Ruffian way other than Mark Miller?

Commissioner Tuley: Okay, on first reading I'll move approval of the vacation of public right-of-way at 915 Ruffian Way.

Commissioner Mourdock: And I will second and do we need a roll call? Okay, second and so ordered then.

Sandie Aaron - Ogden Entertainment with update on The Centre

Commissioner Mourdock: Alright, the next item on our agenda is Sandie Aaron with Ogden or someone, maybe I should say.

Sandie Aaron: It changes daily.

Commissioner Mourdock: Yes.

Sandie Aaron: Thank you for having me. I really wanted to just give you a few facts and give you an update on what is going on. I'm sure I don't have to tell you we've been very busy. We've had everything from electronic shows to wedding receptions. We've got four proms coming, and comedians, and gospel plays, and you name it. The Veteran kick-off was very successful. It came off really, really well. This month we've got Bobby "Blue" Bland which is a blues show on the 7th and then on the 14th we have Extreme Wrestling in the exhibit hall. On the 15th we have a country concert, John Berry, Suzy Boggus and Billy Dean. The same night we have a Christian concert that is Third Day and Jennifer Knapp in the exhibit hall, so that ought to be cool. So we do have a lot going on. Just for the month of January and February The Centre generated almost half a million dollars in ticket revenue. We had 31 events. These events do not count on the meeting rooms. These are either exhibit hall or auditorium. We also had 50,000 patrons through there in January and February. The economic impact based on the formulas we got from the Convention Bureau the impact The Centre had in January and February was \$1.142 million to Vanderburgh County.

Commissioner Mourdock: How do you calculate that? Do you have some rules of thumb?

Sandie Aaron: I've got two or three different formulas that we have to use. One is for one nighter, you know, like a concert and one is for conferences where there is an overnight stay and then there is still another one if it is on a weekend so there are three or four calculations. The economic...to give you a scenario, the economic impact in '99 for the whole year for Roberts and Mesker and the Victory was \$42,688,350. In terms of Roberts Stadium, Victory Theater and The Centre for the months of January and February already the economic impact has been \$14,458,800. So we think that we're really off to a good start. We expect that \$42 million that was Roberts, Mesker and Victory to come darn near double for this year. We've gotten nothing but compliments on the facility. We're still, you know, going through some little punch lists and things, but everyone that has been there from the patrons to the artists have been very receptive to it. We have done, as I said before, we have done school proms...we're doing school proms. We've done religious

meetings. I have a long list of different events. We're doing bingo. Of course, our Broadway. We're getting ready to put together a children's programming series that will begin at the Victory for next fall, but will be broadened in that we are looking for things to do in the exhibit hall. They are specifically for kids from six to 18. For instance, teen dance type things, basketball camps. We're moving very...quite swiftly on that. I've got...we've already arranged for some focus discussion groups to represent children that are representing each school within Vanderburgh County, so far it is coming back really, really positive. I think you'll be real proud when we get it all together. Within the next week to ten days we will have a revised three year business and marketing plan that I think will be more realistic from what we originally gave you because now we've been into it for a couple of months and fine tuning it.

Commissioner Mourdock: The first question I had when you mentioned that you've done a half million dollars in ticket revenue in January and February what did you predict in your first plan?

Sandie Aaron: Really, probably about \$380,000 is what I thought we would do, so we're over on that. I haven't looked at our actual revenue in the different categories and different line items to the facility yet because I really want to do it for the first quarter, so we're waiting for financials.

Commissioner Mourdock: In your initial plan as I recall you said you thought once the place had been up for two years, up and running for two years, you thought you could operate at something other than a subsidized level. Is that still...?

Sandie Aaron: We're moving fast and furious towards that end. We are settled in now. The facility is open. Our biggest focus right now, mine is programming, but all the people that are over there are focused on how we can be more cost effective, you know, what are our utilities and is there ways that we can streamline those to make sure that we are on a shoestring with our expenses. Once that is done then I...that's our goal.

Commissioner Mourdock: Very good.

Commissioner Tuley: The kitchen and everything is in place and operating?

Sandie Aaron: The kitchen is in place and operating. We do have a food service in and it is the catering division of Sports Service. It's called Well-Bread. We did get a couple of folks that were not from Evansville so we had to do a little bit of training here and there, but they're doing great and they are getting good responses from the folks that are using it. We've had National City in there. We've got Civitas or Fifth Third booked and we also have Old National booked in there for their annual meetings, so it is really coming along. I'm most excited because of the variety. We did get a little bit of interest from the media there a while back about over saturation and we really felt that it's not over saturation, it's just really touching all segments of the community. They can't say that The Centre is not a multi-use facility at all because it is. Do you guys have any questions?

Commissioner Mourdock: I was hoping that when David Copperfield did his act the other night he was going to make the outstanding mortgage interest disappear there.

Sandie Aaron: Wouldn't that have been wonderful?

Commissioner Mourdock: He did everything else.

Sandie Aaron: It was a great show.

Commissioner Mourdock: It was. It was fabulous. I had several people ask me if there was a tunnel from the stage, the center of the stage, back to the back of the auditorium when he went through the fan and came up in the back.

Sandie Aaron: Nope.

Commissioner Mourdock: He's good.

Sandie Aaron: No, it was interesting, but I'll tell you what, we had to sign our life away to be able to even go in the backstage area.

Commissioner Mourdock: Really?

Sandie Aaron: That's a real unusual show and he doesn't want anybody seeing anything.

Commissioner Mourdock: He did a great job.

Bill Jeffers: Especially not his twin!

Commissioner Mourdock: I hadn't thought of that aspect. That may be one. Okay, anything else, Pat?

Commissioner Tuley: No.

Sandie Aaron: Thank you.

Commissioner Mourdock: Thank you. Oh, one...with all the good news I have to say I did...I have only received, I think, one negative comment and I did promise that I would pass it on.

Sandie Aaron: Okay.

Commissioner Mourdock: About a month ago you were advertising for something and the comment was made to me about we've got a nice \$35 million facility and how come they have to use one of those little rolling type advertising signs weighted down with concrete blocks out at the corner of Walnut and Martin Luther King.

Sandie Aaron: And I have a copy of the letter of the person.

Commissioner Mourdock: Oh, you got one, too?

Sandie Aaron: Yeah, they sent it to Bettye Lou and she gave me a copy of it.

Commissioner Mourdock: Oh, really. I didn't know that.

Sandie Aaron: I have contacted the gentleman. That was something that was done by the Courier and we felt the same way. I mean, they were just trying to make a good thing out of a bad situation since our signage wasn't up yet but we have advised them no more.

Commissioner Mourdock: Okay.

Sandie Aaron: So we have taken care of that one.

Commissioner Tuley: That just brought up another question then. You say your signage is not up, where are we?

Sandie Aaron: Actually, we are in...two things going on. One, we're just about ready to finalize our pouring rights with our soft drink vendor. Part of that money will go to buy a portable basketball floor for the basketball camps in the exhibit hall. The other thing is our marketing director has consulted with Ad-Craft and they have come in and looked at different areas where we could do things. One, to renovate the old sign. Two, give us a price on what it would cost to put a new sign up. Three, the possibilities of some signage in the exhibit hall area, ie folks like Roundy's, Winkler's, Sysco Foods, people that utilize that on a regular basis would be more than happy to pay for it and the intent of that is to be able to upgrade the signage and finish the outside the way it needs to be done.

Commissioner Tuley: Would there be a way to put up a message board or anything like that?

Sandie Aaron: Yes.

Commissioner Tuley: We did get the permit for that?

Sandie Aaron: Yes, actually I have spoken with Mark and with Brian Mounts and they've come up with some great ideas both on the very front, the eaves there at the atrium, but also on the corner of Martin Luther King and Locust with the idea that the old sign we would probably renovate and put on the backside as the architect had intended to begin with. So what we're looking at is worst case and best case scenario how much it would cost to have everything done and then come somewhere in the middle. We think we can generate enough income to pay for it.

Commissioner Tuley: To pay for it. BZA was...granted you how much leeway or whatever?

Sandie Aaron: They granted us the one for the outside. I mean, on the backside, but we've not done the other because I am waiting for the final drawings from Brian and Mark.

Commissioner Tuley: Okay.

Sandie Aaron: Okay?

Commissioner Mourdock: Okay, very good.

Commissioner Tuley: Thanks.

Commissioner Mourdock: Oh, wait I do have one more. Sorry. The Ogden announcement of last week, any idea of what repercussions will be there?

Sandie Aaron: No, the only thing we are waiting on, and I don't expect it to change anything that we do here—

Commissioner Mourdock: Right.

Sandie Aaron: – we just are not sure whether we'll maintain the Ogden name, which is a possibility, or whether they will change the name. That company does own 50 percent in another management firm that is a competitor of Ogden although that firm just merged last week with another competitor, so they're really almost going to have a monopoly in privatization. So what I am being told is they'll merge the three together to get the best of all scenarios and until I've been told otherwise I won't panic.

Commissioner Mourdock: Okay.

Sandie Aaron: But I don't expect it to affect us here at all.

Commissioner Mourdock: Okay, very good. Alright, thank you.

Approval of Construction Inspection Agreement

Commissioner Mourdock: Next on our agenda, County Engineer who I understand is at some basketball game or something tonight. Approval of a construction inspection agreement.

Commissioner Tuley: Yeah, he did provide us with the letter basically after submitting it to INDOT there was some changes made and it actually reduced the total cost from \$253,993 down to \$244,589.81. They've been reviewed and approved now by INDOT and it is requested that we sign these, so I'll so move at this time.

Commissioner Mourdock: And I will second and so order.

Any group or individual wishing to address the Commission

Commissioner Mourdock: It's at that point in the agenda anyone wishing to address the County Commissioners as opposed to just the Drainage Board which will be coming up shortly?

County Engineer

Commissioner Mourdock: Seeing none, department head reports. As we mentioned a moment ago the County Engineer is not here this evening.

Erik Bentle - Superintendent of County Garage

Commissioner Mourdock: Erik Bentle, Highway Department.

Erik Bentle: Erik Bentle, Highway Department. The first thing I have is we had a gentleman get hurt Friday and he is going to be off work for it looks like two or three weeks. He is without time. He has burned up all his time already, so we run a pink slip through for him. I think you've got a copy of it already.

Commissioner Mourdock: Right.

Erik Bentle: Pink slip or whatever it is.

Commissioner Mourdock: We did, but we need to formally add that to the consent items.

Erik Bentle: Okay.

(Verbatim transcription ends.)

There was discussion about the paving which is to begin on April 10, 2000. They will be starting with Frontage Road.

Joe Harrison, Jr. - County Attorney

Joe Harrison, Jr. presented a report on House Bill 1231 regarding professional sports and convention areas. This current status of this bill is that it has been vetoed by the Governor. Joe also indicated that the Court of Appeals ruled in favor of the Evansville-Vanderburgh Building Commission and the Evansville-Vanderburgh County Area Plan Commission in connection with an appeal filed by David Gibson and Nancy Gibson. The Court of Appeals ruling affirmed the Warrick Superior Court's decision in favor of the Evansville-Vanderburgh Building Commission and the Evansville-Vanderburgh County Area Plan Commission. Mr. Harrison also indicated that a further appeal was likely by the Gibsons.

Tony Greubel - Superintendent of County Buildings

Tony Greubel, Superintendent of County Buildings, notified the board of an amendment to be made in the polling place list. The Vanderburgh County 4-H Center was listed with the incorrect address and it should be changed to 201 E. Boonville-New Harmony Road. This amendment was accepted by the board. Tony also submitted blue claims from Ogden Entertainment.

Motion: Commissioner Tuley

Second and so ordered: Commissioner Mourdock

Weekly reports

The board accepted written reports from Burdette Park, Soil & Water Conservation District and the County Ozone Officer.

Motion: Commissioner Tuley

Second and so ordered: Commissioner Mourdock

Consent items

The consent items were approved with the late employment change submitted by the County Garage included.

Motion: Commissioner Tuley

Second and so ordered: Commissioner Mourdock

Consent item listings:

- | | |
|---|--------------------------|
| Employment changes | |
| Cumulative Bridge | Health Department |
| Knight Township Assessor | Prosecutor |
| Sheriff’s Department | County Assessor |
| Circuit Court | Center Township Assessor |
| Recorder’s Office | Burdette Park |
| Travel requests | |
| Knight Assessor | County Assessor |
| Recorder | Health Department |
| Sheriff’s Department | |
| Submit weekly inmate general information report | |

Scheduled meetings

The scheduled meetings are attached to the agenda.

Old business

There was no old business.

New business

There was no new business.

Adjournment

The meeting was adjourned at 6:00 p.m.

Motion: Commissioner Tuley
Second and so ordered: Commissioner Mourdock

**Vanderburgh County
Commissioners Meeting
April 3, 2000**

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THOSE IN ATTENDANCE:

Richard E. Mourdock
Patrick Tuley
Joe Harrison, Jr.
Suzanne M. Crouch
Charlene Timmons
Jerry Bryan
Mark Miller
Sandie Aaron
Erik Bentle
Others unidentified
Members of the media

**Vanderburgh County
Board of Commissioners**

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Transcribed by Charlene Timmons.

**Vanderburgh County
Board of Commissioners
April 10, 2000**

The Vanderburgh County Board of Commissioners met in session this 10th day of April at 5:35 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners to order. At this time I'd like to introduce to you the people before you. On the far right, Tony Greubel, our Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley, to my right; far left, Charlene Timmons, the Recording Secretary; Bill Fluty, Deputy Auditor; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel and I would like for you to join me with the Pledge of Allegiance.

Approval of minutes

President Jerrel: Thank you. The first item on the agenda is the approval of the minutes of the April 3rd meeting.

Commissioner Tuley: I'll move approval of the minutes from April 3rd.

Commissioner Mourdock: Yeah, it's just you and I were here at that, so the two of us will have to sign it.

Commissioner Tuley: Right, okay.

Commissioner Mourdock: And I will say second and so ordered, I guess.

President Jerrel: Yes, okay, thank you.

Open bids VC-2002, Burdette Park food and beverage VC00-04-01, Repair and repaving of various county roads

President Jerrel: The next item on the agenda, Jerry Bryan, open bids.

Jerry Bryan: Joe, I have a package of bids there for you. That's the food and beverage for Burdette Park, please.

Commissioner Mourdock: I'll move approval of the opening of bids for VC-2002, food and beverage at Burdette Park.

Commissioner Tuley: Second.

Commissioner Mourdock: And I'll move approval of the opening of bids for VC00-04-01, which is repair and repaving of various roads.

Commissioner Tuley: Second.

President Jerrel: And I'll say so ordered to both.

Final reading - Vacation of a public right-of-way at 915 Ruffian Way

President Jerrel: Item C is the final reading for vacation of a public right-of-way on 915 Ruffian Way. At this time is there anyone here that wishes to speak for or against this final reading?

Commissioner Mourdock: Just for the record last week Mark Miller from SIGECO was here and addressed the issue briefly and seeing no one in the audience wishing to comment I'll move approval on final reading the vacation of the public right-of-way for the common address of 915 Ruffian Way in the northern part of the county.

Commissioner Tuley: Second.

President Jerrel: I'll say so ordered.

Commissioner Mourdock: We need a roll call on that.

President Jerrel: Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

Bill Cottun - SCT

President Jerrel: The next item on the agenda, SCT.

Bill Cottun: Good afternoon. I'm Bill Cottun, Account Executive for SCT, Systems and Computer Technology. What you have before you you've seen already once this year. This when it came before you originally was for a three year maintenance agreement with Interactive Systems for the FASBE application, the city/county financial application. After review by the city legal department they have requested that all maintenance agreements be held to one year maintenance agreements with options if the interested companies so wishes to do that. So we bring this revised contract back before you as basically an amendment to what you've already approved, but instead of a three year contract this is a one year contract with two one year options.

President Jerrel: Did that change the amount of money?

Bill Cottun: Nominally it changed it about \$400 because it was a...actually it was \$800 total because it was a one year rather than a three year they did increase their percentage on that nominally.

President Jerrel: Was there a reason for this? What was the rationale for one year?

Bill Cottun: The city legal department is taking a position that they only want to approve one year contracts. Specifically why legally I apologize, I don't know why they took that legal position, but that's what they've done.

President Jerrel: It may be because the software package has become obsolete so quickly and then if you're in a three year contract you're going to pay for another probably one year or more and we've done that before.

Bill Cottun: That is correct.

President Jerrel: So maybe that is why. I think that's likely what the reasoning was, but just for the record I thought that should be on the record. Is there a motion?

Commissioner Mourdock: I'll move approval as recommended.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Bill Cottun: Thank you very much.

President Jerrel: Thank you.

Permission to advertise - Amendment to zoning code ordinance

President Jerrel: The next item is permission to advertise for public hearing.

Commissioner Mourdock: And we have in our packets the hearing or the summary from the APC regarding the zoning and I would move permission for the Auditor to advertise the hearing for that amendment to our zoning code.

Commissioner Tuley: Second.

President Jerrel: And I'll say so ordered and I'll ask this question after I've said it. Have you all...since both of you have served and I have not are these additions something that you agreed to and you discussed in the Area Plan meeting?

Commissioner Mourdock: Yes, in fact there was special meeting at APC this past week about the issue here.

President Jerrel: And specifically what it is? It says special uses, but what is that? Is it the towers?

Joe Harrison, Jr.: Cellular towers is what it relates to.

President Jerrel: And so what are we doing now with them that we weren't doing before?

Commissioner Mourdock: Well, we just put into effect or we would be putting into effect some specific requirements as far as which properties can be used and what needs to be included. If someone wants to put a cellular tower in what kind of standards they have to meet to get that approval.

Joe Harrison, Jr.: I believe there is an encouragement to—

President Jerrel: Go together?

Joe Harrison, Jr.: –go together, double up on sites.

Commissioner Mourdock: Yeah, trying to minimize the number of towers. That's right. There was some things that we discussed at APC even as far as legally mandated it which we hoped we could, but in fact we can't. We can't force people to use their towers, but we can use our zoning code to at least encourage it. Other things we did that are in there are regarding setbacks with some safety factors. If a tower were to tip over to make sure it's at least far enough from a property line plus either the height of the tower plus some additional distance.

President Jerrel: And this also, I noticed you had a zoning discussed where the property owner agreed to not have a tower on that property.

Commissioner Mourdock: I'm not sure of that. From the last meeting?

President Jerrel: Uh-huh. I guess this–

Commissioner Tuley: Yeah, I think I seen that, too. No billboards and no outdoor–

Commissioner Mourdock: Oh, yeah. There was one comment made somewhat in jest. One person was coming before us to get some zoning and they made that as a condition that they...okay, they said there would be no billboards and in passing no cellular towers since they just heard us talk about it.

Commissioner Tuley: There was something in our routing packet where there is a one day seminar that someone is putting on about this very issue. Do you guys remember seeing that?

Commissioner Mourdock: I saw it, yes.

Commissioner Tuley: I wonder if anyone from APC staff or anybody like that?

Commissioner Mourdock: I don't know that they're going, but I know the APC staff solicited a number of pieces of information from other places around the country where in fact they had dealt with this issue because these things were popping up all over the place and as I commented the other day it may well be that technology will change before we get this ordinance in place and not require these, so we even talked a little bit about having some sort of sunset deal on this, but we haven't done that at this point.

President Jerrel: So is there a motion?

Commissioner Mourdock: I'll move approval of the amendments of the ordinances for cell towers as recommended by APC.

Commissioner Tuley: I think all we're doing tonight is being asked to actually advertise for a hearing.

Joe Harrison, Jr.: Yeah, we've got to have a public hearing on it.

Commissioner Mourdock: Yeah, okay.

Commissioner Tuley: I'll second.

President Jerrel: And I'll say so ordered.

Joe Harrison, Jr.: The date will be sometime in May?

Commissioner Mourdock: It won't be May 1st.

Joe Harrison, Jr.: What was the date that they recommended, or did they?

Commissioner Tuley: No, they didn't. I don't see a date on here with a recommended hearing date.

Joe Harrison, Jr.: This came out of their meeting on April 5th?

Charlene Timmons: From Beverly.

Joe Harrison, Jr.: I think the ordinance gives us 60 days, I think, which to act on this so if we could do it in May.

Commissioner Mourdock: May 8th, perhaps.

Commissioner Tuley: May 8th is the date suggested, I'll second.

President Jerrel: And I'll say so ordered.

Cancellation of May 1st meeting

President Jerrel: Don't let me forget to raise that issue. I've had three or four people that come to our meetings say could we cancel the May 1st meeting because it's the day before the primary election and it's not, you know, Solid Waste is the second Monday and the others are the third. The third and fourth have to be together because there is a holiday on the fourth Monday. What do you think?

Commissioner Mourdock: Pat?

Commissioner Tuley: Whatever.

President Jerrel: The only issue that I wish you could get some memos out to people is the pink slips because that does create a problem for offices and if anyone, you know, has a pink slip they need to get through they need to get it through the meeting before. Even if they want to make it effective May 2nd or whatever.

Commissioner Mourdock: With that discussion I'll move that we formally advertise the cancellation of our scheduled meeting for May 1, 2000.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joanne Alexandrovich - County Ozone Officer
--

President Jerrel: The next is a presentation by our Ozone Officer.

Joanne Alexandrovich: You're going to have to bear with me while Tony helps me

set this up.

President Jerrel: Okay.

Joanne Alexandrovich: I'm not exactly sure where we want to project it.

President Jerrel: Could you put the screen right over there and that way the audience and we could see it all too.

Joanne Alexandrovich: While we're doing this I've got some handouts.

Commissioner Mourdock: We all have a copy I think.

Joanne Alexandrovich: Actually, this is handouts of tonight's presentation. I want to thank you for having me here tonight and start by saying I'm going to present more information than is actually in that paper to answer some burning questions, maybe.

Commissioner Mourdock: Burning questions doesn't exactly go with ozone discussion.

Joanne Alexandrovich: Well, they're non-burning questions.

President Jerrel: I've got a couple of these old burning questions and I bet you answered them.

Commissioner Mourdock: Me, too. I've got a bunch of notes in mine scattered throughout here.

President Jerrel: I just had some.

Commissioner Mourdock: I'm looking forward to this, Joanne.

Joanne Alexandrovich: I'm looking forward to it getting over. Charlene, I apologize ahead of time.

Charlene Timmons: Thank you.

President Jerrel: Well, if you give her that paper she can enter that.

Commissioner Mourdock: Before Joanne gets started just formally here I would move that we adopt into the record her paper that she submitted with our minutes.

President Jerrel: Is there a second?

Commissioner Tuley: There is a second.

President Jerrel: And I'll say so ordered.

Joanne Alexandrovich: I know this material kind of backwards and forward so if I speed through any of it please stop me and ask questions and ask me to explain whatever. Alright, I think that will work. Okay. Let me get this going here. What I am going to talk to you about is ozone air quality in Vanderburgh County and the surrounding area, specifically the Evansville, Henderson, Owensboro air shed region. Affectionately I call this my state of the ozone address 2000. What I am

going to do is present some data air quality, emissions data, meteorology data and try to address some causes and perhaps solutions to some of our air quality problems in the area. Just to...oh, while I'm discussing all this I have some relevant questions that I keep in mind and you should keep in mind as well. First of all, what we do we know about the state of the ozone? What else do we need to know to get a better picture to solve our problems? Once we know how to solve the problems what do we need to do and also of interest is whether or not we'll meet the new eight hour ozone standard and I'll talk a little bit about that later. Just as background why I say Owensboro, Henderson air quality control region pursuant to Section 107 of the Clean Air Act the EPA recognizes actually all the counties shown here as being part of an air quality control region although we very rarely think about planning for air quality using any other...considering any other counties than Vanderburgh, Warrick and perhaps Henderson. Also on this map all those dots here indicate locations of currently operating air quality ozone monitors. Owensboro right there and then there is one in McLean County and Hancock County. There is now a monitor in Perry County. It's operated by AK Steel since 1998 and an ozone monitor in northern Gibson County that has been operated through Toyota since April of 1999. Since 1992, sorry, no monitors have measured violations of the one hour standard. It's a less stringent standard than the eight hour standard. However, all the monitors that have been collecting ozone data since '97 to '99 have actually, except for the Green Street Henderson monitor and I'll talk about that, have measured violations of the eight hour national ambient air quality standard for ozone or eight hour NAAQS. One of the things that I found out in my study about this, oops, new technology, it doesn't go back. This monitor right here in Henderson, the Green Street monitor, it is actually located kind of right off the intersection of Green Street and Highway 41, so it's getting a lot of automobile pollution and ozone reacts with NO and it brings the ozone values at that monitor down which I suspect, although I don't have any positive, positive proof that is why the Henderson monitor is the only one that hasn't violated the eight hour standard in the region. Even the McLean County and the Hancock County monitors have violated the eight hour standard as well. One interesting thing that I found out looking at all this data is that we kind of were expecting to see rural sites with lower ozone values and city sites with high ozone values, but when you look at the signals how does ozone change through time every hour they all look pretty similar. This is the typical ozone signal. This is September '98 at a Vanderburgh County site at West Mill Road. What you're seeing are daily fluctuations that there were chemical reactions that occurred during the day. Ozone goes up and then it stops at night and goes down. Back and forth, up and down, up and down, up and down. Here and here there were violations of the...excuse me, exceedances of the eight hour standard. Right here we almost exceeded the one hour standard and maybe we did. I forgot to check on that. The signals are very similar. This was measured at the Perry County site. You'll see the same kind of daily fluctuations and if you overlay them like that you can see that there is very little difference in actually magnitudes. The one difference that I probably will eventually investigate are the differences in decline of ozone in the afternoon. The Perry County site there is less of a commute signal, afternoon commute, so it takes a little longer for ozone values to go down because it's not...it does have as much fresh NOx or NO to react with. Last year I wrote a report for the Health Department Board to look at the state of the air quality over the last ten years and one of the conclusions in that report was that we really haven't seen any statistically significant improvements in air quality since 1982 which was when data was available to me. I just wanted to show a few of those plots to bring this home again. This is the West Mill site. On each of these plots the line is average values, the line above that, those are actually trends, 90th percentile. The pink here is the second highest ozone maximum and the blue is highest maximum per year. The reason, if you look at this

you'll say, well, Joanne, there is an improvement here it is going down. Well one thing is most people who look at these numbers don't look at the maximum values because there may be some unusual things that happen, maybe weather, maybe a fire, maybe something that made real spikes here so they tend to look at the 90th percentile or means and those actually show no changes in ozone air quality and actually the mean actually is getting a little higher which means that would be not an improvement, but getting worse. This is a Warrick County site at the Alcoa plant and you can see the same kind of relationship. Sometimes it looks like it is getting worse. Sometimes it looks like it is getting better. This is the Green Street Henderson site. This is before I realized the problem with that. If you look at the absolute values they are slightly lower here than at the other sites. The Owensboro site, again, none of those lines or trends are significant statistically. Since last June I looked at this material again and I believe that any kind of improvement you might want to see in these curves actually occurred between the year of about 1988 to 1994 during the implementation of the Federal Motor Vehicle Emission Control Program basically putting controls on cars and tailpipes. If you take this West Mill site data that I showed in the previous slide and split it up from 1983 to 1990 we see an improvement, downward going trends, and then if you plot 1990 to 1998 air quality is actually worsening slightly. I didn't test this to see if those are significant trends, but I think the point is there. The Boonville monitor has been monitored since, I guess, 1991 and if you look at all of those there they're the means, the 90th percentiles, max 2 and max 1, we see an increase in ozone concentration which is a decrease in air quality. Another site at the Baskett Fire Station in Henderson shows the same type trend. In fact, I have some friends at the Geological Survey down in Henderson and I told them what the monitor does at Baskett and they're saying, you're kidding, that's supposed to be a rural site. Well, like all the other monitors around here they all record relative high values. So conclusion to this is that we really haven't seen significant improvements in air quality since the implementation of the Clean Air Act amendments of 1990. I say here that it's not noticeably improved because there have been few significant steps towards reducing emissions. I don't want to use that statement to say that there haven't been important reductions in emissions. Industry has made some important reductions in emissions and automobile exhaust have been improved and so on, but when you look at the numbers in terms of emission estimates and this table was also in that 1999 report these are in tons per summer day and there is actually two values here. The first two lines are for 1990 and I discussed that in my report last year basically there is some inconsistencies in the data so I plotted them both up and IDEM's 1996 inventory and then it's broken down by point area, mobile off road, and biogenics where we don't have much information. VOC on the top and NOx on the bottom. If you look at the mobile source category that shows the largest improvement or decrease of VOC emissions there is a good improvement in point source emissions, however area source emissions have gone up. If you look at NOx, it pretty much stayed the same for industry or point sources. A slight increase in area sources. Mobile sources, a slight decrease. Off road mobile sources increased greatly. Basically, to sum it up if you can trust all this data emissions and VOCs in Vanderburgh County alone have decreased by 15 percent between '90 and '96 while at the same time emissions of Nitrogen Oxide or NOx have increased by 25 percent which I actually believe is a violation of our maintenance plan, but NOx reductions are a lot harder than VOC reductions. We can talk about that later. Using this information, emissions information, air quality information, I went through a logical exercise. I assumed ozone levels have not significantly changed. I gave us the benefit of the doubt saying, okay, our air quality hasn't gotten worse, but then again I don't think it has gotten better. VOC emission decreased. NOx emissions increased and you wave your arm and you come out with the fact that ozone

chemistry in Vanderburgh County is NO_x limited. What that means is if you lower VOC emissions you will not lower ozone values. What you need to do is lower NO_x values to lower ozone values and I'll get to that in the next slide. This statement that we're NO_x limited is supported in two other ways. One by air quality modeling by IDEM and the like where they test NO_x reductions and when you do run NO_x reductions you get ozone reduction so you suspect that it is NO_x limiting. What you need to actually get a better picture of whether you've got a NO_x limited or VOC limited condition is shown on this graph and it's really not all that complicated. On this axis we have NO_x and parts per million and on this axis VOC and parts per million and what this is often called is the ozone reaction surface. These lines are actually isopleth, or lines of constant ozone, and these lines show ratios of VOC to NO_x...excuse me, VOC to NO_x. This one over here, VOC to NO_x is 15 to one. If you decrease your VOC emissions you don't go off of that isopleth. In other words, you're in a NO_x limited situation. On the other hand if you start here and you decrease NO_x you're going to decrease your ozone. This data is derived from experimental chamber data. Well, we do have some information on VOC values in Vanderburgh County. They were collected between 1991 and 1993. I do not have my hands on the complete data set, but I thought I would take a look at what was available to me to see if it gave us any idea if we were VOC or NO_x limited. Again, I have plotted up the same kind of data as you saw in those trends. Max 1, max 2, 90th percentile, mean, and I also plotted minimum. One of the problems with the plot here again it is VOC versus NO_x is that if you're plotting the maximum VOC may not have occurred at the same time the maximum NO_x values did so it is really not legitimate, but it gives us an idea. If you look over here where the blue Xs, the mean values, and the 90th percentile values, we tend to be in the NO_x limited region right here. Why is this important? If we are going to try and make reductions in emissions, if we say, okay, we're going to reduce VOC values what is the point if they're not going to help us improve our ozone so it is really important to know this otherwise industry and ourselves are going to be spending a lot of money not getting very far. Okay, here is my summary from my recent paper. What I did was try to figure out what conditions were like, specifically weather conditions and also some of say what NO_x values were like during periods of elevated ozone in the region. I used some criteria to find these elevated ozone levels that were more conservative than simply looking at exceedances because I wanted to see what lead up to those conditions and what terminated those conditions of high ozone, so I chose a level of 80 parts per billion of one hour ozone data. Once readings reach about 90 or 95 parts per billion you're going to have an exceedance of the eight hour standard, so basically we're seeing eight hour exceedances plus a few more days. What I did, I went through a whole bunch of weather maps. In fact, oh yeah, I forgot about this. I've got some stuff in the handout. Page five in the handout shows what these daily weather maps are like and I went through I don't know how many hundreds, maybe thousands of these, to make these characterizations and I meant to point this out early, on the back page, page six, is a compilation of exceedances at all the monitors in this air shed region. Numbers of exceedances. I also looked at local meteorological data. Wind speed, wind direction, humidity, temperature at monitors in Gibson County, Posey County and Warrick County. What I found out that when we have high ozone here in this area there is probably one of five different weather patterns which caused it. I looked at data from 1995 to 1998, a four year period. I am almost certain that I won't find any more types of weather if I look at other years, but not a hundred percent certain. This table summarizes these weather patterns and they can be recognized...I named them just to make things easier. They can be recognized by the origin of the air mass. In other words air moves down from Canada possibly and sits over Evansville or moves to the south of Evansville and each of these weather patterns are described by one where the air mass originates.

A 500 millibar surface is basically what weather is happening aloft. Those are the weather patterns that are going to push fronts on through and help move the air mass over the United States. Oops, sorry. Location and movement of the surface high, all ozone episodes are characterized by a dominance of high pressure weather. No big deal, we kind of expected that, but the high pressure systems, again, will originate in a different place and move in different directions depending on the system. Also, I characterize these episodes by surface wind direction. If you look here you'll see this is what I call a Canadian Lakes Dispatch because the air mass kind of moves south from Canada. Locally we tend to have northeast winds. I've got lots of data where I can show you these northeast winds, but except when they are veering which means they change with a clockwise direction they are from the northeast. This eastern US high and southern high are the typical episodes that have been modeled using UAM-V and CAMx, the computer models, and again they're using episodes that have winds from the south southwest, which I think one of the big reasons why the appearance that our ozone problems are from the south or southwest is because these are the only episodes that have been used and also, again, we see northeast wind directions and (inaudible) how the wind will change over time and a lot of that depends on how long the episode lasts. In terms of predominance of any weather pattern this occurred approximately 30 percent of the time over that four year period when we had high episodes. These three, the Eastern US High-Low, Southern High and Squeeze Play, about 20 percent each and the Gulf Air about ten percent. Here is some new stuff which I think...I hope you'll like. I took the top four episodes that I identified in that paper based on ozone values and in these lefthand maps I have mapped out contoured ozone concentrations. You can see in this plot the highest value was at the Boonville site at 131 parts per billion on July 12, 1995 identified as an Eastern US High-Low episode. In fact, this episode is one of the OTAG model episodes. OTAG is Ozone Transport Assessment Group. This little wind row here shows what the winds are doing locally on July 12th between midnight and noon a.m. Here we've got winds coming from the southeast. From noon to midnight p.m. the winds are coming from the southwest. So you just kind of...the arrows are supposed to give you ideas of where the wind is coming from. I also use a trajectory model. Basically the National Weather Service collects a whole bunch of weather information and NOAA takes that information and you can plot in a site, Evansville, and give them a date and say, okay, where did the air...okay, this would be 6:00 our time on July 12, 1995, where was it in the last two days? This is approximately the last 12 hours and this is the last 24 hours, so you can see on this particular day it started off on the 11th and it moved to the south and so it was from the northeast and then moved up from the southwest. Over that period of time like this shows basically is of the three paths are different height levels, 50 meters is the green, 150 meters blue and 500 meters red. The trajectory is shorter the closer you are to the ground because of friction. It basically shows that we're under influence of a high pressure system, sinking air, this is subsiding, and it also because if we looked at July 11th locally we would see that we had northeast winds. I'll show you that on the next plot. Well, what about on July 12th, what is happening that day? Well, we are basically having air coming in from this direction and it appears, and this is kind of surprising for me, that, you know, Evansville is not upwind of Boonville in this situation. Actually, Owensboro is, so these things vary from time to time, episode to episode. I only did the peak value on that day. I need to do some of these contour maps for other days as well. This one, this is actually local wind direction data zero to 360 degrees. Zero to 360 being from the north, 180 from the south and this is July in Warrick County. As I showed on the previous chart on the 12th winds were from the south, actually this is southeast and this is southwest, and on the 10th and 11th we've got north vectors, so this is just an example of some of the data that is available, but it pretty much shows the same

thing. Local wind direction is a good indicator of the direction of wind transport. If we ran that trajectory model for a different day it would be different as well. This is episode number two and we've got a different situation. This is kind of an odd looking plot. You might...I had actually a couple of people help me with these and get different opinions. It's easy to go out and draw a topographic contour, but you can't do that with ozone. You can kind of make a plume going around this way if you wanted to. Again, here is the wind direction. In the morning we had winds from the northeast and the southeast and in the evening from the southeast so it tends to be in this direction and this direction giving us some of the highest values at the Alcoa site there. Again, we've got a trajectory plot and I think it is probably most useful in this case to look at the last 24 hours which starts about here. Winds from the south from this direction and actually the last few hours from the southeast, so, again, this comes from the local monitors and this comes from a series of monitors across the US. Again, you can see the sinking air. This one is really very convincing that Evansville is not always an upwind site. This is the Canadian Lakes Dispatch where you basically have a high pressure system that comes up and goes this way. What we've got is a plume moving this way. Winds are from the northeast and the trajectory supports that as well. One thing to point out in here is this problem with the Green Street Henderson plot. It really...I didn't draw in enough contours to hit this value of 68 and I could have just thrown it out, but I thought I would leave it there to be objective, but I don't trust it. Finally, this is the last example. It's interesting that the top four ozone episodes actually are four out of the five meteorology episodes and, again, we see a different distribution of surface ozone. I'm not exactly sure what to make of this, but if we ignore the Owensboro area we see a.m. winds and p.m. winds and it is kind of concentrating the highs right in the middle. Again, this is not from the south. That is not a trajectory from the south. So I think I have just hopefully dispelled that myth that our winds are always from the southwest. I also looked at other data, temperature data, NOx data, and I found out that we will not have an elevated ozone episode if temperatures at the Posey County site are below 73 degrees fahrenheit, but we don't always have high ozone when temperatures are super high which is my next line there. A bunch of statistics, that's what this is is summaries of statistics. Ozone highs will lag temperature highs by about an hour and on average over the whole period studied we do see slight elevations in maximum NO and our NO₂ concentrations by about six parts per million. If you look at the raw data it doesn't pop out at you very easily as some big NOx plumes, but I need to look at that a little more I think. So radiation as would be expected is higher. What may not be expected by those of you in the room is that during high ozone episodes humidity is actually lower and it makes sense because if you have a lot of moisture in the air it is going to take some of the ozone out. A lot of hydroxy radicals. Possibly we can take this kind of information plus the meteorology information, the episode information, and eventually get a better predictor of what ozone levels will be in the area. Okay, a big question, what about transport because there is always a lot of us and them, it's your fault, it's not our fault, blah, blah, blah. Can we determine if our area is affected by pollutants being blown in from outside the near surrounding area or from someplace farther out. The data that I have cannot be used to quantify transport. You can say, yeah, it happens, it probably comes from this direction, but I'm not sure how far away it comes from or how much transport affects our locally measured ozone. Those questions tend to be answered using the computer models, UAM-V, which I mentioned earlier, and CAMx results are subject to debate and litigation. Lots of litigation. Nevertheless, the ones that I have looked at before by these particular groups, Ozone Transport Assessment Group, IDEM, Lake Area...Lake Michigan Air Directors Consortium and American Electric Power also show that we probably are affected by transport. However, most of those models kind of look at southern

Indiana as one whole thing. In other words, we're grouped in with say Louisville, so we can't say...you know, we can't focus in on Evansville. In addition to look at the transport issue I've got some analysis from some fellows in St. Louis and this shows ozone in its relative concentration on this axis and wind speed here. If transport was not an issue you would have low ozone when you had high winds because those winds would just blow everything away and disperse it. If transport was an issue and air was coming in with already high pollutant levels you would see high ozone with high winds and, in fact, they looked at a whole bunch of data and made some averages and so forth and showed that Boston and New York and Chicago tend to have similar ozone values at all different wind speeds. A low wind speed of one and a high of seven, that's meters per second. Multiply it by two point something for miles per hour. Houston on the other hand makes its own problem. It has very low ozone when it has high wind speed. Atlanta is somewhere in between and Evansville, Owensboro, Henderson area is in between Chicago and Atlanta. So, yes, in fact we are affected by some degree of transport. How far away and how much I do not know.

Tape change

Commissioner Mourdock: Okay, you can go ahead.

Joanne Alexandrovich: Okay, well, I am almost done. And I'll respond to some of the relevant questions that I posed in the beginning. What do we know about the ozone? A lot, but there's a lot more data out there that we need to look at to get a bigger and better picture, but we can make some general conclusions. We have not seen improvement in ozone air quality over the last ten years contrary to what might have been told to us previously. NOx emissions increased, VOC emissions decreased since 1990 and I think what's telling there, the VOC emissions have gone down due to basically motor vehicle controls and that was implemented through the Clean Air Act. What we need to worry about are increases in NOx emissions. I think that's probably most of our problem in terms of not seeing an improvement or because we have NOx limited chemistry and we also know that area monitors with enough data have all violated the eight hour standard of course with the exception of the Green Street monitor, but another monitor in Henderson has violated the standard. I suspect those two monitors in Gibson County and Perry County to most likely violate the eight hour standard. The Perry County monitor had three exceedances in 1998, it wasn't a full season. It had 17 exceedances in 1999, which is a lot. The Gibson County monitor, it may be right at the cusp, it only had three exceedances this year. But with the development going on, there is a good chance it might get worse. We now know more clearly what the weather is like when ozone is high in our area and we also know that the ozone models, the air quality models that are used to make recommendations about the implementation of control measures, only look at part of our problem. I need to look at other cities to see if they were affected by these same weather patterns in a similar way but it took me long enough to do our area. Patterns of ozone concentration do reflect upwind and downwind. Relationships, and upwind is not always to the southwest of Vanderburgh County. What else do we need to know? Well, I think we need to know VOC concentrations so we can compare it directly with the NOx data and the ozone data. I would feel more comfortable saying yes, we need to reduce more VOCs if I knew for sure that would help. I would like to see ozone being monitored in some of the other counties in the air quality control region. For instance, the Perry County monitor was put in...it's run by AK Steel and now that it's monitored 17 exceedances, I can't honestly say it's all AK Steel's fault so it would be nice to know ahead of time what our problem is before we have to do sort of disaster control, for

lack of a better word. State of the air emissions estimates, I wouldn't necessarily recommend to this board to say yes, we need to adjust our transport problem through running the UAM-V or the CAMx models because I actually don't have much faith in the emissions estimates that go into those models. I'd like to see better ones. How and if the eight hour max will be implemented, the EPA will be making designations of the eight hour standard this summer, however, that doesn't mean that we are – we're going to have to make decisions on emission controls because of the violations of the eight hour standard. We need to know and what level of regional NOx reductions we'll have from the NOx SIP CALL and when those are going to occur. They're supposed to take effect in 2003 but I have a feeling 2004 will be the earliest we'll see them locally. What do we need to do? Install a VOC monitor, install and operate some ozone monitors, give us more data. More importantly, I think we need to recognize and promote the fact that air quality problems cross many political borders and encourage regional cooperation in pursuit of emission caps and reductions. In other words, just because I pointed at Owensboro, I am not going to say it's Owensboro against Evansville. I think we need to get over the us versus them kind of idea, but that's my opinion. Can we eventually meet the eight hour standard? Time will tell. I suspect we will sometime after all the NOx reductions from the NOx SIP CALL are in effect. Also, there's a tailpipe NOx reductions that are going to come into effect sometime after 2004 to 2008, so that I would say five years from now maybe we might be in attainment of the eight hour standard. I don't think we'll be too far away from it. So we need to carefully consider urban/suburban industrial growth in terms of air quality impacts. Easy thing to say, not an easy thing to do. Questions?

Commissioner Mourdock: First of all, bravo!

President Jerrel: Yeah, that was very well done.

Commissioner Mourdock: Yeah, the scientist in me has been sitting here enjoying this greatly and I found myself nodding in agreement to everything except, back up one slide of you would. That's it. That's it right there.

Joanne Alexandrovich: Which part?

Commissioner Mourdock: The first part because when you said earlier that we are NOx limited and that when, three or four charts you showed up there that showed the various days where in fact you might, common logic would have said the higher readings would have been here pluming to the northeast and in fact there were higher readings out there but the wind was coming from the northeast. There's several drawings. What was going in my head was thinking, we're probably lower in O³ because we are somewhat NOx limited, they don't have as much NOx out there so they have more ozone. If that's true, then isn't your first comment here wrong if, in fact, NOx emissions go in place and we start to see NOx reductions we're likely to have more ozone in Vanderburgh County rather than less?

Joanne Alexandrovich: I don't believe that to be the case. Because if you read the small print on that --

Commissioner Mourdock: Oh here we go, fine print.

Joanne Alexandrovich: On the ozone reaction surface--

Commissioner Mourdock: Uh-huh.

Joanne Alexandrovich: --the worst case, worst polluted urban areas tend to be VOC limited that's why Los Angeles has done so well at decreasing their ozone levels by decreasing VOCs, so we may reach a point where if you reduce NOx enough, we may reach a point of being VOC limited, but I don't think we're that close to it.

Commissioner Mourdock: But aren't you arguing against yourself then with what you said about Henderson because you're basically saying because of this curbside pollution and the NOx--

Joanne Alexandrovich: Well, the problem with that is the monitors are supposed to be sited to get ambient air picture not a site specific location. So, I mean, you walk by any road you're going to breathe in lots of stuff and you really don't want to breathe it that gets dispersed farther away. So at that site, ozone levels are locally depressed because of reactions of the NO. But if you go to the riverbank, you'll measure something more like the measure of Baskett. It's a poorly sited monitor. That's really the problem.

President Jerrel: Joanne, I have a question about the transport. This is somewhat different than what we've previously been told.

Commissioner Mourdock: Absolutely.

President Jerrel: You and I have had a chance to talk about this to some degree about your information and where you gathered it and how you put it together. This will tell us that we could be getting, I even noticed some transport as far as Tennessee, that looks like it could be significant, as well as from the Gibson County.

Joanne Alexandrovich: Yeah, Cleveland, Chicago. So it is a, I think, locally anyway, if you look at just the Evansville, Henderson, Owensboro area, I think we're pretty much all in the same boat of air if you want to speak to it that way.

President Jerrel: You know what I think would be nice really? I think some of our folks from surrounding counties, I know they get nervous, some people get real upset when we say that we're getting air from their areas and that has been...that contains some of the precursors, so I think that it would be helpful. I think there are probably people in the Henderson area that would like to have this information because we all have the same problem. I mean, it isn't going to go away. And it might be, you know, if we could find somebody over there that has the same kind of interest that has an impact on this in the Henderson area, and I don't know who that would be.

Joanne Alexandrovich: I can make a couple of calls.

President Jerrel: That would be an idea thing for you to do and it might also be a good thing to do in Posey and Gibson. Not the people that give the political comments, but the people that have to work with solving this problem. You know, just have a little group of you all get together. I think it's well done and I think it would have meaning for them and would be valuable. Yes?

Unidentified: What is an example of an off road (inaudible).

Joanne Alexandrovich: Yeah, lawnmowers, tractors, ATVs, anything that's not meant to be on the highway, boats, I think, are in there as well.

Commissioner Mourdock: And those almost doubled during your period, right? It went from seven percent to 13 percent, something like that.

Joanne Alexandrovich: They went up a lot.

Commissioner Mourdock: With those being the types of sources, how do you explain that large an increase?

Joanne Alexandrovich: I actually tend to think that those estimates are maybe in error and since I didn't generate them I really don't know why. The reason why I say they may be in error was that there were so many conflicting pieces of information that ended up with those compilations that were in our maintenance plan and got into the federal register. And when I spoke with Janet McCabe about them, she said I don't know why you concern yourself with those.

President Jerrel: Steve.

Steve Craig: Yeah, when you said boats does any affect of the barge traffic we have here...I mean, do they put out a lot of exhaust?

Joanne Alexandrovich: It's possible. California has a big program to limit emissions from boats and things. Again, since I didn't put the emissions estimates together, I really don't know how much, but I do have a note somewhere that says to look into it, but I suspect it could be high.

Commissioner Mourdock: But it was that same set of data then, that went from eight percent to thirteen percent that you were also citing to say that we dropped VOCs but increased NOx.

Joanne Alexandrovich: Correct. It's the best information I've got.

President Jerrel: Where would these different NOx originate?

Joanne Alexandrovich: High temperature combustion.

President Jerrel: Pardon me?

Joanne Alexandrovich: High temperature combustion. Any engine will emit NOx.

Commissioner Mourdock: The two big sources for NOx are automobiles or vehicles and coal fired generating plants in this area.

Joanne Alexandrovich: Right, and if you looked at the '96 estimates for the surrounding counties in terms of NOx Vanderburgh County would look minuscule because of the surrounding power plants.

Commissioner Mourdock: Which still brings me back to the point I asked about a moment ago, it seems suspicious --

Joanne Alexandrovich: I know what we have an argument over this.

Commissioner Mourdock: It seems suspicious to me that if, in fact, we reduce NOx, and I am not saying that's a bad thing, obviously that would be a good thing, that if we're NOx limited, it seems to be we might for some time raise our VOCs up or I am

sorry, raise our ozone up and then start to go the other way. It seems like our actual ozone would go up for a while until, again, we were VOC limited or controlled.

Joanne Alexandrovich: Right, if those emission estimates are reasonable and again, they're just Vanderburgh County, I think you need to look at all the air in the region so it would be better to have sort of a bigger picture, but some of those plots showed a slight increase up to 1998, so if NOx was increasing the ozone was increasing. That would be a NOx limited atmosphere. So if you lowered the NOx, the ozone would lower as well or if NOx stayed the same, we'd stay the same.

Commissioner Mourdock: You went through the whole discussion I didn't hear the word biogenic one time.

Joanne Alexandrovich: I don't think it's a problem, I really don't. The way I see it, I mean, I don't know how much is actually there. Again, the one thing I have not attacked yet are the emission estimates. Literature is about yea high just instructions on how to calculate it. The way I see it, we're losing basically our biogenics by paving over cornfields and soy fields and so on and I think that's something that we just need to live with and not worry about. I don't think it's going to cause us a big part of the problem. I think there's enough anthropogenic emissions sources that's that what we need to focus on.

Commissioner Mourdock: Could you not use the same argument then if you're out in those rural areas where you're generating more VOCs by biogenics, in other words, they're not pinning them over, then they're getting the higher ozone readings.

Joanne Alexandrovich: Oh, let's get a monitor in Hoosier National Forest.

Commissioner Mourdock: There we go.

Joanne Alexandrovich: I doubt it. It's my gut feeling but I may be wrong.

Commissioner Mourdock: Well, long before you were hired as the ozone officer, Joanne, and, in fact, Bettye Lou, even before you were on the board here, I know when we had this discussion some time ago, Pat, Rick Borries and I were talking about part of my theory in wanting to get your position established would be so that we put together a good body of evidence so that if that day came when the EPA came in and tried to force things on us we would have a lot better handle on our local situation and I think you've done that most admirably.

President Jerrel: Well, I can see Joe, Jr. in that courtroom explaining this.

Joanne Alexandrovich: With me there in the back going like this.

Commissioner Mourdock: Joe is wishing he'd took some of those science classes instead of all that contract law stuff.

Joanne Alexandrovich: I kind of knew you'd ask me about the biogenics because I knew you thought that was a big part of our problem. I can look into that a little bit more but, again, my gut feeling is it's not. There's a couple other things that we've talked about in the past in terms of do we really need an eight hour standard. I have not read the literature that looked at exposure and the health effects of the eight hour standard, but anecdotally I have spoken with people who really feel the effects of ozone near that standard. So I think to protect human health, it's probably very

legitimate. On the other hand, in terms of taking this stuff to the EPA and saying it's not our fault, IDEM has recently released a report that they evaluated their monitor network around the state and there's a couple of places in there, Allen County, Fort Wayne and I guess Indianapolis, as well, they say that there's some indication that we have about 80 parts per billion ozone coming in from outside. They provide no evidence for that, so we could just say it too.

President Jerrel: Well, thank you very, very much, and I think it's valuable enough that there's bound to be some people in these nearby counties that would appreciate sitting down and talking to you about this.

Joanne Alexandrovich: I'll work on that.

President Jerrel: And maybe some of us that like this stuff could come over and argue with you.

Commissioner Mourdock: I feel like at the end of all that, the phrase, "the defense rests" is in order.

Joanne Alexandrovich: Thank you.

President Jerrel: While she is --

Commissioner Mourdock: One other quick comment, I am so glad that Whispy the clean air spokes cloud did not appear tonight. I saw that on your paper.

Joanne Alexandrovich: Thank you.

Any group or individual wishing to address the Commission
--

President Jerrel: Is there any group or individual that would like to address the board now? Hearing none, let's go to our County Engineer.

John Stoll - County Engineer

John Stoll: First, I've got two items that pertain to Wellington Acres Subdivision Section II. They have requested approval of their street plans and they've requested a sidewalk waiver. The street plans are recommended to be approved. There is one thing that I'd like to point out and that's at the intersection of Kettles Hill Drive and Kettles Hill Court. They've got one pipe up here that lies right on the right-of-way line. They are either going to move that to where it's totally within the right-of-way or dedicate the easement and pay the two dollar a foot maintenance fee one way or the other, so I recommend the street plan be approved subject to whatever modifications they make would be identified when the as built drawings are submitted.

Commissioner Mourdock: I'll move approval as recommended by the County Engineer.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Second, they have requested a sidewalk waiver in that subdivision and section one of the subdivision does not have sidewalks and these are all large lots so it's recommended that the sidewalk waiver be approved as well.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got street plans for Timber Park Subdivision.

President Jerrel: Is there another something in there or should I just initial that? Okay.

John Stoll: They didn't give us a mylar so just sign here.

President Jerrel: Okay.

John Stoll: This portion of Timber Park Subdivision is located just outside the city limits up near Pigeon Creek and Evansville Day School. This is the subdivision that got final drainage approval at last week's Drainage Board meeting. I've reviewed the street plans and would recommend that this get street plan approval as well.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next I've got a temporary and permanent right-of-way for Burkhardt Road phase four. This is for Burkhardt Two, Incorporated. We've got a small parcel we've purchased off of this property and this property is located at the intersection of Interchange Road North and Burkhardt Road. I am just submitting these for county acceptance.

Commissioner Mourdock: I'll move acceptance as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Now we can get them recorded and at least that will be one more parcel we don't have to deal with on that.

President Jerrel: Well what –

Joe Harrison, Jr.: You don't have to sign them.

John Stoll: There's no signature lines or anything, it's just officially getting it in the record that we have purchased it and we can send it to Charlene and she can get it recorded. The final item I've got is the construction inspection agreements for Burkhardt and Morgan. These were approved last Monday but when Charlene was reviewing it she found that there were additional signature lines that weren't signed

off on last week so we just need to get two more places for signatures.

Commissioner Tuley: Us two?

Commissioner Mourdock: And since we did that last week and approved it, I don't believe you need to sign it, Bettye Lou.

Joe Harrison, Jr.: She doesn't need to sign, she wasn't here.

Commissioner Mourdock: Right.

President Jerrel: Okay.

John Stoll: That's all I have.

Erik Bentle - Superintendent of County Highway

President Jerrel: County Highway Department.

Erik Bentle: Erik Bentle, County Highway. The first thing I have is my weekly report. The second thing I have is our quarterly sampling report from our contamination pile. You've got a copy of the report in your reports there. As it looks now, we've still got quite a ways to go to get this pile cleaned out. If you look about halfway through the report there it shows a sampling that they did on this pile that we've got stacked up right now. They're still pretty high, out of the range of what they should be. These other piles are getting pretty low right now. The gasoline range has gone down considerably, it's the diesel that we're having trouble with right now. On back towards the back there, the third page from the back you can see where we have capped the majority of the lot off. It still shows off to the left there the numbers where the piles are where well number one is, is the only remaining area that we still need to cap off. But like I said, that's still going to be quite a bit of work right there before we can do that.

President Jerrel: Well, if we get some bright sunshine.

Erik Bentle: Some dry weather we could air that out quite a bit. The next thing I have is our last bill that we got from Environmental Consultants, it's the second page of your report. This is about the average it's been every time they test that pile. It should be the second page from the top there, Richard. As you can see, it's quite a bit of money every time they test that pile, so I need your approval to have that paid.

Commissioner Mourdock: It's not as if we have a whole lot of choice.

Erik Bentle: No.

President Jerrel: Who has the original invoice?

Tony Greubel: I do.

President Jerrel: You do? Okay.

Joe Harrison, Jr.: The county has got money budgeted every year for cleanup, right?

Erik Bentle: Unfortunately, it's never going to be enough it looks like.

Commissioner Mourdock: I'll move approval of the invoice for sampling.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Erik Bentle: And the last thing that I have is --

Commissioner Mourdock: Before you go to the last thing, on this particular issue, is there any chance with the limits where they are with the analytical results that have come back as they have, that the stuff could be designated as special waste and hauled off?

Erik Bentle: No, I don't know. I haven't checked into that.

President Jerrel: Why don't we do this, maybe why don't you call them and talk to them because I know Jack and I have talked several times. He'd like to do more PIV screenings and they're just so expensive.

Erik Bentle: And this kind of money, it's --

Commissioner Mourdock: Well, it's taking up space out there. We've waited a long time, we turned that pile I don't know how many times.

President Jerrel: You ought to talk to him and then if it's not, I mean, you've got to figure if we're going to turn them and turn them and turn them, --

Commissioner Mourdock: We're going to pay one way or the other.

Erik Bentle: Well as we turn them and air them out the limits go down, but as it sits there and compacts again, they just skyrocket back up, so you're never gaining anything really. The last thing I have is the old '86 gradall that we've got out there at the garage has seen its last days. We're putting thousands of dollars into it in this past year and going nowhere with it. Friday the transmission started going out in it, we're looking at six to eight thousand dollars for a transmission. I had a heavy equipment guy come out and give me an estimate on it and right now the gradall is not worth \$14,000 on a trade-in. So I would like permission to advertise for the purchase of a new gradall with a trade-in on this one while we can get some money out of it.

President Jerrel: Do you know your unappropriated balance?

Erik Bentle: Yeah, right now, we've got about \$210,000 in there and the gradall is going to run right around \$84,000.

President Jerrel: Minus the trade-in?

Erik Bentle: Minus the trade-in.

President Jerrel: You want to keep some money in there, though, because if we can use that money for...there are two things we need to keep it available for: extra overtime for bad weather which we can't count on and the other issue is that you may have an opportunity to do more paving and in which case, that takes overtime

money and also it takes bituminous money.

Commissioner Mourdock: \$84,000 you're talking about is a similar size machine?

Erik Bentle: No, it's a little bit smaller machine than what we've got now, but it's capable of doing the work that we need it to do. It's nowhere near the size of the other new one that we bought and that was like a \$230,000 piece of equipment. We don't need anything that size. We just need something to get out and ditch in the county. This GW3D that they've got here is a little less than \$100,000 and with the trade-in where hoping we can get in between fourteen and twenty for it, but I'm not counting on it.

Commissioner Mourdock: So the final price would be \$84 –

Erik Bentle: It'd be minus fourteen if we could get that for that gradall, yes. But that just depends on how the advertisement for it goes, though, see what the prices are right now.

President Jerrel: And I think that's probably fine to do that, but if we decide after you get the prices in that we don't want to do it, then we're not obligated for it.

Erik Bentle: Yes.

Commissioner Mourdock: I'll move approval for advertising the bid for a gradall type machine, sized as directed by Mr. Bentle.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Erik Bentle: That's all I have.

President Jerrel: We need to...well, he's going to go to –

Commissioner Mourdock: Prepare a bid spec.

Erik Bentle: Yeah, I've already given Jerry Bryan a big spec of what we want, so he's going to handle those.

Commissioner Tuley: Question for Eric or John, I'm not sure which one, Bergdolt Road that we had the trouble with the city...yeah, did they get done?

John Stoll: They keep telling us they're going to get it done but then I'm not sure if they've gotten them done yet. I didn't ask Bill about that. The last time we spoke about it the water department --

Commissioner Tuley: It was supposed to have been the next day.

John Stoll: Right. That's what I am saying, they promised that it was going to be down the next day and I know I haven't been out there and I haven't asked Bill about it since, but I can check on it.

Commissioner Tuley: Check on it and let me know tomorrow, would you?

John Stoll: Given their past performance, I'd say probably not.

Erik Bentle: We've got the same problem on Speaker Road.

Commissioner Tuley: Speaker is the same way?

Erik Bentle: Where we put that new surface in out there. We paved it and they went right back three weeks later and cut it up and this is after we had our meeting with all those different department heads.

Commissioner Tuley: Have you had one of those, Richard, lately...have you had --

President Jerrel: No, we probably need to have one.

Erik Bentle: We haven't had one in quite some time.

Commissioner Tuley: We've got a new administration. We might as well welcome them.

Commissioner Mourdock: That's a good point.

President Jerrel: Yeah, I think that's a good idea, Pat.

Commissioner Mourdock: Very good idea. Why don't we schedule with the infrastructure committee meetings again especially now that it's that time of year when everything is getting ready to--

Erik Bentle: Okay. Alright.

President Jerrel: Thank you.

Joe Harrison, Jr. - County Attorney
--

President Jerrel: County Attorney.

Joe Harrison, Jr.: I've got a couple of matters. The first is the bids received on the food and beverage for Burdette Park. It's VC-2002. Because of the way the bids were submitted, some had an itemization, some had a total, some didn't, so I am just going to name the bidders and Jerry Bryan will come back with us with a spreadsheet. Some didn't respond to certain aspects of the bid. There were, I guess, eight that submitted responses although one didn't respond. I'll name the companies. The first is Schwan's Sales Enterprises, Inc., they're out of Evansville. The second bid was submitted by Weber Foods of Evansville. The third bid from A & D Distributors of Evansville, Inc., they're out of Evansville. The fourth was from Sysco of Louisville and they did not submit a bid; they indicated they did not want to respond. The next bid is from Earthgrains Company out of Owensboro. The next bid from Midwest Frozen Beverages of Indianapolis. The next bid from Fischer Candy Co., Inc. out of Evansville. And the last bid was submitted by Diamond Food, Inc. of Evansville and I'd ask that these bids be taken under advisement and reviewed for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: The next group of bids, these relate to the repair and repaving of various county roads. It's VC00-04-01. There were three bids submitted. They are as follows:

Company name	Amount bid
Gohmann Asphalt & Construction, Inc. Clarksville, IN	\$309,800.00
J.H. Rudolph & Co., Inc. Evansville, IN	\$226,054.00
E & B Paving, Inc. Evansville, IN	\$249,000.00

I'd ask that these bids be taken under advisement and reviewed for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: The next item I have relates to Vanderburgh County SAFE House. They received quotes for the repair of the roof for the area where they're going to fix up the secured area for inmates out there. The lowest quote is from US Industries Group, Inc. in the sum of \$16,595 and I would ask that this quote be accepted and the contract be entered into. Is that correct?

Eric Williams: That's right.

Joe Harrison, Jr.: And I've got a copy of that bid response.

Commissioner Mourdock: I'll move approval of the contract as recommended by the County Attorney.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: Lastly, I have an agreement between the county and Kinder Records Management Company. That's the business that's going to store records, County Clerk records, move records to the existing locations and I met with the County Clerk and Ed Derringe of Kinder today and got the agreement worked out. County Clerk, Marsha Abell, appeared before this board a month or so ago indicating that she was proposing to enter into an agreement with Kinder and this is the final document after several weeks of discussions. I've got an original and several copies and I would ask that the Commissioners approve the agreement and sign at least the original and a copy and I can forward those documents on to Mr. Derringe at Kinder for his execution and return back and hopefully they'll get going within the next two weeks on their work.

Commissioner Mourdock: I'll move approval of the contract with Kinder.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: I am probably forgetting something, but that's all I have right now. Thanks.

Tony Greubel - Superintendent of County Buildings
--

President Jerrel: The next item on the agenda is the Superintendent of County Buildings.

Tony Greubel: I have four quick items. The first one is the Building Authority is updating their standard operating procedures for safety and security of the Civic Center Complex because of the new city administration. This is to continue the same policies in the past to authorize the general manager, supervisors or security guards of the Building Authority to evacuate the offices or buildings as deemed necessary in case of fire, bomb threat, earthquake, tornado, or any other unforeseen emergency that is life threatening unless the police, fire department or sheriff's office is in charge. The city administration has already approved it and they were wanting the county administration to continue the same policy.

Commissioner Mourdock: I'll move we accept the policy.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Tony Greubel: The second issue, Torian, Hofmann & Dillow, the county's insurance agent, wants permission to release an official bond for former County Councilmember Russell G. Lloyd, Jr. It is supposed to still be in existence but obviously, he's not a County Councilmember anymore.

Commissioner Mourdock: We don't want to carry any liability for him! I'll move we accept that.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Tony Greubel: The third issue, for the last two or three years the county has been a member of the Tri-State Business Group on Health. There is an attempt to reign in the insurance premiums especially with Welborn HMO. At this point, the county's insurance agent, Tony Flittner, with Torian, Hofmann & Dillow, and the Auditor's insurance bookkeeper, Madelyn Grayson, both informed me that it probably isn't necessary to retain membership from this point onward. It was necessary a year or two ago, but at this point they don't see what sense and I was just wanting permission to not pay the \$1,800 a year dues this year, to send them a letter saying that we're not planning on enrolling again this year.

Commissioner Mourdock: Do you want to do the letter and then have us sign the letter next week?

Tony Greubel: I went ahead and wrote a letter and just signed my own name if that's fine with you.

Commissioner Mourdock: I'll move acceptance.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Tony Greubel: The final thing, we have to schedule a hearing for the North Green River Road transportation plan. We haven't officially adopted it yet. Perhaps May or June, I don't know if May 8th would be...with two hearings with the cellular phone towers, I don't know if that's too much in one night? This one didn't seem controversial, we can probably have it on the same night as the rezoning hearings if we don't have anything else big scheduled that night, we should be done by 6:30. That would be May 15th.

President Jerrel: One or the other --

Tony Greubel: Or Drainage Board evening.

President Jerrel: No, those can be big.

Commissioner Mourdock: And I expect some of them will be big this month, so --

President Jerrel: Well now, when is the Drainage going to be?

Tony Greubel: That will be May 22nd.

President Jerrel: May 22nd.

Tony Greubel: And we don't have a meeting on the 29th because of Memorial Day.

Joe Harrison, Jr.: What about the first Monday in June since there's no Solid Waste or anything?

Commissioner Mourdock: Move that we have the Green River Road --

Commissioner Tuley: It's like June 4th --

Commissioner Mourdock: -- hearing on June 4th.

President Jerrel: No, June 5th.

Commissioner Tuley: I am coming back into town that day. I probably should be back in time to make that meeting and I'll second.

President Jerrel: Is there a motion to have that hearing on the 5th of June?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second. I'm sorry.

President Jerrel: So ordered. Is there any thing else?

Tony Greubel: That's all I have.

Charlene Timmons: Is that a public hearing?

Joe Harrison, Jr.: Yeah.

Charlene Timmons: Does it need to be advertised?

Joe Harrison, Jr.: Yes.

President Jerrel: What about the advertising about the May1st meeting? Do you do...will you do that?

Charlene Timmons: I'll take care of that. Will somebody draft an advertisement or do you want me to do that?

Joe Harrison, Jr.: I'll talk to you. We've done something like this in the past.

Charlene Timmons: Okay.

Tape change

Steve Craig - Burdette Park

Steve Craig: Steve Craig, Manager of Burdette Park. The first thing I have is a progress report on the Bishea Building's restroom. All the concrete and block work is done. The roof is on and finished. The electric and the plumbing is roughed in and they're waiting on the painters. The painters started painting today and should be done Thursday. According to the schedule that Mr. Lichtenberger gave me at the beginning they are running a little bit ahead of that. That's where we're at right now. I don't see any problems unless something doesn't show up that is ordered, but as far as the work goes they are doing a good and prompt job on it. The second thing I have is my worksheets.

President Jerrel: What about the pool?

Steve Craig: The pool, we've got both of them cleaned which is a little bit ahead of schedule and we're pouring concrete there tomorrow for the new diving board standards.

President Jerrel: It's got to get warm. That's what Steve and I talked about. We've got to have warm weather.

Joe Harrison, Jr.: I had a question on the food contracts. I haven't seen anything yet this year for the...I'm sorry, the manager and the assistant manager. Are we going to do that again?

Commissioner Tuley: Concessions?

Steve Craig: Yes.

Joe Harrison, Jr.: We haven't done that have we yet? We usually do one every year.

Steve Craig: Yeah.

Joe Harrison, Jr.: Are you going to use the same people again?

Steve Craig: No, we have a new assistant manager.

Joe Harrison, Jr.: Okay.

Steve Craig: But I'll have to take a look into that because I remember when I was looking on the, I think it's Exhibit 15 of the wages from the County Council that they had them on there for the first time.

Joe Harrison, Jr.: Oh, well maybe they did. Maybe that's why I haven't heard.

Steve Craig: And a—

Joe Harrison, Jr.: Can you just check on that? Just check with Sandie Deig maybe. If that's the case that's fine.

Steve Craig: I meant to ask Sandie because it has never been on that exhibit before because they were a separate contract, but this year when we got them back they had them listed in with all the other employees.

Joe Harrison, Jr.: Well, then maybe they are part-time employees then.

President Jerrel: Or maybe they did it and didn't mean to do it.

Joe Harrison, Jr.: Yeah.

President Jerrel: So you better check.

Steve Craig: I better check with Sandie and she'll tell me if they meant to do that or not.

Joe Harrison, Jr.: Because usually we would enter into those in April or May.

Steve Craig: I'll talk to Sandie tomorrow.

Joe Harrison, Jr.: Okay.

Steve Craig: That's all I have.

President Jerrel: Thank you, Steve.

Steve Craig: Okay.

Commissioner Mourdock: I'll move acceptance of the filed report.

President Jerrel: On the consent items, I have to go to Indianapolis on the 18th as chair of that committee, Judicial Committee, and AIC Committee and I forgot to say anything, so if you can add me.

Weekly reports

Commissioner Mourdock: Okay, let me just first of all on the department head reports I'll move acceptance of the Soil & Waste Conservation...or Soil & Water

Conservation District and the Ozone Officer's report as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent items

Commissioner Mourdock: And then for the consent items I would move approval of the consent items as filed with the exception of the travel request you just mentioned that we add to it and also that we add the letter regarding the custodial position at The Centre as requested. The one you saw here, Pat.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Eric Williams - Sheriff's Department

President Jerrel: Question, Eric. Anything new and different?

Eric Williams: Two eighty-eight is the population of the jail this afternoon.

President Jerrel: You know, and this isn't the time to get into these details, but you know who could tell us why some of these just keep hanging on? You know, I guess the ones I'm talking about...I mean, I could even say anything over 225, but these that are four hundreds and almost four hundred, you know, I'm beginning to know their names.

Commissioner Mourdock: Yeah, I noted that the Friday listing that Eric sent out was exactly the same this week for the number of people in on Friday which was 274 and 80 for the average stay, exactly the same. The only thing different was the maximum stay had gone from 285 days to guess what...I'm sorry, 485 days to 492 days, one week more. That's long-term people.

President Jerrel: I keep seeing...I know these are not necessarily complete, what I am looking at. I realize that, but I'm going...I haven't been able to do this, but when I get some more time next week I would like to pull up some of those and see when their trials are set.

Eric Williams: It's interesting. We do it periodically. I pick a few and go through them and look at them. We've actually discovered a flaw in part of that report that doesn't really affect the content of it, but it affects the charges that are listed and there are probably additional charges to be listed on some of those people that we're going to correct this afternoon. After meeting with my staff in discussions we've found where some charges were slipping around and not getting reported there, so it will actually increase the number of charges that will appear on there probably.

President Jerrel: And then it would tell us because a lot of these people had trials at the end of March and during, you know, early April. If they cut down that sentencing time. I mean, I don't know why they're not gone.

Eric Williams: I can't speak for the courts or the pre-sentence investigation process, but I have a feeling that's probably a lot of it. With the...you know, logic would tell

you with the increased push on getting people through the system without an increase in the amount of people they can have to do the pre-sentence investigations that probably has slowed down a little bit or is backlogging to some degree. I don't know that for a fact.

President Jerrel: Well, this one seems easy. This guy had at least four charges, all of them serious, but he had trials for all of them on April 4th, so he would be one I would want to pull up and look at and see if we can find out. Is there anything that you want to tell us about it?

Eric Williams: Other than we will be meeting with Julie Wednesday again to discuss some more statistical evaluations. She is going to take with her a lot of the data that we have so they can start looking at it from our side of it outward.

President Jerrel: Right.

Eric Williams: But other than that we haven't heard anything from them.

President Jerrel: Do they get this too?

Eric Williams: Yeah, they get e-mailed like everybody else. My list grows by the week. More and more people want to be added to the list.

Commissioner Mourdock: You're a popular guy.

President Jerrel: Well, it's fascinating. Okay, thank you very much.

Old business

President Jerrel: Is there any old business to come before the body?

New business

President Jerrel: Any new business? Hearing none, is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 7:08 p.m.

Those in attendance:

Betty Lou Jerrel
Richard E. Mourdock
Patrick Tuley
Joe Harrison, Jr.
Bill Fluty
Charlene Timmons
Tony Greubel
Jerry Bryan
Bill Cottun
Joanne Alexandrovich
John Stoll
Erik Bentle
Steve Craig
Eric Williams
Others unidentified
Members of the media

**Vanderburgh County
Board of Commissioners**

Betty Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded by Charlene Timmons.
Transcribed by Charlene Timmons and Teri Lukeman.

**Vanderburgh County
Board of Commissioners
April 17, 2000**

The Vanderburgh County Board of Commissioners met in session this 17th day of April at 5:39 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Commissioners' meeting to order. I am going to dispense with the introductions because all of the faces are familiar and you have been introduced prior to this. At this time though I would ask you to join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: The first action item is the approval of the minutes of the April 10th meeting.

Commissioner Mourdock: And I'll move approval of the minutes as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Certification of Executive Session

President Jerrel: The next item on the agenda is the certification of the Executive Session.

Commissioner Mourdock: I'll move the certification of our summary minutes for tonight's Executive Session that began at 4:45 and ended at 5:30 and dealt with county personnel matters and some pending litigation.

Commissioner Tuley: Second.

President Jerrel: So ordered.

First reading/public hearing - Ordinance amending Building Code
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President Jerrel: We also have the first reading on the ordinance, Building Code. We have with us Roger Lehman, our Director. Do you want to speak to this, please?

Roger Lehman: If the Commission would be so inclined I could walk you through this very quickly, I think. Mayor Lloyd on being elected asked if we could consolidate some of the boards. We had several boards that were not real active and we had some duplication in the boards from the past so we reviewed that and came to the conclusion we could do this very nicely and eliminate probably about 30 people from being on boards and still maintain the purpose of the board. This first one, License and Disciplinary Board, used to be two separate boards. We had a Licensing Board and a Disciplinary Board. The Disciplinary Board never met in the year and a half it has been...it was created in 1998 and it never met so we figure we can probably do away with that one and the License Board could handle the Disciplinary Board

action if ever we have any of those kind of problems. That's what basically everything on the first two pages takes care of and the very first paragraph on the third page. Well, actually all of the third page also. I'm sorry, down to the bottom of the third page. So Section 7 is where we want to go, which is the bottom of page three. We also had two electrical boards. There was an Electrical Licensing Board and a Electrical Code Interpretation Board and the charge of the Code Interpretation Board if the Building Department and the contractors had a disagreement. Again, we've had very few of those. I think they met maybe two or three times in the last few years. There were several people that were serving on both the Licensing Board and the Code Interpretation Board and because of its basic inactivity also it was deemed we could do without that board so we combined those two boards which had six members a piece on them for a total of 12 and now have a nine member board which takes care of both functions. If you go to page four, section eight, it says:

“Board of Examiners of HVAC, Steam Fitters and Refrigeration Installers”

That used to be three separate boards that had six members on each board. They too...the HVAC is an active board that meets frequently, monthly. The other two boards had very little activity, very little to do, and we felt again that by combining those boards together and by putting a steam fitters license person and a refrigeration license person on this Board of Examiners of this combined group we would get representation and yet be much more efficient, so it basically went from 18 people to nine in that situation. That basically is it.

President Jerrel: We did submit our appointments to you.

Roger Lehman: Yes, we do have those. The number of the Commissioners' appointments did not change.

President Jerrel: Right.

Roger Lehman: It's the same amount of appointments and that worked out very nicely.

Commissioner Mourdock: Roger, has word of this tentative change been expressed back through the contractor's industry?

Roger Lehman: Yes.

Commissioner Mourdock: I mean, do they know this?

Roger Lehman: Yes, this was passed by the city about—

President Jerrel: About the time we approved our three appointments.

Roger Lehman: Yeah, it was at the beginning of this year. This was approved by the city and we had...they had committee hearings and nobody came. But, yes, contractors...actually we're operating under this procedure right now informally on the county side, but formally on the city side. So, yeah, it is accepted.

Commissioner Mourdock: On first reading then I'll move approval of the ordinance amending the Vanderburgh County Building Code as submitted before us this

evening.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Roger Lehman: Thank you very much.

Joe Harrison, Jr.: This is supposed to be a public hearing–

President Jerrel: I know.

Joe Harrison, Jr.: –in case anybody wanted to say anything. I don't think anybody else did, but just for the record.

President Jerrel: Let the record show there were no comments made during the public hearing.

Any group or individual wishing to address the Commission
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President Jerrel: The next item on the agenda is any group or individual that wishes to address the board.

Commissioner Tuley: That would be–

Unidentified: I'm with Soil & Water Conservation.

Commissioner Tuley: That would be you guys then.

President Jerrel: Yeah, it would be you.

Commissioner Tuley: Thanks.

President Jerrel: Thank you.

Tom Nix: My name is Tom Nix and I am one of the supervisors of the Vanderburgh County Soil & Water Conservation District. I'm here before you tonight regarding the digitization of the Vanderburgh County Soil & Water Conservation District soil survey. I brought my personal copy with me that I've had about 16 or 17 years. At this point it has been out of print for several years. We have dispersed all of the–

President Jerrel: Could I look a minute while you are talking?

Tom Nix: Yes.

President Jerrel: Thank you.

Tom Nix: We have dispersed all of the copies that have been available except for about three and that is printed by the Indiana Department of Natural Resources Division of Soil Conservation. They have said basically at this point it is...was printed, I believe, in 1976 on data that was...the county was mapped in about 19...the late 1960s. As you can see, the county is very old...or the soil survey is rather old. We have frequent requests for soil survey information and among those

requests we just simply cannot provide a complete copy of the book. One of the things that we can do is simply make copies of that. Basically what it does, Vanderburgh County is divided into about 12 or 14 different soil associations. Within those there are many idiosyncracies so they are further divided. Every acre toward the back, as you'll see, is aerial photographed and every acre has been mapped. The purpose of this is to provide accurate soils information for people in the agricultural business, farming as well as support people in agriculture such as the co-ops and so forth. With the recent development in the county we are seeing more and more that it is necessary to provide soils information for other people. One of the things that frequently comes about is the use for soil and water and erosion control practices. Mike Wathen is one of the employees that frequently uses that and he can go out and get a general idea what kind of site that he is going to be looking at ahead of time. But it's out of print. It is not going to be printed any more. We feel with the technology that we need to be addressing this. The USDA in 1998 flew the county with orthophotography. After that time they made a proposal and that proposal today is \$25,000 that they would take the information that has been available with the orthophotography and they would digitize that so we would actually get a package of several CD-ROMs that could be used right on whatever county agency or engineer, architectural firm, whoever might be interested in doing that. They also made the offer that for a period of time, and I don't remember what time period that is, that they will maintain that on a web site, so once it is done and once it's completed they will be glad to pull it down. The price that we were quoted, the actual cost would be nearly \$70,000 and they have identified eight counties and they asked for solicitations throughout the state and we responded that we would be interested in pursuing it as one of the eight counties in the state which would be getting an offer to digitize that for \$25,000. By the way, that comes out to the acre at 16¢ to the acre.

Commissioner Mourdock: Who is the they that you're referring to though, Tom?

Tom Nix: I'm sorry?

Commissioner Mourdock: Who is the "they"? You said they will do it for \$25,000.

Tom Nix: Yes, I'm sorry. It is the United States Department of Agriculture Natural Resources Conservation Services.

Commissioner Mourdock: So they are going to do the work in-house, they are not going to contract the work out?

Tom Nix: That's right. They have their own staff to digitize that. That is my understanding at this point.

Commissioner Mourdock: And they would work off their own maps that they have at this point?

Tom Nix: They would work off the new orthophotography that was flown in 1998.

Commissioner Mourdock: But they would just be overlaying the old soil maps onto that I presume? They didn't remap the soils in '98?

Tom Nix: They did not remap the soils. That probably would take a period for a soil scientist three and a half or four years to remap Vanderburgh County. So, no, I don't think they're going to be doing that, but that is definitely going to show a lot of

update. They will have anywhere we have had fill, where we've had subdivisions, land converted to other uses and obviously there are a lot of houses and support that would show the changes. Some of the benefits, I think, that we may not think about is only bound by our imagination and one being that now we have what is referred as precision farming. A tractor that is pulling a corn planter or soybean planter can have in it, it may not necessarily because of the cost, but the technology is here and some of the farmers have it, a computer that as they go across soil lines within that field they can change the rate of seeding and this is keyed in on a satellite by a global positioning system. By the same token they can go in in harvest and do the same thing, so if we have...if we're approaching a slope that may not be as productive as another field they can cut the rate from say 18,000 to 12,000 kernels per acre on the corn. It makes more efficient use of the fertilizer.

President Jerrel: Help me out though. You've confused me about something.

Tom Nix: Okay.

President Jerrel: The mapping, the county is paying for.

Tom Nix: Yes.

President Jerrel: The digitized aerial.

Tom Nix: As a portion of it. That would be a cost share.

President Jerrel: Well, we have already paid for those maps and so you—

Commissioner Mourdock: We paid for the photos.

President Jerrel: Well, and the maps are being made as we speak. They are digitized and those maps are going to be available, you know, at some point in time. You're going to take that large map that we've already paid for and put the existing maps on top of it. There may be a little variation and then you're simply going to log in the soil types at that time?

Tom Nix: I might refer that to one of our other specialists. We have here with us Chris Lee, which is (inaudible) of Vanderburgh County. Could you help answer those?

President Jerrel: What I am trying to say is you're really not sampling Vanderburgh County soil?

Chris Lee: That is correct.

Commissioner Mourdock: No, no.

President Jerrel: You're just adding to a digitized map soils information.

Commissioner Mourdock: What they will do is they will pick up every one of these lines that you see on here—

President Jerrel: Right.

Commissioner Mourdock: —defining a soil type and that will be created on a

separate base.

Chris Lee: They are going to fly aerial photography, orthophotography, at one to twelve thousand which is a different scale than what you paid for. You guys probably paid for a lot smaller scale than that.

President Jerrel: We applied for an absolute.

Chris Lee: Right.

President Jerrel: That's what we applied for rather than a relative.

Chris Lee: This information is going to be digitized on one to twelve thousand aerial photography which is a lot different. What they are going to do, they are going to use the existing map delineations on mylar. It will be rechecked and recertified as accurate and could be used for the reassessment of property. It's not going to be...granted there is not going to be—

President Jerrel: That's what we have. That's not what you're going to have. That's what we have for the reassessment.

Chris Lee: That's what we're going to provide to Vanderburgh County if you guys do this agreement. This is not to be mistaken for anything that you guys are doing under GIS right now. This is a totally separate issue. It's a case where USDA is going to digitize an existing soil survey and one of the most important reasons I can think of for wanting to do that would be that when they do bring in the soil scientist to physically remap the county they're only going to do that in cases where there is a digital soil survey in that county. They're not going to go in and bring in the teams to come in because that takes months and years to actually remap a county and it's much more expensive than the \$25,000 cost share that they are asking for with this. But the one...the counties that do have the digitized soil survey will be the first on the list to get the update done when it is necessary or when the county decides that they want that. But, yeah, they are going to use an existing soil survey, digitize it, but it will be placed on new aerial photography instead of that stuff that...that book was pretty much done before I was born.

President Jerrel: Well, I guess maybe you were saying...I had the impression from you that you were going to use the new ortho.

Chris Lee: Not the county's ortho that they paid for.

President Jerrel: Okay, so I was wondering why it would be costing you \$70,000.

Chris Less: Right, no. The reason why is because the staff time. It takes literally several staff members, and I don't have the exact numbers, months to do this and they promise a delivery date by March, 2001. I would also like to say it is no doubt a good conservation tool for all the things that Tom outlined to you folks, but we get at least probably five to six calls a week from engineering firms that are doing phase one environmental studies on commercial real estate, industrial real estate that is transacted. Even these companies that are vying against each other for the bid to do a phase one environmental study they call in and they're asking for soil survey information that I don't have any way of giving to them. I get calls, last week it was from Texas, Ohio, from all over the country, and they are saying well what web site can I get this soils information from? We don't have that right now. Once this was

digitized it would be available on a web site. It would be available for anybody that wanted a copy of the compact disk. Anybody that has a computer could view soils information and all the land use planning that is done in Vanderburgh County requires some type of soils information. All permits for Section 404 of the Clean Water Act, DNR construction of floodway permits, all these require soils information that would be available. Any farmers that are applying for permits for agricultural purpose needs soils information and right now the only thing we can do is have them come in, point to a place in the book and we can photocopy it for them. But the digitized version would not only have the aerial photography and the map units it's also going to have all that textural information in there that describes the soil, the charts and the graphs that explain some of the restrictions for different soil types and it would help just about anyone that does land use planning have a quick, easy fingertip version you could use right there on that laptop. Any other questions?

Commissioner Mourdock: Yeah, two questions. Is the information that you're making available to the public, you said several different things, but is part of this price getting you so many hard copies or is everything electronic?

Chris Lee: The county would be able to get as many hard copies as they want because there would be no restrictions against reproduction. Anybody can burn CDs now.

Commissioner Mourdock: Right.

Chris Lee: So it wouldn't be copyrighted material. It's public information and, you know, even the public wouldn't have to pay for it.

Commissioner Mourdock: Okay, but instead of having like this, a published book that is done, you would simply be handing out a CD?

Chris Lee: That's correct. Now, in the future when they update it they probably still won't publish another book. I don't believe they're going to publish a book any more. They might make a few hard copies, but most of it is going to all be digital now.

Commissioner Mourdock: Second question then. In looking to do this, and I don't question the objective and I understand what you're doing with it, the price does seem awfully high to me though for just digitizing what you've got. I'm curious have you looked at all outside what USDA is offering to see if commercially you could get it done at a different rate?

Chris Lee: Well, commercially there could be some people that could do it, but only USDA can certify it as being accurate and since that was our soil survey to start with they are certifying it for accuracy and that means staff members actually take weeks and weeks looking at each one of those photos. Those photos are certified and the soils are certified too. So they're going to check even the existing information. It's not just going to be photocopied to mylars and printed on top of aerial photography and digitized. It's going to be checked.

Commissioner Mourdock: You say certified, that simply says certified by USDA. I mean, the fact that it is a licensed engineer or licensed surveyor doesn't matter for purposes of your use of the word certified?

Chris Lee: Well, since that's a public soil survey if a private engineer does that they're going to want money every time somebody uses it. This is provided to the

public at no cost by USDA.

President Jerrel: Not necessarily.

Commissioner Mourdock: Yeah, not necessarily.

Commissioner Tuley: The first \$70,000.

President Jerrel: Thank you.

Chris Lee: Thank you.

Tom Nix: Are there any other questions? Chris did a good job of explaining this. Thank you.

Commissioner Mourdock: Thanks, Tom.

Phil Hoy: I'm not the guy to add technical information, as you all know. I am a supervisor with the Soil & Water Conservation District and I was sent to Washington to represent the district at the legislative conference. Secretary Glickman was there, one of the speakers, and I can tell you that the USDA is already in the process of computerizing everything. According to him there is not going to be any turning back. I think...that's why I think this is a good deal for us. Price wise \$70,000 is a lot of money, but I guess in computer land that is not nearly as much as \$70,000 used to be. The message we got loudly and clearly at that meeting was this was the direction USDA is going to go and they expect the districts to keep up. So I think if we don't do it we could find ourselves in a spot later on where we wish we wouldn't be. Thank you.

President Jerrel: Is there action that you want to take on this or is this something you want to take under advisement because obviously we can't approve something until we have money.

Commissioner Tuley: The only thing I would think we could do tonight and I told Chris this when he called that probably all we would do is take this under advisement, let them make their presentation, and then if we think of some more questions later we can bring it up. Like you say, it doesn't do us any good to vote on anything without the money in place.

President Jerrel: Right, do you want to make a motion on that?

Commissioner Tuley: I'll so move that we just take it under advisement.

Commissioner Mourdock: Okay, second.

President Jerrel: So ordered. Thank you very much. Thank you.

John Stoll - County Engineer

President Jerrel: County Engineer.

John Stoll: The first item I've got is a recommendation to assess \$11,800 in liquidated damages to Peters Contracting for the Daylight sewer project. When this

project was originally started the Notice to Proceed was issued on September 18, 1998 and the project was accepted by the Evansville Water & Sewer Utility on February 22, 2000. The original completion date was June 15, 1999 and that was extended through change orders to June 23, 1999. Based on the completion date of June 23, 1999 and the acceptance date of February 22nd the project was 243 days late. In taking into consideration delays that were beyond the control of the contractor it results in the project being 118 days late and in accordance with the contract liquidated damages of \$100 a day are called for, so that's my recommendation to assess that penalty. To assess the liquidated damages of \$11,800.

President Jerrel: Are there any questions? Is there a motion?

Commissioner Tuley: That's what I am laughing at because I have voted no on everything to do with this contract, but on this one I'll move at this time that we assess the penalty.

Joe Harrison, Jr.: You might want to phrase it—

Commissioner Tuley: I will move then at this time that we—

Joe Harrison, Jr.: Phrase it as liquidated damages in the sum of—

Commissioner Tuley: Liquidated damages towards Peters Contracting for the Daylight sewer project in the amount, I believe, it was \$11,800.

John Stoll: Correct.

Commissioner Mourdock: I will second.

President Jerrel: So ordered.

John Stoll: Next I would like to recommend that we award contract number VC-00-04-01, the repair and repaving of various roads, to J.H. Rudolph for the amount of \$226,054. They were the low bidder on the project.

President Jerrel: Is there a motion?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next I've got a right-of-way dedication from Bridlewood Development, LLC. They are developing Bridlewood Subdivision at Boonville-New Harmony Road and Fisher Road. They are dedicating a small piece of right-of-way at the southwest corner of their subdivision. It's down in this corner. The reason they are dedicating this separate from the subdivision plat is because they haven't recorded that phase of the subdivision that touches that corner yet. They dedicated a utility easement to Ameritech immediately north of this right-of-way, so right now we've got a 16½ foot right-of-way on Boonville-New Harmony Road and then there would have been a gap and then there would have been the utility easement. In order to get rid of that gap and make the right-of-way dedication a full 30 foot in width adjacent to this utility

easement that document was prepared so it's recommended that this right-of-way be accepted by the county so we can record it that way Ameritech will still have access to their utility easement but it won't be all utility easement. It will be a public right-of-way in which Boonville-New Harmony Road could be rebuilt at a later date. There are no signature lines on that. It just a matter of acceptance kind of like the one from last week.

President Jerrel: Okay, you don't need a signature on this if it is approved?

John Stoll: No.

President Jerrel: Okay, is there a motion?

Commissioner Mourdock: I'll move acceptance as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The next item I've got is for the Eickhoff/Koressel right-of-way acquisition. There are three parcels of right-of-way where the project will affect existing septic systems and Bernardin Lochmueller needs to hire a contractor to go out and evaluate what can be done to address those septic systems. The cost for doing the evaluation on parcels two and eight is \$415 and the cost for parcel five is \$525 for a grand total of \$940. This is work above and beyond their current right-of-way acquisition agreement, but it has to be done in order to evaluate what the appraisal amount will come in on these parcels, so on that basis I recommend that this proposal be approved for \$940.

Commissioner Mourdock: What exactly do they do for \$940? They go out there and probe to see if they can find it?

John Stoll: Find out where it is and then what modifications might be able to be made to the septic system once we clip a corner of the property off and things like that.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered. Yeah, here it tells what they're doing and who does it.

John Stoll: On parcel five in particular it is getting more into the septic system on that parcel than the other ones and they're going to look at possible places to relocate the septic system on that site as well. So it's not just a modification of the existing it is also evaluation to find out where it might be able to be put.

President Jerrel: Did you both vote and did I say so ordered? Okay.

Commissioner Mourdock: Right.

John Stoll: The last item I've got is the cover sheets for the Lynch Road/I-164 interchange project. One cover sheet is for the bridge portion of the project and one

is for the remainder of the road project. We're in the process now of submitting final plans to INDOT for review and we're looking at possibly getting this on an August bid letting. We'll have a significant local match on this job. It's going to be about \$2 million for us. The project in its entirety will be around \$10 million, but we're proceeding with the right-of-way acquisition. Joe has been working on a condemnation suit on one and we've either got right-of-entry or have acquired all the remaining parcels, so it is moving ahead.

Commissioner Mourdock: Just a question looking at it here, John, is your structure for I-164 going over what would be Lynch Road, correct?

John Stoll: No, Lynch is going over.

Commissioner Mourdock: Okay. I thought I wonder how we got them to go with that one!

John Stoll: It's a good thing they didn't make us. If we had to go out and tear up all that pavement.

President Jerrel: In all fairness they are showing some positive signs of working with us in a timely manner. Every...the last few things that have occurred have occurred in a timely manner and I want to give credit where credit is due.

Commissioner Mourdock: I will formally move approval then of the plans as submitted.

Joe Harrison, Jr.: Second.

President Jerrel: So ordered.

John Stoll: This does just go to the east ramp of the interchange. It doesn't go any further east than that point, so there will still be additional phases of Lynch that will have to be built as a Vanderburgh County project, but this at least connects it to the interstate. That's all I have unless you have any questions.

President Jerrel: You haven't heard anything?

John Stoll: Pardon?

President Jerrel: About the bridge.

John Stoll: I spoke to our consultants and the contractor both over the past couple of days. I spoke to our soils consultant, Earth Exploration, Friday. They had met with Butler, Fairman and Seufert and Weddle Brothers on Wednesday and they are working on a plan for temporary supports for the pier. What they submitted to Weddle Brothers for cost is the temporary support drawings. Once Weddle Brothers gets some costs on that then they'll submit them back to Earth Exploration and Butler, Fairman, and Seufert. We will then get a letter outlining what the costs will be, what the solution will be, approximate time tables and things of that nature. I'm hoping we can get that by next week. Everything they're going to do right now though is off the basis that the pier is okay, it just needs to be straightened back up. If the pier is structurally damaged then all the assumptions they make in that letter will be out the window. But I'm hoping we'll get that by next week and that will have some approximate costs and some time tables in it.

President Jerrel: Okay.

Commissioner Tuley: John, did you say you thought they patched Bergdolt?

John Stoll: Yes. Yeah, Tom went out there late last week and the patches were there. Actually, they were a little high rather than too low. So they were there. They weren't perfect, but they were there.

Commissioner Tuley: Take the speed bumps out! That's fine. Appreciate it.

John Stoll: No problem.

President Jerrel: Thanks.

Erik Bentle - County Highway

President Jerrel: County Highway Department.

Erik Bentle: Erik Bentle, County Highway. You have my progress report from last week and my work schedule for this week. Paving is going along as scheduled. We are on Frontage Road right now. We've got the base down. We'll be putting surface down tomorrow then we're going to be moving to Barton and Schroeder Road. We're trying to get the worst ones first as we're going down the list in case we run out of money down the road here. The other thing I have, the gradall that we were talking about last week we found a large crack in the pinion gear that the back cab turns on so we're going to have to sideline it for a while. It's a safety factor right now. It's pretty dangerous. So I would like to postpone the bidding process for purchase of a new gradall and with your permission I would like to lease one for six months with option to buy afterwards.

President Jerrel: A small one or large one?

Erik Bentle: Small one.

President Jerrel: Small one.

Commissioner Mourdock: Would this be a different sized machine than what you would ultimately want to buy later on?

Erik Bentle: No, we're going to try to lease the same size.

Commissioner Mourdock: It would be the same size?

Erik Bentle: Yes.

Commissioner Mourdock: Then why wouldn't we bid it to bid on a lease?

Joe Harrison, Jr.: That's a—

Erik Bentle: Because right now we're in the big stages of ditching right now and we need a piece of equipment right now where this is going to be sidelined for quite a while.

Commissioner Mourdock: But I don't know that would cost you any more time, would it?

Joe Harrison, Jr.: You can go ahead and lease something now.

Commissioner Mourdock: Right, I'm not suggesting—

Joe Harrison, Jr.: But as far as the other option, the option to purchase, you're going to have to bid that out.

Erik Bentle: I didn't know if it would be better to go ahead and postpone the leasing or the bidding process or not.

Joe Harrison, Jr.: But if you need it...if it's an emergency situation and you've got to lease out some equipment.

Commissioner Mourdock: Yeah, and lease it out on a lease to purchase.

Joe Harrison, Jr.: Well—

Erik Bentle: That was the question I had if we could do it that way.

Joe Harrison, Jr.: My feeling is that if you're going to do that because you've got an option to purchase on it, you know, you're probably going to have to bid that out. But I think if you just want to lease for right now do it.

Commissioner Mourdock: Right.

Joe Harrison, Jr.: I mean, you're in an emergency situation.

Erik Bentle: I just didn't know which way would be the best way to go.

Joe Harrison, Jr.: Lease solely just to lease.

President Jerrel: And continue—

Commissioner Tuley: To fill that void and continue down the process you have already started for the purchase.

President Jerrel: —the process.

Commissioner Mourdock: But wait minute, wait a minute.

Joe Harrison, Jr.: No, no.

Commissioner Mourdock: We're not communicating here. Certainly we could lease something for the next two months, let's say.

Joe Harrison, Jr.: Sure.

Commissioner Mourdock: Okay, and then we could come back to buy something two months down the road.

Joe Harrison, Jr.: That's correct.

Commissioner Mourdock: In which case the value we put in that lease we're not going to get anything out of.

Joe Harrison, Jr.: That's right.

Commissioner Mourdock: On the other hand if we went out immediately and said we want a piece of equipment on a lease purchase basis then those bids would come back to us in no less time than if we said tonight on an...hypothetically if we said tonight on an emergency basis we want to put something out to bid.

Joe Harrison, Jr.: Yeah, if you could do it immediately. If you could do it right away. Although he has submitted a bid...did you already submit a proposal for advertising purposes for the purchase?

Erik Bentle: We took it under advisement last week I think.

Joe Harrison, Jr.: Oh, okay.

President Jerrel: But Jerry has it.

Erik Bentle: Jerry had it, yes.

Joe Harrison, Jr.: But you could go ahead.

Commissioner Mourdock: I thought we did it. Did we take under advisement?

President Jerrel: No, we began the process.

Erik Bentle: Began the process to do it, but you had an option in there to refuse to do it if necessary or whatever it was.

President Jerrel: But it hasn't been advertised yet?

Erik Bentle: No, he hasn't advertised it. It will take several weeks down the road before he can do that.

President Jerrel: So advertising and getting the bids back and making a decision is probably six weeks.

Erik Bentle: If not longer, yeah.

President Jerrel: See, that's what the issue is.

Erik Bentle: I didn't know if it would be easier—

Commissioner Mourdock: Appreciate the fact I'm trying to save the county some money here, Bettye Lou, on the lease purchase.

President Jerrel: Yeah.

Erik Bentle: I didn't know if it would be better to lease one for six months and then try to apply what we...the money we spent for the lease towards the purchase.

Joe Harrison, Jr.: Someone may respond in that fashion. It's going to end up being

a used piece of equipment, right?

Erik Bentle: I don't know that.

Joe Harrison, Jr.: Well, I mean—

Commissioner Mourdock: No, the piece that you're using is the one they would be bidding back. I mean, you would only have one bidder who could bid it that way.

Erik Bentle: Yeah, I see what you're saying.

Commissioner Tuley: All we did last week was approve the advertising for the bid.

Joe Harrison, Jr.: And you can still do that whenever you want to do it, but I think temporarily you need a piece of equipment.

Commissioner Mourdock: Right.

Joe Harrison, Jr.: Right away.

Erik Bentle: To keep stuff going, yes.

Joe Harrison, Jr.: So that's the request, I think, today.

Commissioner Mourdock: Okay, if you're going to lease it how is the quickest way, what are you saying? If we do this on an emergency basis you'll call some people in the morning?

Erik Bentle: I'll just call and get some quotes on it and then bring it back in front of you.

Commissioner Mourdock: Okay, I'll make a motion that we on an emergency basis act to solicit leased terms for a...I don't want to use the brand name.

Erik Bentle: Ditching equipment.

Commissioner Mourdock: Yeah, for ditching equipment for a minimum term of 90 days on a lease basis.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Erik Bentle: That's all I have.

President Jerrel: Okay, going back to the original gradall. You're talking about the...are you able to get...is that being fixed now?

Erik Bentle: Well, that's the one the transmission is going out of too.

President Jerrel: That's the old one?

Erik Bentle: That's the old one, yes.

President Jerrel: I thought you were talking about the newer one.

Erik Bentle: No, everything else is running fine.

Commissioner Mourdock: Which for that kind of gear you're probably looking at \$5,000 to \$8,000 I would guess to fix it.

Erik Bentle: I really haven't looked into it. We just found it today. So it's going to take some investigating to find out.

President Jerrel: Yeah.

Erik Bentle: You're looking with that and the transmission that's going to be more than what the gradall is worth.

Commissioner Mourdock: Right.

President Jerrel: Okay, well that takes care of your problem though.

Erik Bentle: Yeah.

President Jerrel: Okay.

Commissioner Tuley: This Red Bank ditching, is that what you guys did just north of Upper Mount Vernon?

Erik Bentle: Yes, and we're still not finished there.

Commissioner Tuley: Boy, it needed it.

Erik Bentle: Yes, it did.

Commissioner Tuley: It looks good and I think it is going to work fine.

Erik Bentle: And everybody out there wants their ditch done now.

Commissioner Tuley: Is that right?

Erik Bentle: It started off a chain reaction.

Commissioner Tuley: Well, I'll tell you right there it was bad because that water comes down that hill and it hit that spot and then it would all sheet across to the west side there at that church property.

Erik Bentle: We've got that drain box right there on that corner that has collapsed too, so we've got to dig it up and redo that drain box also.

Commissioner Tuley: It looks good. Whoever did that, it looks good what they did.

Erik Bentle: Alright, that's all I have.

Commissioner Mourdock: Before you leave the microphone there, the last time we had a little discussion about you had done some paving and the city or someone had gotten out there and cut through it for some piping and we spoke about getting the—

Erik Bentle: Speaker Road, yes.

Commissioner Mourdock: Talked about getting the infrastructure committee back together. Have you scheduled that yet?

Erik Bentle: I haven't gotten with John on it yet, no.

Commissioner Mourdock: Okay, before next week let us know what the date of that meeting is when you get all those people together again.

Erik Bentle: Okay.

John Stoll: Last time we set them up I just basically gave Tony some dates and he took care of scheduling it.

Commissioner Mourdock: That's fine. Just as long as the dates work for you guys. Let's just get them scheduled and get everybody together.

Erik Bentle: Okay.

Joe Harrison, Jr. - County Attorney

President Jerrel: Okay, County Attorney.

Joe Harrison, Jr.: I have a memorandum from Tony Greubel regarding the surplus real estate sale that was last week. We'll go ahead and get the deeds prepared and have those submitted to the Commissioners here within the next couple of weeks for execution. That's all I have.

President Jerrel: We cleared about \$6,000. We're down to about five pieces of property. Of course, there is probably 140 or 150 out there waiting to be delinquent, so we'll start all over again, but we're down to...this is as low as I think we've ever been.

Commissioner Tuley: Oh, I bet.

President Jerrel: Anything else?

Joe Harrison, Jr.: No, that's all.

President Jerrel: Thank you.

Steve Craig - Burdette Park

President Jerrel: Burdette Park.

Steve Craig: Steve Craig, Burdette Park. The only thing I have to report is all of our construction projects are now in progress and they are on schedule. Other than that we're just really busy right now.

President Jerrel: Have you...you haven't had your BZA yet have you?

Steve Craig: Pardon me?

President Jerrel: For the parking lot. You haven't gone before BZA yet have you?

Steve Craig: No, that's the 20th, this Thursday.

President Jerrel: Okay. Well, I hope that works for you.

Steve Craig: So do I.

President Jerrel: Does anybody have any questions?

Steve Craig: Our weekly work reports.

Weekly reports

Commissioner Mourdock: I'll move acceptance of the weekly reports from the Highway Department, the Superintendent of County Buildings, Burdette, Soil & Water Conservation and the Ozone Officer.

Commissioner Tuley: Second.

President Jerrel: So ordered. Thank you, Steve.

Consent items

President Jerrel: Under employment changes are there any questions or travel requests, Sheriff's weekly inmate information?

Commissioner Mourdock: Just one. The consent items as filed I understand there was one we're all agreeing that needed to be withdrawn and held until later, but with that exception I would move approval of the consent items as filed.

Commissioner Tuley: And I'll second.

President Jerrel: So ordered.¹

Old business

President Jerrel: Under old business is there any old business to come before the body?

Commissioner Mourdock: The one bit of old business that goes on forever, the jail. Deputy Williams is there and I have posted from his report that this week we had the average number of...I'm sorry, as of April 12th we had 278 people in the jail and the average day or average tenure of their visit to our facility is now 79 days. I don't know if there is more to add to that, Eric?

Eric Williams: Just a little bit. We met with PMSI for pretty much most of the day one day last week and went through some data with them and one other thing I wanted

¹ See page 22 for listing of consent items

to bring up to this board and let you be aware of some, I guess, interesting facts. We went back and we have reevaluated all of our bookings since June of 1991. Since June of 1991 we have had roughly 72,000 bookings through the facility and this was through November of '99. What we were trying to do is determine the actual length of stay of every person that has ever been booked in the facility whereas the numbers you're getting on a weekly basis are basically the average stay of the people that are in custody when the report is run. It is not, like we've stressed before, taking into consideration all the people that have been in and out of the system when that report is not run. With that in mind we found that the maximum length of time that anybody has stayed in our facility since June of '91 was 930.29 days. The average length of stay though is only 10.5 days for all people that are booked through the facility if you take into consideration everybody that comes through. That's a period of 103 months. The average booking over that 103 months was 692 per month. Since 1997 though we've only had one month that fell below that average. The 1999 average was roughly 780 bookings a month. So it's a new interesting prospective to look at that same data that we have been reevaluating and we're going to continue to refine that with their assistance and we're going to now start trying to break it down by type of charge. It's a big undertaking, but we're trying to do it. You will see on next...this week's report hopefully we have made some changes in the software in the jail and some tables that are driving it and there will be a new field on their that says confinement reason. Basically that is going to be a decision that is made by the supervisor that last deals with that person's record and it will be the primary reason why he is still here. One, he is awaiting sentence, he is awaiting trial, he is a return from DOC on court order, he is just a court order hold, he is a VCC violator, PTR type person. It should give us a much clearer picture of why they're here, so the staff has been reeducated on that and it went live...we went live with the new data field last weekend so they're in the in process now of reevaluating everybody that is currently in custody and everybody that comes through, so that should make the report a little bit more valuable this week we hope.

President Jerrel: I mean, this is really valuable information because it is providing people who are part of the system an opportunity to see the results of their actions. You know, it's difficult to conceive of 700 to 900 people, but when it is written then you know whether or not you were a party to it. Was this 930 a non-sentenced person, a pre-detainee?

Eric Williams: I would have to pull his individual record.

President Jerrel: I mean, I am just curious.

Eric Williams: But that person was booked in 1995 so I would have to go back and look at that individual person. I didn't pull them individually. I just left names out of it.

President Jerrel: That's almost three years for a trial.

Eric Williams: Yeah.

President Jerrel: Okay.

Commissioner Tuley: But going back the way you did that with bringing that average stay way down is probably why we were getting the looks we were getting in Colorado. They couldn't understand how in the world we could average those kind of days.

Eric Williams: Exactly.

Commissioner Tuley: This is probably a much more realistic viewpoint.

Eric Williams: This is the standard. It depends on who you are talking to and what average you're looking for because there are different standards. Yes, everybody that gets booked through the facility is 10.59. It's probably actually a little lower than that because we still filtered in all the federal holds and those people are here longer than the average generally, but that's everybody that comes through, but there is still the issue of the people that are here how long are they here?

Commissioner Tuley: And why are there here?

Eric Williams: I mean, that group of people, the 311 or 313 that were here this morning is a very small percentage of the 10,000 that are booked.

President Jerrel: In practical terms that's our service area that we're interested in, you're interested in how long are they in the jail.

Eric Williams: That has been the focus, but I think they're both key issues because we still have to be prepared to handle that when we have a lot of bookings even though they are only here for 24 hours or 12 hours we still have to have a place to put them.

Commissioner Tuley: Right.

Commissioner Mourdock: One is almost a systems number and the other is a facility number.

Eric Williams: Exactly.

Commissioner Mourdock: Because once somebody stays one night, if I hear you correctly, if they stay one night for that group the average is still most recently, what did we say, 79 days.

Eric Williams: Well, to give you an idea of the 70 some odd thousand that we went through I made it to 22,000 before they had been there 24 hours. There were 22,000 of those people that were there less than 24 hours. In the jail the magic number is about 72 hours. Once you break that 72 hour mark then you start racking up days.

President Jerrel: Right. Well, this is still biggest factor toward improvement that we've had to date.

Eric Williams: We continue to refine our data and reevaluate it.

Joe Harrison, Jr.: I just had one question. The list that you're compiling would it include those that are zero?

Eric Williams: As of that moment, yes. If you look at that list on the very back page there are probably some that do say zero or one day.

Joe Harrison, Jr.: But would those be those that would stay all night or are they going to be those that happen to be in there when you ran the report?

Eric Williams: Yeah, take for example I ran that report last Wednesday afternoon. There was probably a few people in there with zero days. They had been booked within the last 24 hours and had not been released, but they were there at the moment that report executed.

Joe Harrison, Jr.: But there are certainly a lot of people that are never going to show up on this list.

Eric Williams: The vast majority of the people booked through the facility will never show up on one of those reports unless they happened to have been there on a Wednesday afternoon for the run.

Joe Harrison, Jr.: That's what I thought.

Eric Williams: It's the same people that show up on there over and over again you see the same names.

Commissioner Mourdock: Yeah.

President Jerrel: As long as some of us know and you all understand over there on the side that's all that is important.

Eric Williams: I like to think so.

Commissioner Mourdock: It's amazing what you can do with data.

Eric Williams: Use a lot of Advil.

President Jerrel: Thank you very much. Any other old business?

New business

President Jerrel: Any new business? Motion to adjourn.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 6:28 p.m.

LISTING OF CONSENT ITEMS:

Employment changes:

Burdette Park	Surveyor's Office	Knight Assessor
Treasurer's Office	Election Office	Sheriff's Dept.
County Clerk	Community Corrections	

Travel requests:

Health Department	County Assessor	Knight Assessor
County Commission		

Sheriff:

Submitting weekly inmate general information report

Area Plan Commission:

Submit ordinance concerning cellular towers

Those in attendance:

Bettye Lou Jerrel
Richard E. Mourdock
Patrick Tuley
Joe Harrison, Jr.
Suzanne M. Crouch
Charlene Timmons
Roger Lehman
Tom Nix
Chris Lee
Phil Hoy
John Stoll
Erik Bentle
Steve Craig
Eric Williams
Others Unidentified
Members of the media

**Vanderburgh County
Board of Commissioners**

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
April 24, 2000**

The Vanderburgh County Board of Commissioners met in session this 24th day of April at 5:38 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'm going to go ahead and call the meeting to order. Commissioner Tuley will be here, but we may even be through, at least with the first part of the meeting. I'm going to dispense with the introductions because we're all the same folks. If you would, join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: The first item on the agenda is the approval of the minutes of the April 17th meeting.

Commissioner Mourdock: And I'll move approval of the minutes as submitted.

President Jerrel: I'll second and say so ordered.

Certification of Executive Session

President Jerrel: We didn't have an Executive Session.

Jerry Bryan - City/County Purchasing

President Jerrel: Purchasing Department.

Jerry Bryan: Good evening, Commissioners. The first item in your packet is the award of VC2002-2000 the food and beverage. We bid seven suppliers and basically five of the seven earned a portion of the business and this is what we like is to spread it around. Joyce took this before their Advisory Board at Burdette Park and they approved it. I ask you to give me a motion to accept the award as presented and then I will send out the award letters.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

Jerry Bryan: Thank you. The second thing I have is the update on the formula prices for asphalt. I have been working, Joe Harrison, with Kevin Winterheimer and he has approved the legal aspects of this formula pricing. I have been asked either by letter or phone call and I know some of the Commissioners have been pressed for price relief and we believe that we have a formula that will work. I noticed some of the prices have started to moderate. This is good. There is however a 50 percent increase in what they bid in October versus now and I would like to implement this formula and I will be the gatekeeper in monitoring the increased prices and the decreased prices because I do the same thing with the gasoline with Busler's and Gabe's and the other people that serve the city and the county government.

President Jerrel: What is your effective date?

Jerry Bryan: I would like to start it tomorrow.

President Jerrel: So that will be your—

Jerry Bryan: Effective date, yes.

President Jerrel: Okay.

Commissioner Mourdock: But this is an amendment to the existing contract?

Jerry Bryan: Yes, sir.

Commissioner Mourdock: As I read the request that you've submitted here tonight, Jerry, obviously it has the formula in there from this point or tomorrow, whatever day we go forward with this—

Jerry Bryan: Yes, sir.

Commissioner Mourdock: —but I don't see anything there for relief going backwards over the last two to three years when they were at one price and prices were falling.

Jerry Bryan: I have had a little problem, Mr. Mourdock, coming up with the prices that I can get for the last...I have the last year for relief, but I don't have the year like '98 for that yet and I am still gathering those prices.

Commissioner Mourdock: But if we act on this now have we not lost all the leverage that we otherwise need to get that relief going backwards?

Jerry Bryan: Uh—

Commissioner Mourdock: In other words, as you said this would go in effect from today going forward.

Jerry Bryan: Right.

Commissioner Mourdock: Well, what I'm interested in saying if we are in fact going to have something from here to go forward to help them out—

Jerry Bryan: Yes, sir.

Commissioner Mourdock: —which is clearly what this is doing, then for some period going back we ought to, it seems to me, be able to negotiate some level of concession for what they otherwise gained.

Jerry Bryan: Gained? I just don't have that put together, but I will make sure by the time I come before you next week that I will have the previous two years together so that we can have some relief on this thing.

President Jerrel: You might call Gary Staley over at the School Corporation. He might know from the contract employers—

Jerry Bryan: Sure.

President Jerrel: –who, you know–

Commissioner Mourdock: Yeah, and there is a web site out there that the Department of Labor puts out under consumer price indices.

President Jerrel: Right, that would be the most accurate place to get it.

Jerry Bryan: Right, that's another good asset to do it, right.

Commissioner Mourdock: I have to say again, I am being presumptive here–

Jerry Bryan: Yes, sir.

Commissioner Mourdock: –because I am assuming that in fact when prices were low and continuing to drop they were doing real well off that difference. If I'm wrong I'll be the first to admit that I am wrong, but I would sure like to know what it was.

Jerry Bryan: You know, what is good for the goose is good for the gander.

Commissioner Mourdock: Exactly.

Jerry Bryan: And they understand that also.

Commissioner Mourdock: So I think the appropriate motion then is just to table this for a week.

Jerry Bryan: Right, and then I'll come back to you next week.

President Jerrel: And I'll second that motion and say so ordered.

Jerry Bryan: Thank you.

Final reading - Ordinance amending Building Code

President Jerrel: The next item on the agenda is the final reading, the ordinance amending the Building Code.

Commissioner Mourdock: As we discussed last week this basically is the combining of several separate boards that were in existence into one board that would be working through the Building Commissioner's Office and since it's a public hearing I don't know if there is anyone here to speak on this particular issue. Seeing none I would move approval on final reading of the ordinance amending the Vanderburgh County Building Code as submitted to us this evening in our packet.

President Jerrel: And I'll second and so order. Actually, Roger isn't here, but it was probably a good idea to streamline that board.

Commissioner Mourdock: Yeah, and we need a roll call.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

DMD - Approval of demolition and asbestos removal contracts
--

President Jerrel: The next item on the agenda is the DMD.

Joe Coleman: Good evening. I'm here on behalf of the flood mitigation program. Tonight I have two items, a contract for the razing of the structures. I would like to request that be signed tonight. We have received his insurance and bond information. We recently sent out a request for proposals for the removal of asbestos containing material based on a survey that we engaged. We have sent to four bidders: Complete Environmental, Elite Environmental, Preferred and Koester. Koester Environmental did decline due to the press of their business and Elite was not responsive. The two bidders that were responsive and responsible, Complete Environmental Services bid \$2,800 which is the apparent low bid and Preferred Environmental bid \$5,285. We would like to recommend that the contract for environmental services be awarded to Complete Environmental Services.

Commissioner Mourdock: For the second part of the request first which is on the asbestos removal I would move approval of the contract to Complete Environmental as recommended.

President Jerrel: And I'll second and say so ordered. Joe, is there a contract? Do you have it or is it in our—

Joe Coleman: It should be in your packet for both those items.

President Jerrel: Okay.

Commissioner Mourdock: I don't have one for the first one, for the demo.

Joe Coleman: We should have two copies.

Commissioner Mourdock: Okay.

President Jerrel: They're probably in the file. I bet Tony...Tony, did you—

Tony Greubel: They're in the signature file.

Commissioner Mourdock: Okay, Joe, did you get to look at the demo contract?

Joe Harrison, Jr.: No.

Commissioner Mourdock: Or did you say someone had?

Joe Coleman: Yeah, it's a contract that we have used before and it also includes both a penalty clause and the required federal clauses that are applicable to this funding.

President Jerrel: Here is the second one.

Joe Harrison, Jr.: In the demolition who do you propose that contract be with?

Joe Coleman: That contract was awarded March 6th to Naas Brothers Trucking.

Joe Harrison, Jr.: Oh, okay.

Joe Coleman: Of Haubstadt, Indiana. They were the low bidder at that time.

President Jerrel: Here.

Commissioner Mourdock: Okay, so we simply need to execute it?

President Jerrel: Yeah, tonight.

Joe Harrison, Jr.: So a motion to that effect.

Commissioner Mourdock: Yeah. I would move then that we execute the contract with Naas Brothers Trucking for the demolition for Department of Metro Development as requested.

President Jerrel: And I'll second and say so ordered.

Joe Coleman: Thank you.

President Jerrel: Thank you.

GIS Committee - Approval of consulting contract and RFP
--

President Jerrel: The next item on the agenda is the GIS Committee.

Cheryl Musgrave: Good evening. I'm Cheryl Musgrave, the Vanderburgh County Assessor. We have the GIS consulting services contract and the request for proposals for plat book conversion services. We've been in touch with the attorney and I know there is some advertising that needs to be done, but I ask your approval tonight.

Joe Harrison, Jr.: I'll take them in order. The first one is the consulting contract with Kathy McCarter & Associates, Inc., is that correct? It's for a sum not to exceed \$10,000.

Cheryl Musgrave: Ten thousand.

Joe Harrison, Jr.: And you do have the funding available, correct, for that consulting?

Cheryl Musgrave: Yes, we do.

Joe Harrison, Jr.: And Ms. McCarter assisted with the original.

President Jerrel: Is she the one we had on the conference call?

Joe Harrison, Jr.: Yes.

Cheryl Musgrave: Uh-huh.

Joe Harrison, Jr.: GIS RFP.

Cheryl Musgrave: The orthophoto.

Joe Harrison, Jr.: Orthophoto aspect.

President Jerrel: Okay.

Joe Harrison, Jr.: And I've had a chance to look at that agreement.

Commissioner Mourdock: Okay, I'll move approval then of the consulting services contract with McCarter & Associates for the GIS program as recommended by the Assessor.

President Jerrel: I'll second and say so ordered.

Joe Harrison, Jr.: The second item is—

Commissioner Mourdock: Plat book.

Joe Harrison, Jr.: —the plat conversion request for proposal. I guess there is a revised in front of us that would go out on Friday, which would be the 28th, and I also drafted a legal notice for publication purposes to hopefully be placed in the paper in the next...well for Friday. I do have that with me and I do have a disk for Charlene as well, so I would ask that the RFP be approved for advertising purposes along with the legal notice for publication purposes.

President Jerrel: I have a question. This will be...do you have them on the disk?

Joe Harrison, Jr.: I've got the legal notice on the disk that is going to go in the paper.

Cheryl Musgrave: I have this on disk.

President Jerrel: Yeah, I was going to say when they respond then they...we're not going to do anything more than announce for the RFP and general description?

Joe Harrison, Jr.: Yes, and then the GIS Committee will then review all the responses and come back to the board for a recommendation. The timetable has been changed a little bit.

Cheryl Musgrave: It's on page 5, the time table.

Joe Harrison, Jr.: Again,--

Commissioner Mourdock: This says June 5th, is that the new one or the old one?

Cheryl Musgrave: Right, June 5th is the new proposal due date. We would ask you to do the award on July 10th should we get our review done in time.

Commissioner Mourdock: Tony, is there one in the file that is corrected?

Tony Greubel: Yeah.

Joe Harrison, Jr.: Yes, yes.

Commissioner Mourdock: Okay.

Joe Harrison, Jr.: In fact, we've got a hard copy right in front of us.

President Jerrel: Yeah, I know, but I meant in—

Tony Greubel: You don't need a signed copy.

President Jerrel: No, I know, but for the record, okay.

Cheryl Musgrave: We delivered all new copies.

Commissioner Mourdock: Okay, I'll move approval of the advertisement for the RFP for the plat book conversion services with the anticipated RFP release date of April 28th and the due date June 5th.

President Jerrel: I'll second and say so ordered.

Cheryl Musgrave: Thank you very much.

Community Corrections - Approval of GED instructor contracts

President Jerrel: Community Corrections. This is concerning the contracts.

Commissioner Mourdock: Right. I didn't know if Eric wanted to say something, but what we have is a proposal—

Tony Greubel: The GED.

Commissioner Mourdock: —of an agreement between Vanderburgh County and Jerald M. Jones for providing GED instructional services to—

President Jerrel: There is a whole bunch of them. See when you open them up they're all different.

Commissioner Mourdock: Okay, let me just read them into the record then. For Jerald M. Jones, Timothy W. Adams, Mary F. Tremper, David C. Ellerbusch, Tammy G. Woods, Melanie S. Myers, Edmonia W. Pringle, and Martin Brown. All of those are similar letters of agreement between those individuals mentioned and Vanderburgh County to provide GED services—

President Jerrel: And I think there is one more that came in late. Do you remember?

Eric Williams: Yes, there was. Lisa Seif.

Commissioner Mourdock: Lisa Seip?

Eric Williams: Seif. S-e-i-f.

Commissioner Mourdock: Seif, okay.

Eric Williams: Those are basically the people that will perform the GED and the classes for the new GED program that is in place out at the Community Corrections Complex.

Commissioner Mourdock: Okay, I'll move approval of these letters of agreement with the addition of Lisa Seif as mention by Deputy Williams.

President Jerrel: I'll second and say so ordered.

Any group or individual wishing to address the Commission

President Jerrel: Is there at this time any individual that wishes to address the Board?

Richard Helzerman: My name is Richard Helzerman and I would like to address the Board about the problem of jail overcrowding. Previously I suggested to you that the overcrowded people in the jail, the poor people who can't afford the bail be released on their own recognizance subject to them signing a form that would say if they do not appear they would plead guilty and take the minimum sentence associated with the thing. Since then one member of my family had an interaction with the Posey County Superior Court and I thought this might be another way. The way they dealt with this member of my family may be a way that you could deal with the problem of the jail. It's a letter that says:

"State of Indiana vs Helzerman
Cause No: 65D01-002-IF-404
Charge: 75.7/55

Dear Mr. Helzerman,

At the time you were issued an Indiana Complaint and Summons in the above cause you were notified of the date that you were to appear in this court in the event you did not pay the fine and court costs prior to that date.

You failed to appear on March 27, 2000 and the Court having reviewed the sworn complaint signed by ISP; WOOD entered a Default Judgement against you for the sum of \$59.50 plus Court Costs of \$75.50 for a total of \$135.00."

Now if Posey County Superior Court can say if somebody doesn't show up we can enter a default judgement against them and assess them a fine then it should be the same thing with the Superior Court in Vanderburgh County. If somebody doesn't show up you enter a default judgement or enter a guilty plea for them and assign them a thing. Send a notice to the state that they are supposed to go to jail for six months or two years and have the sheriff pick them up or add them to the 10,000 arrest warrants that are outstanding. If you would do that you could release all but 150 people out of the jail and you wouldn't have a problem with jail overcrowding.

President Jerrel: Thank you. I'll enter this in the record. Anybody else that wishes to speak to the board?

John Stoll - County Engineer

President Jerrel: Alright, moving to the County Engineer.

John Stoll: The first two items I've got are Notice to Bidders. First is for contract number VC00-04-02, Gregory Court slope stabilization project. This is the repair of the embankment and the street where the road was collapsed due to the embankment being excavated. I recommend that this Notice to Bidders be approved.

Commissioner Mourdock: So moved.

President Jerrel: I'll second and say so ordered.

John Stoll: The second one is for contract number VC00-05-01, Seminary Road Bridge #1961 removal and replacement. This is a bridge that is down in Union Township near Kings Road that was called for replacement in our bridge inventory book, so it is recommended that this Notice to Bidders be approved as well.

Commissioner Mourdock: Do you have an estimate on that, John, as to what you think?

John Stoll: It will be a single span bridge so we're estimating it would be around \$100,000.

Commissioner Mourdock: Okay, is that going to be a wooden timber type bridge?

John Stoll: No, it's concrete.

Commissioner Mourdock: I'll move approval of the request or advertisement of the bid.

President Jerrel: And I'll second and say so ordered.

John Stoll: We didn't look at a timber one down there just because of flooding issues in Union Township.

President Jerrel: Did you get to talk to Bill?

John Stoll: (Inaudible.)

President Jerrel: No, about the page number.

Joe Harrison, Jr.: Oh, yes.

President Jerrel: Okay, good.

John Stoll: I'll call there tomorrow. That's the cover sheet for those plans for that bridge project I was just telling you about. It needs the Commissioners' signatures.

President Jerrel: I'm anxious to get our next bridge report and see if we are up above—

John Stoll: We should be.

President Jerrel: I hope so.

John Stoll: The next item I've got is a street acceptance request for Kotter Avenue

in Old Boonville Highway Commercial Park Subdivision. This section of road was constructed a couple of years ago but the joints in the pavement had never been sealed. That has now been taken care of, so it's recommended that this be accepted for maintenance.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: Next I've got a request for final street plan approval for Enterprise Park Subdivision. This is an industrial park that is going to go on the east side of I-164 north of Oak Grove Road. I brought these plans to a meeting several months ago and we gave it preliminary approval pending the approval of the DNR permit for construction in a floodway. Morley and Associates gave me a copy of that permit today so it is recommended that these streets plans get final approval.

Commissioner Mourdock: I'll move approval of the street plans for Enterprise Park. Is the access to this strictly to the south?

John Stoll: Yes, the state built surface road as part of the interstate project and this project extends north off of that. They're bound by the railroad on both sides so you can go up Morgan Avenue.

Commissioner Mourdock: I think you need to formally second that.

President Jerrel: Yeah, I will. I'll second the motion and say so ordered.

John Stoll: The final item I would like to request approval to work with Dave Savage to obtain a purchase order to do the traffic signal modifications at the Fulton Avenue/Diamond Avenue intersection. Based on Dave Savage's estimates, the signal detection will cost about \$25,000 at that intersection. The original plans for the bridge did not include putting any kind of detectors back in the south approach of that intersection, so Dave Savage has come up with a plan to use video detection instead of the loops that are installed into the pavement and the video has been approved by INDOT. Dave estimated the cost of the video detectors would be about \$16,000 as opposed to \$20,000 for the loop detectors, but in conjunction with the video detectors there is also additional work that needs to be done and that's what brings the final cost up to \$25,000. The work can all be done through the existing city/county traffic department agreement. There are unit prices and hourly rates established in that contract and Dave felt that we would get a better price going that route as opposed to bidding it out, so on that basis I was requesting approval to go ahead and get with Dave and get a purchase order to do that signal modification work.

Commissioner Mourdock: I think I know the answer, but I just don't want to assume here. Is it fait accompli that the all the traffic counts warrant the signal there?

John Stoll: Yes, the signal is already there. It's the—

Commissioner Mourdock: Oh, that's right. It's inactive. Yeah.

President Jerrel: It's the sensitivity.

John Stoll: Right. There was nothing...there were no loops put in the south

approach, but the signal is there and the video will allow for a future left turn phase where some of the other options Dave was looking at didn't, so that's where the traffic counts also come into play.

Commissioner Mourdock: Okay, I'll move approval then of the discussions with Dave Savage for that alternative.

President Jerrel: And I'll second and say so ordered.

John Stoll: That's all I have unless you've got any questions.

President Jerrel: No, just call me tomorrow after you have a chance to talk to him.

John Stoll: Okay.

President Jerrel: Thank you.

Erik Bentle - Superintendent of County Highway

President Jerrel: County Highway Department.

Erik Bentle: Erik Bentle, County Highway. You have my progress reports from last week and my work schedule for this week. The other thing I have is the...the only two quotes that returned for the lease of the gradall. The lowest quote was from Carlisle for \$5,500 for a three month lease.

Commissioner Mourdock: Not \$5,500 a month?

Erik Bentle: Yes.

Commissioner Mourdock: It is \$5,500?

Erik Bentle: Yeah, Southeastern wanted \$7,000 a month.

Commissioner Mourdock: Wow.

Erik Bentle: Now the G3W that we were going to bid out is being discontinued May 1st, so they've sent in a replacement which will be an XL3100. They haven't released any information on it yet, but I've given Jerry the paperwork on it right now so he is going to look into it and see if he can get some more information on it.

President Jerrel: Is this the cost of that?

Commissioner Mourdock: Yeah.

President Jerrel: That's just right at what the great big one is.

Erik Bentle: No, that was \$250,000 for the big one.

President Jerrel: Are you sure? Okay.

Commissioner Mourdock: And is there without reading through this a lease purchase option if we do in fact try to roll it over?

Joe Harrison, Jr.: Not on this here. This is just to lease it for three months.

Erik Bentle: Carlisle had mentioned to me that if (inaudible) get the bid that it's possible that they could do that towards the bid, but I said that is something that they have to work out. We can't do nothing with that.

Commissioner Mourdock: Okay.

Joe Harrison, Jr.: And you're saying that now you're looking at a different piece of equipment anyway.

Erik Bentle: Yeah, they're going to discontinue the one we were going to bid on.

Commissioner Mourdock: Okay, well I would like the County Attorney to obviously look over that lease agreement, but if I can do it this way contingent upon his approval I would move execution of that lease.

President Jerrel: And I'll second and say so ordered.

Joe Harrison, Jr.: Again, that's with Carlisle for—

Commissioner Mourdock: With Carlisle for a gradall.

Joe Harrison, Jr.: For three months.

Commissioner Mourdock: Yes.

Erik Bentle: The other thing I have is one of our 86 tandem dumps...or single axle dumps blew a motor today, so I got three prices on a new motor for it. The truck is still in good shape so it is worth keeping. The cheapest price I got is from Jasper Engines. It would be \$1,850 with a core, so I would like permission to go ahead and get that and get it back on the road. It's something every day isn't it?

Commissioner Mourdock: It sure is. Why did we blow the motor? How many hours or how many miles?

Erik Bentle: It had well over 200,000 on it. It was way up there.

(Commissioner Tuley joined the meeting.)

Commissioner Mourdock: Okay, I'll accept that as good enough reason. That was \$1,850 not \$18,500?

Erik Bentle: Yes.

President Jerrel: Good, thank you.

Commissioner Mourdock: How many did you check with, Erik?

Erik Bentle: I got three. Jasper Motors, A & B Auto Parts and Marshall Engines. The other two, A & B and Marshall, only give us a six month/6,000 mile warranty and Jasper gives three year/75,000 on theirs.

Commissioner Mourdock: Okay, I would move entering into the purchase agreement

with Jasper Engines for the aforementioned engine.

Erik Bentle: Okay.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Erik Bentle: Here is that list you had me look at.

President Jerrel: Okay.

Erik Bentle: All of these are in the city.

President Jerrel: Thank you.

Commissioner Mourdock: We're going to start a pool to see what comes in next week.

Erik Bentle: What comes up next, yeah.

President Jerrel: I said so ordered.

Erik Bentle: Oh, okay.

President Jerrel: Is there anything else?

Erik Bentle: No, that's it.

Commissioner Tuley: You guys are doing a pretty good job of ditching. I'm seeing a lot of signs of your guys out working on that ditching. It looks good from what I'm seeing.

Erik Bentle: We're trying to stay ahead. We're hoping to get this other gradall in as quick as we can so we can get down there on Old Henderson and get that started. That's in bad shape down there.

Commissioner Tuley: I talked to Mark about that last week.

Erik Bentle: We're going to try to solve that problem from washing away this time instead of just keep putting rock in there that is going to wash out all the time. That's all I have.

President Jerrel: Thank you.

Joe Harrison, Jr. - County Attorney
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President Jerrel: County Attorney.

Joe Harrison, Jr.: The only item I have this evening is a lease agreement between the county and David Austill. It's for the ground out at Burdette Park that we had been leasing for a couple of years, I believe.

Steve Craig: For probably ten or 15.

Joe Harrison, Jr.: Right, but I'm saying the last lease we had was about a three year lease.

Steve Craig: Yeah, the last year was a three year lease.

Joe Harrison, Jr.: I've got a proposed lease that has already been signed by Mr. Austill that I drafted that is only for one year starting back to January 1st through the end of this year, December 31st. It's for a total sum of \$400 for the piece of ground.

Steve Craig: It runs adjacent to our baseball diamond. They use it for parking and the kids play on it and that and we have been in agreement with him since we had built the ball diamonds that we would rent that stretch so that there wouldn't be any problem with all the people using it.

Commissioner Mourdock: I'll move approval of the lease.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: That's all I have.

Steve Craig - Burdette Park

President Jerrel: Steve, you might as well go ahead.

Steve Craig: Okay.

President Jerrel: Tony, you don't mind?

Steve Craig: Well, that was the first thing for tonight. The second one is that the restrooms on the handicapped restrooms on the Bishea Building are 90 percent done with us waiting for the toilet partitions and the floor to be sealed and then the project should be done well ahead of the May 18th date. It's the toilet partitions—

President Jerrel: Are we going to get the warm water and the warm weather?

Steve Craig: I hope so. They say we are, so we have to listen to the experts.

President Jerrel: I guess. Are you okay on your guards, have you got them lined up?

Steve Craig: Yes. We have plenty of kids at the swimming pool. We could still use some lifeguards, but we probably never have enough of them. We've been having trouble getting ground crew workers and that is because it's a little bit harder work and not as glorious as the pool work, but we're getting there.

President Jerrel: Yeah.

Steve Craig: We had a couple of retirees that put their applications in today that wants to work two or three days a week. We had put an ad in the paper and I think that we might pursue this avenue.

President Jerrel: Yeah, that's good. Okay, anything else?

Steve Craig: No.

President Jerrel: Okay, thank you.

Tony Greubel - Superintendent of County Buildings
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President Jerrel: Superintendent of County Buildings.

Tony Greubel: The only thing I have is we're submitting claims from Ogden for reimbursement in relation to operations at The Centre. They're in the signature file. That's it.

Weekly reports

President Jerrel: The other two reports are in your packet. Is there a motion?

Commissioner Mourdock: I'll move approval of the items then with the...I'm sorry, I'll move approval of the reports from the Ozone Officer and Soil & Water as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent items

Commissioner Mourdock: Then for the consent items I'll move approval of the consent items as filed with the addition of one late one regarding a Timothy VanCleave.

Commissioner Tuley: Second.

President Jerrel: So ordered.¹

Eric Williams - Jail report

President Jerrel: Are there any questions about...Eric Williams is here, do you have any questions about the jail report?

Commissioner Mourdock: I don't have any questions. I would just note though as I posted over the weekend on April 19th we had 279 for the average number of people incarcerated and the daily average seemed...I'm sorry, the average stay really had flat lined out at around 79 to 80 days.

President Jerrel: Just one comment. It's not important that I mention the inmate's name, but I've been just following two or three inmates and getting their docket sheets because the report doesn't actually show and last week I noticed that one of the individuals I had been following I had thought was going to come to trial on the

¹ See page 22 for listing of consent items

18th and then be guilty or innocent and gone. I read the docket sheet today and the...it was a magistrate and he said you'll be here and either accept the plea bargain or we'll go to trial, but when I read it it has now been postponed again until June 7th, so the message is not getting out completely. I mean—

Commissioner Mourdock: Do you recall how many days that individual had been in?

President Jerrel: Oh, yeah. I can tell you exactly. He has been in there over 200 days. So I am saying, you know, we didn't get...I mean, it's not...some of them are not moving.

Commissioner Mourdock: I noticed our number one guest now has been there over 500 days.

President Jerrel: That's right. Now this one...I don't know where it is, but I'll show it to you. I was really proud to see in the docket this will be...you know, you will plea or we'll have trial. But then when they actually got there it got postponed again.

Commissioner Mourdock: With Eric here, Eric, how are we doing over at Community Corrections as far as work on the beds that we're trying to open up?

Eric Williams: Eric Williams, Sheriff's Office. With the recent approval we're moving forward with our plans. We hit a few little snags that are going to slow us down a little bit. We had another roof problem.

Commissioner Mourdock: Really.

Eric Williams: Thursday night the roof on the third floor of phase one, the men's dorm, blew off so it is now under tarp. The same problem, water is coming through the walls, so we're dealing with that problem also at the same time. There are people currently living in that one so we may have to make some modifications on our work schedules out there to get that corrected as fast as we can. We don't have a definite date for when we'll be able to put people in that phase or that secure dorm.

Commissioner Mourdock: As soon as you get a prospective date please let us know.

Eric Williams: There is some issues with the DOC, too. I want to make sure that all irons out properly. I want to make sure everything is in place and done properly before we actually occupy it because it will have to be inspected by them also.

Joe Harrison, Jr.: I have communicated with Roger Lehman and he is going to call you guys.

Eric Williams: We've already been in touch with him and we've scheduled some meetings with him to come out and review it.

Joe Harrison, Jr.: And also I talked to Bob Dillow a while ago.

Eric Williams: Insurance.

Joe Harrison, Jr.: And he is going to call you or the Sheriff tomorrow about the roof.

Eric Williams: Okay.

President Jerrel: That happened the night of the wind—

Eric Williams: The wind.

President Jerrel: That wind was awful and flat roofs are—

Eric Williams: Yeah, flat roofs are destined for failure in most all cases.

President Jerrel: Do you recall the date that your grant is due?

Eric Williams: The Community Correction's grant itself? Offhand, no I can't tell you the date. We were just looking at that today. Julie Von Arx was in town for several hours again today and that was one of the things that we were going through with her was the grant.

Joe Harrison, Jr.: I...for some reason May is in my head, so take a look at that. I think it's sometime in May.

Eric Williams: We submitted some paperwork with some extensions and some things like that with the changes that have gone on. I mean, I think we are in good shape with that.

Joe Harrison, Jr.: Just double-check that.

Eric Williams: We'll double-check it tomorrow.

President Jerrel: Okay.

Eric Williams: I would ask did everybody get a copy of the new report out of the jail? It's a different way of looking at things and it may shed some different light.

President Jerrel: I like the...I haven't had a chance to look at this one, but last week when you did the grid that was interesting.

Eric Williams: Oh, on the last report?

President Jerrel: Yeah.

Eric Williams: That's part of the program now. There will be that grid on there every time.

President Jerrel: Yeah, that was interesting. Thank you very much.

Eric Williams: You're welcome.

Joe Harrison, Jr.: And I will call you about some of the questions I have.

Eric Williams: That's fine.

Old business

President Jerrel: Is there any old business to come before the board?

Commissioner Tuley: Question. First of all I apologize for being late, but there is a ton of pink slips in here tonight that was not here on Friday when we get our packets. Again. In the packet all I got was the agenda, so I'm going to guess that not all these came in at one time at the last minute.

Tony Greubel: No, we didn't have them. The County Council Executive Assistant wasn't able to approve and go over all of them. There was so many it took us until today, so instead of giving you half on Friday—

Commissioner Tuley: Everybody was off on Friday, too, weren't they?

Tony Greubel: Or Thursday.

President Jerrel: Yeah, we—

Tony Greubel: Thursday afternoon—

Commissioner Tuley: There were just so many of them.

Tony Greubel: I know.

Commissioner Tuley: Okay, but I forgot Friday was a holiday.

President Jerrel: And then so many of them if you'll notice there are notes on them because there was some issue about the hours, you know, people worked. They make the minimum wage. These are extra jobs they have, but they figure them on the basis of 80 hours when it is really on 40 hours.

Commissioner Tuley: Okay.

President Jerrel: It's just some bookkeeping, that's what those notes are on those first ones and then I don't...I went through them and I didn't see anything unusual.

Commissioner Tuley: I don't have anything unusual on any of them, it's just seemed like there was so many to not have—

President Jerrel: There are.

Commissioner Tuley: Couldn't have them here on Friday.

Tony Greubel: We sent out a memo because we don't have a meeting next week, so that's the reason—

President Jerrel: To get all of them in, so some of them are postponed starting times because we don't have a meeting next week.

Commissioner Tuley: There was a lot of shifting at the garage, that's the only...really the only reason I questioned. Because of Tim?

President Jerrel: Well, Tim and then Cecil can't drive.

Commissioner Tuley: Okay.

President Jerrel: They all moved and then bumped up. I think there was four or five

of them on that one.

Commissioner Tuley: Okay, kind of a chain reaction type of thing?

President Jerrel: Yeah, you knew about...we had some that had to give up the driving part.

Commissioner Tuley: Okay.

New business

President Jerrel: Any new business?

Commissioner Mourdock: Yeah, I have one item here that came in the form of two letters. I don't know if you seen these in your package or not. We have two petitions that came in from a Patricia Barksdale who is counsel for CSX on a couple of railroad track closures and I just want to make sure we get these to John Stoll so he can take a look at these and give us his advice. On the one as I read it is permanently being proposed for closure. There is 320 cars a day and CSX is claiming they have 350 trains per week over that same track. Three hundred and twenty cars a day don't sound like many on an hourly rate, but that is still what, 2,200 a week? Just because CSX wants to close tracks and wants to close some sidings I'm not sure we should necessarily comply with that.

President Jerrel: Have you seen it, John?

Commissioner Mourdock: If you would, John, take these and report back to us.

Joe Harrison, Jr.: John is aware of these items.

John Stoll: Is that the one on Nurrenbern Road?

Commissioner Mourdock: Pardon?

John Stoll: Is that the one on Nurrenbern?

Commissioner Mourdock: Yes, two of them.

Joe Harrison, Jr.: One of them is Nurrenbern—

Commissioner Mourdock: Both of these are Nurrenbern. Do you have one that is something else?

John Stoll: They sent me a letter a couple of weeks ago saying that they would be going through the INDOT petition process to try and get those crossings closed but that was the last correspondence I got on that.

Commissioner Mourdock: Yeah, I'll give you these copies. I was out on a meeting out on the west side the other day and there was some people who heard rumors about roads being closed and needless to say that gets people's attention.

Joe Harrison, Jr.: One of the things that this board can file a response and so you may want to consider between now and the next time we meet if you want me to

respond in some fashion on your behalf or if you all want to do it on your own.

Commissioner Mourdock: Have you had a chance to look at those as well?

Joe Harrison, Jr.: No, this is the first I have seen it, but John and I have talked about this before. They're wanting to shut off the road.

Commissioner Mourdock: And I know CSX in particular has been a part of some incentive packages to get some businesses to locate in the community and they haven't always delivered the number of cars that they were supposed to be providing to those same businesses. It just kind of sticks in my craw a little bit they want to close down and have some inconveniences and they haven't necessarily followed through on everything else they said they were going to do.

President Jerrel: I think Steve has a question.

Steve Craig: One of the things I wanted to say was that by closing this...I was at the same meeting as Richard—

Commissioner Mourdock: Right.

Steve Craig: —when somebody stood up and wanted to know if I knew they were closing Nurrenbern Road and I said, no, you know. But for the traffic to get to the park which is probably what most of that is, you know, it's probably a lot heavier in the summer, but the traffic that comes there they are going to reroute it down Broadway, which Broadway is pretty busy anyway because they'll have to come out Tekoppel and then they'll have to go down Red Bank which with the school there and no sidewalks being along there it is already a bad place, you know, to be with no shoulders and that anyway. This is going to be dumping all of that traffic. It will have to come through the city down Red Bank to come to Burdette.

President Jerrel: That would be a good...that should be included in the response.

Steve Craig: In the summertime when we are packed and that there is going to be a lot of traffic on Red Bank that would have used that because I think if you're coming from the south or the southeast side or east side that most people take that river thing because it is quicker and also you're out of the traffic. You don't have red lights on Broadway, so it's going to dump a lot of traffic into a school zone and then onto Broadway, which Broadway in the city is not very—

Commissioner Tuley: I was going to say it's straight and narrow down through there.

Steve Craig: Yeah.

Commissioner Tuley: With parking down both sides of the street.

Steve Craig: It's an act of God to get two pickup trucks down that one section of Broadway, but it will be dumping, you know, off of Tekoppel and to the school and using Broadway. It didn't seem like a wise decision.

Commissioner Mourdock: If you'll report back to us, John, and let us know.

John Stoll: Sure.

Commissioner Mourdock: Thank you, Steve.

President Jerrel: We need to put that on the reports too, if it's regular. The Weights & Measures. Well, I never see it.

Commissioner Tuley: I mean, I don't remember seeing it on the department head reports is it?

Tony Greubel: It's under consent items.

Commissioner Tuley: Oh.

President Jerrel: Yeah, down at the bottom.

Commissioner Mourdock: I also look forward to reading Loretta's.

President Jerrel: Yeah, I do too. They're worth it. Is there any other new business? Motion to adjourn.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 6:26 p.m.

CONSENT ITEMS:

Employment changes		
Sheriff's Department	The Centre	Burdette Park
Coroner	Election Office	Knight Assessor
Prosecutor	Perry Assessor	Circuit Court
Surveyor's Office	Burdette Park	Highway Dept.

Travel requests		
Perry Assessor	County Assessor	Auditor
Health Dept.	SCT	Engineer

Treasurer's Office
Submitting monthly report

Weights & Measures
Submitting monthly report

Sheriff
Submitting inmate general information report

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock
Patrick Tuley	Joe Harrison, Jr.
Suzanne M. Crouch	Charlene Timmons

Tony Greubel	Jerry Bryan
Cheryl Musgrave	Eric Williams
Richard Helzerman	John Stoll
Erik Bentle	Steve Craig
Others unidentified	Members of the media

Vanderburgh County
Board of Commissioners

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
May 8, 2000**

The Vanderburgh County Board of Commissioners met in session this 8th day of May at 5:32 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the County Commission meeting to order please. At this time I would like to introduce to you the people in front of you. On my far right is Tony Greubel, he is the Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley; on my left, Charlene Timmons, is our Recording Secretary, and our minutes are all verbatim minutes. That doesn't mean you can't talk a lot, but Charlene does a lot of typing. Next, the Auditor, Suzanne Crouch; Commissioner Mourdock; and my name is Bettye Lou Jerrel. Would you join me in the Pledge of Allegiance?

Approval of minutes

President Jerrel: The first item on the agenda is the approval of the minutes of the April 24th meeting.

Commissioner Mourdock: And I'll move approval of the minutes as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan - City/County Purchasing

President Jerrel: Next, Jerry Bryan, Purchasing Department.

Jerry Bryan: Good evening, Commissioners. On the agenda tonight in your packets you'll see that I have asked permission to advertise for a new XL3100 truck. I have the following dates for the minutes, I would like to advertise it on May 10th and May 17th and open on June 5th.

Erik Bentle: That's actually a gradall, Jerry, not a truck.

Jerry Bryan: Okay, and I understand, Erik, that the vehicle we have right now is beyond economical repair and it's time to replace it, right?

President Jerrel: Is there a motion?

Commissioner Mourdock: I'll move the advertising as recommended by County Purchasing.

Commissioner Tuley: With the correction that it is gradall as opposed to a truck?

Commissioner Mourdock: Correction, yes.

Commissioner Tuley: Okay, I'll second.

President Jerrel: So ordered.

Jerry Bryan: Next week I'll bring to you a summary and a pricing proposal on the relief for the paving vendors. Thank you.

President Jerrel: Thank you.

Dolli Kight - Convention & Visitors Bureau

President Jerrel: The next item on the agenda, Dolli Kight from the Visitors and Convention Bureau.

Dolli Kight: Good evening...afternoon. In Vanderburgh County's tourism business, things are very good indeed. During the next few minutes I am going to show you why that's true and why our best days are still ahead. This week is National Tourism Week and it is being celebrated across the U.S. to raise awareness of the economic impact tourism has on communities. We started out the week with Days in the Park on Sunday. We had about 300 people down at the Visitor's Center enjoying the day and how that building was used when it was first opened in 1913. We gave away our Tourism Week...our hospitality award that we give away each Tourism Week each year and that went to the West Side Nut Club Fall Festival. Tomorrow we are giving away postcards to local residents. Hopefully they'll come and send out a postcard to their friends and relatives wishing that they were here in Evansville. Wednesday is Tourist Appreciation Day. We're going to have refreshments in the Visitor's Center. An appreciation luncheon on Thursday for the hotel managers. A tourism awareness display Friday at Eastland Mall and a free car wash on Saturday from 1:00 to 4:00 so come down and get your car washed. Originally I was going to show a video and I'm having technical difficulties with that video so I am not going to take up as much of your time. I am here to represent a very large constituency, namely the more than 4,000 men and women who make tourism happen in our community. They are some of the best friends Vanderburgh County has. I am also here to report about the work that your Convention & Visitors Bureau is doing, to let you know about our goals and challenges that lie ahead and to ask your continued enthusiasm for the role tourism plays in our local economy and above all, to say thank you for your support of the Evansville CVB. Let me ask you a question. I'll ask everyone this question. During the past 12 months how many of you traveled for either business or pleasure? Now think about the different things you spent money on when you did travel. First, there is transportation to your destination, airfare, bus fare, gasoline for your car. Then you probably spent some money on a hotel room unless you stayed with a friend or family. You may have spent money on taxis, buses or car rental at your destination. You certainly spent money on food and drinks, whether at restaurants, or grocery stores, or maybe you snuck into your in-room mini bar at the hotel or maybe all three. If your trip was for business you may have entertained clients at a cultural activity such as a concert, music or play or at a sporting event. If your trip was for pleasure you probably spent money to visit historical sites, amusement attractions or participated in recreational activities. On most trips you probably shopped for souvenirs, clothes, artwork or other special treats. I think everyone gets the picture. These are typical travel spending patterns we all can relate to and they are being repeated every day by visitors to our community. The result is a tremendous economic impact. Today tourism is the largest service industry in the world and the third largest industry in Indiana. Tourism generates nearly \$250 million dollars for our community in direct spending. These expenditures do three important things. They support jobs for our local

residents, they generate income for our businesses, and they raise government revenue at the city, county, state and federal levels. This is done through payroll taxes, innkeeper taxes and sales taxes. The state and local taxes alone reduce the tax burden of each Vanderburgh County resident by \$400 per year. Many industries in our community improve their momentum and growth due to meetings such as the construction industry in building The Centre; construction industry building hotels, restaurants, and retail stores or manufacturing to fill those new facilities with furniture, appliances, and goods. Alfred Hitchcock had a unique way of ironically understanding the obvious. He once said, "I have no regard for money. Aside from its purchasing power it is completely useless." Well, perhaps we should paraphrase Mr. Hitchcock and say that aside from its purchasing power tourism is completely useless to Vanderburgh County. Of course I am joking, but tourism is no joke. It's serious business yet too often it is minimized or taken for granted. Your CVB has an aggressive campaign to promote our community under the theme "Where the Midwest Meets." This program includes advertising in major publications such as Midwest Living, Better Homes and Gardens, and Woman's Day. Increasing awareness of tourism's impact to local residents and government officials, tours for travel writers, exhibits at targeted trade shows and site visits for meeting and convention planners, our staff of six and our annual budget of \$1,066,000 is relatively small compared to the nearly \$250 million Vanderburgh County generates each year from tourism spending, but we work hard every day to make a big impact. Our goal is to bring more leisure travelers and meeting and convention business to Vanderburgh County by increasing awareness and developing partnerships to enhance our efforts and our dollars to keep driving the engine that is tourism in our community. You have heard how tourism is truly a golden goose for Vanderburgh County, but we need to feed and nurture that golden goose so that it keeps laying golden eggs. That's the job of the Evansville CVB, but it is also the job of each Commission member and citizen of Vanderburgh County. Tourism is big business in our community and drives our economy. Without it our community will not realize its full potential for job growth and a robust local economy. While you may not remember everything I have said, I hope you remember the vital role that tourism plays in Vanderburgh County and in the lives of our citizens. Thank you for your time and attention and your continued support.

President Jerrel: Thank you, Dolli. If that is a copy that Charlene could have.

Dolli Kight: She has got it on disk.

President Jerrel: Okay, thank you. Any questions?

Commissioner Mourdock: Yeah, I have a quick question, Dolli. Since The Centre has been finished are you seeing any dramatic or even subtle changes?

Dolli Kight: Actually, I got a real exciting call this afternoon from Glenn Boberg. He is looking to bring in 3,000 people for a Germania Maennerchor type of event. It's not until 2010 though, so we've got a long time to plan. But we are seeing increased activity. I will tell you that probably our biggest objection continues to be accessibility. That has always been our objective...objection when it comes to that. Also, we do have some concern about accommodations around and near the convention facility. That is another issue that we're overcoming, but we get a lot of people that are interested. We're planning a trip, a site visit, for planners from Indianapolis this summer and we'll hopefully get that accomplished this late summer or early fall.

Commissioner Mourdock: As you use the word accessibility–

Commissioner Tuley: Yeah, that's what I...go ahead.

Commissioner Mourdock: Yeah, how did you mean that? Did you mean The Centre?

Dolli Kight: We need I-69.

Commissioner Mourdock: Oh, okay. You meant the area?

Dolli Kight: We need better jet service. Those are our two big issues, but not accessibility within The Centre. It's probably one of the best facilities for handicap accessibility that we have in town right now.

President Jerrel: The fees that they're collecting indicate that it's being very successful.

Dolli Kight: I have had a few complaints regarding catering costs, especially alcohol.

Commissioner Tuley: That is something, I'm glad you said that, because I've got some complaints about some of the catering. I don't know so much about the alcohol, the permitting and what have you. I asked the first time I think that Sandie was here were they doing any kind of exit surveys and what have you and I would like to recommend that we draft up some sort of survey of our own that could be given to anybody who uses the facility that they would fill out in confidentiality and send it to us as to the level of service on all aspects of it, not just the food, so that we get it firsthand here from the people who are doing it and I would like to work with Joe or Tony or someone to draft up something that maybe we could consider and just see what the reaction truly is directly to us as opposed as to right back to Ogden. It has nothing to do with Ogden, I just, you know.

Commissioner Mourdock: That's a great idea.

Dolli Kight: Just for comparison purposes I attended an event at The Centre, a private function, a dinner, and then I had an opportunity about a week later to go to Indianapolis to an event at the Indianapolis Convention Center and the catering costs were substantially lower. A couple dollars or 50 cents for something to drink to a dollar less than they are here which will be an issue when we start looking...when we start having convention groups start looking at catering costs. When they look at how much more not only are they spending money to put their administrative staff up because they're not meeting in Indianapolis, they've got additional costs associated with catering fees other than in Indianapolis.

President Jerrel: Have you relayed that to Sandie?

Dolli Kight: I have not yet. I didn't know how much control she has over that since I thought it was a different company that they weren't interrelated.

President Jerrel: You ought to. I remember the meeting we had over at the Pagoda.

Dolli Kight: Uh-huh, right.

President Jerrel: That was sort of what I thought we had agreed to so that we're well

aware of what is going on.

Dolli Kight: Okay.

President Jerrel: Thank you very much.

Commissioner Tuley: Should I put my motion on the floor now then?

President Jerrel: Sure.

Commissioner Tuley: Then I would move at this time then and I can do it and I'll be glad to work with Joe to make sure we don't cross any lines and then work with Tony then to draft up a survey that would be given to any patron who comes in to use the facility with the understanding that it would have an envelope already addressed to the Commissioners' Office and the reply would come back to us.

Commissioner Mourdock: I'll second that motion.

President Jerrel: So ordered. Thank you.

First reading/public hearing - Ordinance amending Chapter 17

President Jerrel: Alright, the next item on the agenda we have the first reading and public hearing for the ordinance amending Chapter 17.

Barbara Cunningham: Barbara Cunningham. On March 1, 2000 the Area Plan Commission had an advertised special meeting to discuss cellular towers. After that meeting the Area Plan Commission staff sent copies of the proposed ordinance to City Council, County Commissioners and interested parties who had requested copies of the proposed change. On April 5, 2000 the Area Plan Commission had a special meeting and public hearing and adopted the amendments. The only recommendations for change, one was made by Curt John who wished to make clear that we're strongly encouraging co-location, but we are not mandating it. That change was made to the ordinance. From public comment we added the fact that under K if the structures are in a commercial classification they will still be allowed. The major points in the ordinance are as follows: there are restrictions on placement of the towers in residential districts or within 300 feet of any residence; we're requiring elevation drawings along with a detailed site plan much like any other commercial permit application. We have provisions in the new ordinance to address removal when the cell tower is no longer being used and we did do, and I think this is an important one, we waived the requirement for special use approval for those companies constructing towers in industrial districts and those co-locating their antennas on existing monopoles, towers, institutional buildings and the like. The sole intent of the waiver of the special use requirement was to encourage co-location and to really encourage placement...strong placement in commercial areas. The ordinance was approved by the Area Plan Commission on April 5, 2000. It has since been adopted by the City Council on April 17th and the information has been sent to the Town Board of Darmstadt to be placed on their agenda.

President Jerrel: Okay, and first of all are there any questions about the ordinance? So we'll need to...this is the first reading. It is a public hearing, so it needs to be a motion on the floor.

Commissioner Mourdock: Yeah, is there anyone here wishing to comment on this as a public hearing? Seeing—

Barbara Cunningham: We did have representatives from the cellular towers at the last meeting when we made the changes.

Commissioner Mourdock: Okay, seeing none present tonight or at least none who wish to address it I would move on first reading the approval of an ordinance amending Title 17, the zoning code of Vanderburgh County in regards to microwave...or wireless communications, cellular towers, thank you.

Commissioner Tuley: I'll second.

President Jerrel: So ordered.

Les Shively/Ken English - Proposal to build new jail

President Jerrel: The next item on the agenda we have Ken English and Les Shively to present their project.

Les Shively: Give me a couple of seconds to get set up.

President Jerrel: Sure.

Les Shively: Madam President, members of the County Commission, my name is Les Shively and with me here this evening is not only Mr. Ken English, who you previously introduced, Mrs. Jerrel, but also Mr. Ed Hafer of Ed Hafer & Associates; Jeff Deig of PCI Incorporated; Jerry Wells; and Dan Hoefling of Industrial Contractors; and their presence here this evening will make a little more sense as we go along in our presentation. But for purposes this evening these are all part of the same team working together with the group of businessmen that I represent. Let me tell you how I got involved with this and why I got involved with this. I'm sure when you think of jail and Shively in the same sentence you probably wish I was in one, but sometimes as much hassle as I give you from time to time, but actually—

Commissioner Mourdock: That can be arranged.

Commissioner Tuley: I see the Sheriff back there.

Brad Ellsworth: We've got one more bed.

Les Shively: There you go. Several months ago I was in a social gathering and heard some gentlemen talking about the concept of a private jail facility in response to the work of the Blue Ribbon Committee. They were thinking of a way of how the private sector could meet that need picking up with some of the recommendations, the most recent one of that committee of July 14th of last year. I listened and I was somewhat intrigued because I saw it presenting some very interesting land use issues and so I threw my two cents worth in so before I knew it I was sort of drafted and got involved in a more detailed fashion. With me here this evening also is a very important part of the team and he has been involved a lot longer than I have and that's Gene Brooks, former federal judge who is very well acquainted with the problem and very well acquainted with the possible solutions that are available to this particular county. You are going to hear from him in a moment because really

it's important to bring where we are today in terms of what could happen to Vanderburgh County in a realistic perspective. I want to review some of the facts that I know you're all well acquainted with. I know Mr. Mourdock is. He probably could memorize many of these facts having chaired this committee for going on two years, but our present jail facility, as you know, is 31 years old. It was originally constructed to house 276 inmates. Because of certain federal mandates, ADA and such, that ability of the present facility to meet guidelines has been reduced. Also, we had an inspection done back in 1997 by the Department of Corrections and as you know did not get the best of reports. In fact, it resulted in the Department of Corrections closely scrutinizing inmates they do refer here. In fact, one recommendation they made which I found in the report was that they thought the facility as it exists today should be shut down. There are now two pending class action suits in the federal court that among other claims are seeking substantial changes, modifications to not only the present facility, but overall in what this community provides for in terms of its jail facility. These lawsuits are very real. These lawsuits could result in some unforeseen consequences on a very short time line that this county may not have an opportunity to react to. At this time before I go on to the rest of our presentation I would like to turn this over to Gene Brooks to tell you a little bit more about the potential impact of these impending lawsuits.

Gene Brooks: I never thought I would ever be following Les Shively in anything. Just a joke, Les. Commissioners, I just want to take a few moments to talk to you about what I think is the crucial thing you have to decide. I don't think I need to convince each of you that you need a new jail. It's not a question of if you're going to get a new jail. It's a question of when you're going to get a new jail. That obviously takes in a lot of factors, money, what kind and so forth and you want to look everything over. We've had a lot of publicity about it in the newspapers and in the t.v. and so forth and I think it's all been good. I think it has called attention to public awareness. People have gone through the jail. The Sheriff has had people go through the jail to take a look at the conditions and so forth and I think people aren't generally aware of the problem. It's not a problem of Vanderburgh County solely. It's a problem of every county almost in the United States of America and almost every state is dealing with the same kind of problem with overcrowding in the jail. You know and I know and I have talked to most of the...I think all the Commissioners tonight about this particular problem. It's a very sensitive deal in terms of providing tax dollars to build a jail. I suppose if you take one of those surveys like Mr. Tuley wants and have all the taxpayers say, well, list in priority the things you would like to spend money on and you list them all the jail would probably be down at the bottom of the list. Even though you tell the taxpayer the conditions are horrible, there is overcrowding, they're stacked in the halls, there is no air conditioning and whatever. They would still say, well, you know, they did the crime they can do the time. They're not really too concerned about how they do the time. But you and I know that's not the problem. The problem is you've got to meet certain constitutional guidelines and those people are human beings and can't get a decent place to stay. Without a question we've read in the paper in the last...the newspaper and t.v. in the last few weeks about what is being done about it. The Blue Ribbon Committee made some recommendations. Everybody gets in the act. Editorials, you've read all kinds of things from letting them all go and then starting all over again to taking a second look at what they are. You can reduce it, there isn't any question. The number went down and I was talking to the Sheriff tonight, the number is back up and it will be. You can do these band-aid things in terms of taking care of the problem whether it be the judges or somebody else, but inevitably you're going to come back to the problem. The problem is not going to go away. The problem is going to be with you for a long time. Other counties and other states have tried it and it's just a long-term

problem that you have to deal with. It's just a question of when you want to do it. When is it time to do it? Timing is crucial. I happened to be sitting in the seat over there as a federal judge at one time when they had the same problem, when somebody filed a lawsuit. In spite of what most people think, at least I can speak from my standpoint, judges don't like to interfere with local problems. They would much rather that local people take care of their own problems. It's not the federal judge's, I think, intention in this case, and certainly wasn't in mine, to dictate to you people how to build a jail. How big it is going to be, what kind of facility you are going to have and all the details that you're going to be faced with, that federal judge is going to be faced with, if those lawsuits go through. They're real lawsuits as Les says. They're not frivolous. They're good lawsuits. They're viable lawsuits that you've got to be concerned about. Now the question is, you know, who is going to do it. Is the federal judge going to dictate to you how to build this jail? If you really think you need one, and I think you do, are you going to take the initiative and try to find the best possible alternative that you can for yourself? I think if you do that I don't think you're going to get any trouble from the federal judge. I think if he sees from you people that you're trying to do something to alleviate the problem he is going to stay out of your business because I think that's his chief concern and I think everybody connected with the lawsuit. So I urge you to give this matter your full and quick attention and I think it has to be done promptly. We've studied it. We've talked about it. We've looked at it. We've done everything I know how to do. I don't think you're going to come up with a single thing to solve the overall problem that you've got. I think it is far better, far better, that if you decide that you need a jail that you have control of the situation. That you're the ones who actually say what you need, how much you need and when you need it. I think you have the ability to do that at the present time. I think if you wait too much longer you're going to lose that little opening you have and somebody else may do it for you so I urge you tonight to give this very serious consideration. Thank you very much.

Les Shively: Thank you, Judge. Again, I want to go back just a little bit and focus on the Blue Ribbon Committee and remind you all who is on the Blue Ribbon Committee. These were the people in government and the community who really need to be consulted with regard to this facility or facilities. You had a Circuit Court judge. You had the Superior Court chief judge. You had the police chief. You had the Sheriff, the Prosecutor's Office, defense attorneys, people from the community and most importantly County Council, the fiscal body, was represented by now Mayor Russell Lloyd and chaired by County Commissioner of the Executive Body of this county, Richard Mourdock. I read through all the minutes. I read through the January 1999 summary and I read a lot of reports and plans and stuff, but let me tell you something, this wasn't some sort of fuzzy kind of document. This was a bright line that said we've got a real problem, we're kidding ourselves if we don't start planning for a facility. That wasn't enough. They didn't stop in January of 1999 which in and of itself was an incredible mound of work considering these people were volunteers. Yes, it is associated with their positions, but they put a lot of hours into this thing. Again, no fuzziness. A bright line of direction. In July of last year they looked at, okay, here is what we need now how are we going to really pay for it? They looked at the options. They determined that grants are limited. They looked at the conventional way you do public projects. That is bond issues repaid out of property tax revenues and they were very candid in their July 14, 1999 report and said, you know, we're probably going to have a remonstrance. Picking up with what Judge Brooks said, you know, you give a community their wish list, things they want to fund, they want to do Mesker Zoo. They want to do Swonder Ice Rink. They want to improve roads. Jail facilities are not going to be on the top five, top ten and may not clear the top 20. Also, if you look at the history of this community in the last

15 years bond issues repaid from property tax dollars from the referendum process have not fared very well. We had to go to an alternative method to do the airport terminal. If you'll recall that referendum was defeated. We did the special legislation with the Food & Beverage Tax and then by the way later used that same vehicle in a modified form with new legislation to be able to do The Centre. The Victory project started out, by the way, as a conventional bond issue paid out of the property tax revenues. That referendum also was, you know, in terms of opposition the opponents were successful. Again, creative alternatives, other sources, redevelopment bonds were used which would not be available for a facility like this. Also, and I can't emphasize this enough, we have things on our wish list and rightly so that the community wants. Mesker Zoo, Swonder Ice Rink. You know I was looking at some information for Mayor Lloyd not too long ago. You know, I think it has been almost 20 years since this community has done a major capital project other than clubhouses for recreational purposes for our young people. The most important thing that was said at the conclusion of the meeting of July 14, 1999 by the Blue Ribbon Committee was to explore contracting with a private jail construction operation entity. The people I represent took that lead and have a proposal for you this evening to respond to the directive of the Blue Ribbon Committee. The proposal is as such and first of all let me identify the principals of this entity that would be formed in order to finance this project. In addition to Mr. English, Mr. Alan Braun, President of Industrial Contractors, one of the principals, along with Mr. Bill Schmidt. Mr Schmidt has been involved in real estate development. Most notable he is the developer and former owner of Honey Creek Square shopping facility in Terre Haute, Indiana. What would be constructed as you see in the renderings here is an 850 bed facility. It would be constructed by these individuals at their expense and then leased back, if you will, over a 15 year period to the county at the rate of \$17 per bed per day. At the end of 15 years the building, and those improvements, and the land upon which those improvements sit would revert to the county. Any additional land that would be acquired by the corporation adjacent thereto would then be sold to the county at a predetermined price. The cost of this facility is approximately \$42 million. Clearly, the capacity of 850 is a lot more than we have in our current jail. You may be asking yourself, well, how is that number chosen? The number was chosen with the use of looking at national figures, state figures, use of accountants. The folks at Harding Shymanski ran a lot of these numbers and the 850 bed facility would allow the county to do the following, meet the overcrowding problem, number one. Number two, have a place on-site in a different building, but in the same compound, if you will, for the community corrections program and if necessary also to have a facility that could be adapted towards meeting the needs for a juvenile facility. Also, this facility would have rooms, accommodations, to do training, to do educational programs, rehabilitation programs, as well as a courtroom on-site to handle certain types of proceedings that could be done there on-site without having to transport the prisoners. The third reason for going 850 beds is to realize the advantages that, for example, Warrick County is realizing right now and that is the Department of Corrections and the federal government which is no longer building prison facilities contracts with the communities and they pay a pretty healthy per diem. The rest of these facilities could then be contracted to DOC and to the federal government and the revenue, the additional revenue, that the county would receive would be the county's. With a 15 year period Vanderburgh County would pay \$17 per bed per day. It would be constant. It would level. It would be predictable. The same number is in the budget for the next 15 years. At this time I want to introduce some of the individuals that are here again with a little more amplification on why they are here. Joining the group and providing some assistance is Ed Hafer, Ed Hafer Architects. Mr. Hafer well known in this particular area for his many projects that he has been involved with also has been involved in

working with the Department of Corrections. He has been involved in the Branchville Correctional Center Facility, Plainville and the facility at Carlisle which name escapes me right now. Excuse me?

Commissioner Tuley: Wabash.

Les Shively: Wabash, correct. We would propose to use as our design consultant PCI. Mr. Jeff Deig of that company is here. That company has been involved with designing very sophisticated security systems which are necessary for a facility like this. Mr. Deig has also worked with Mr. Hafer's company on numerous occasions and more importantly has worked with the company that would most likely construct this facility, Industrial Contractors. Representing them here this evening, Mr. Jerry Wells and Mr. Dan Hoefling. The facility would meet all applicable guidelines and more importantly, and I think this is really important, you know we're not here as a company. There are many private prison operating entities in the United States. I'm sure representatives of those companies have probably already solicited members of the Commission or other governmental representatives. They provide a facility, but they also staff it and they sort of use a cookie-cutter approach. What we propose is something that is customized for Vanderburgh County, for Vanderburgh County's needs looking long-term which allows the Sheriff to remain in control of operations and he is constitutionally, statutorily charged to be. Nothing changes in that regard. And the people involved with you representing the various governmental agencies that are going to have to make some decisions here, the people involved, Industrial Contractors, PCI, Mr. Hafer, these are local people. Local people with a proven track record that can get the job done. Again, I emphasize this is predicated based upon a review of what the Blue Ribbon Committee talked about. Reviewing information with the Department of Corrections. Looking at other communities. Let me give you some insight just for a moment of what can happen to Vanderburgh County what is happening now to Johnson County. Judge Brooks alluded a moment ago to the fact that this is inevitable. We're going to have to build a facility and that we're better off doing it on our schedule not some federal judge's schedule. No offense, Judge. He's right. Look at Johnson County. Give you an example, Johnson County was on the brink of being found liable in a federal lawsuit and reached a settlement and started in March of 1998 saying we're going to do it, we're going to build it. That was part of the settlement they made. This March 1998 plan called for the design to be completed by September of '98. Construction contracts to be reviewed and a contract award sometime in March of 1999 with construction to be completed by June of this year. Over a two year period of time, folks, they're still building in Johnson County and they are only building 202 beds. Originally projected to be a \$12 million project it's now going to be closer to \$15 million and the same consultants that started working with them in March were asked to go back...not back, go to the Department of Corrections and the Indiana General Assembly to get an adjustment on what DOC pays per diem so that they could have more revenue coming in because they see the shortfall, they see the problem. This time line I'm talking about is out now over two years and did not include any referendum or remonstrance by taxpayers which I think is something that can almost be counted on in this particular community which really slows down the process and we all know what happens when you slow down the process. The prices go up and the threat of that lawsuit becomes even more real. It did have an impact, obviously, on property taxes. Approximately 10.75 cents per \$100 of assessed value is how much the tax bill is going up and that's assuming that when they went in the market they got a rate of 5½ percent. I do not know if, in fact, they were that successful in the market getting that rate. That's the Johnson County experience. That's only 202 beds and they're already having problems paying for it and they're already seeing

problems with capacity. We see this proposal solving the overcrowding problem on this community's terms, not some judge's terms. It puts all the correction facilities under one roof and by the way we would propose and we're looking at locations in the near downtown area to be in close proximity to the courthouse facility. It allows for future expansion. It gives the community...I should say the government, an opportunity for outside sources of revenue, specially DOC money and federal money. I'll leave it open for questions, but let me just summarize by saying this, the Blue Ribbon Committee and this Commission has also noted that in addition to physical facilities, capital facilities there are certain things that need to be done with the entire criminal justice system to make it more efficient to work better. That will always be true. That can't solve the problem and I think we're kidding ourselves to a certain extent in thinking that we can tweak this, add another magistrate, do that and solve the problem. This problem didn't accrue overnight. It's been many years in the making and it is going to take a long-term solution to solve a long-term developing problem. One of the things that Evansville and Vanderburgh County is accused of is being reactionary. We've never received golden globe awards for being good planners. Can you think of one project the community has done where we simply reacted and we were really pleased with the result? Not too many. Here is an opportunity to plan. Here is an opportunity to solve a major problem. Here is an opportunity to do the right thing on our terms not someone else's. I appreciate your time. I would be more than happy to answer any questions you have.

President Jerrel: Are there any questions, comments?

Commissioner Tuley: I know you're in the very preliminary stages and I know the folks that you mentioned, Mr. Hafer and Industrial and what have you, we've worked with and are very capable people. The one thing that we learned, and I'll say we learned, the Sheriff, Chief Deputy, one of his Chief Deputies, myself and Councilman Raben did go out to Colorado. In this design as any...I mean, is this just a dream plan or this is what you actually would propose to build, this design that we see up here?

Gene Brooks: That's it. What you see is what you get. You can change it. It's flexible.

Les Shively: Right.

Gene Brooks: But that's it.

Commissioner Tuley: Okay. Some of the jails you mentioned that some of the people involved in this project have worked on are prisons where this really is a county jail and we're going to have classifications of different people. Expandability in terms of the cells themselves depending on what size we decide. If 850 is not the number we need to start because you mentioned it could be less than that and would have to be expandable. I assume all that has been taken into consideration. The core areas, because that is one of the biggest problems the Sheriff has pointed out in our area. We kept putting more beds in, but our kitchen was never designed to be any larger and the laundry areas were never designed to be any larger. I would just ask if we end up pursuing this that the man sitting back there who has ultimate responsibility for this be directly involved somehow in the layout and the plan and design of this or at least people he can consult with because one of the things we did learn was they told us travel and look and see as many jails as you can possibly see to get the ideas of what will work for you in your community. What works in this community may not be the kind of jail we need. The things I did like

from what I heard you say were the possibility and the concept of having all of our programs under one roof. Being near the downtown area because transportation becomes an issue if we get too far away. Some things that could be incorporated such as trial by video or at least arraignment by video and these kinds of things.

Gene Brooks: That's part of it.

Commissioner Tuley: That's part of it, too? Okay. The employees I understand would still be county employees under the direct control of the Sheriff?

Les Shively: Nothing changes.

Commissioner Tuley: Okay.

Gene Brooks: We discussed very thoroughly the Sheriff.

Les Shively: Mr. Tuley, let me tell you one way to look at this whole situation. If you decide to do like Johnson County did probably the same people, Mr. Wells, Mr. Hoefling, Mr. Deig, Mr. Hafer, would probably be involved in some way, shape or form. The difference is the businessmen that I represent are going to provide the initial capital, a financial plan to do this privately and to do it expeditiously without having to go through the bond issue, the underwriting costs, the interest costs associated with that, the delays by referendum. They can hit the ground running. That's the advantage. We're not here to say we know more than the Sheriff or we know more than Judge Bowers or Judge Heldt. They will be...we want their input. We're going to build to suit, if you will, to put it in a contractor's term. That's the whole concept here. We're not saying we have a monopoly on the whole idea. In fact, my discussion with Mr. Hafer he had much experience in this area and he has worked with consultants in various communities in various phases of different...you know, Branchville is a different facility than the one in Carlisle. You've got to bring in different people to play and they're prepared to do that. They work in not just this area, you know, but throughout the midwest. So all of that input...no one is going to say, well, here it is, here is the key and it's now yours. They're going to be intimately involved in the design. We are simply bridging that financing capital gap in getting it online faster than the county could.

Commissioner Tuley: That's all well said and that's why I asked you is this a plan already in place or is this just a concept? I love the idea of the financing and the ability—

Les Shively: Subject to the input of the Sheriff and subject to the input—

Gene Brooks: We've discussed that. There is no question about it.

Commissioner Tuley: I mean, I don't think Brad would stand up and say he is an expert either.

Gene Brooks: I'm sorry.

Commissioner Tuley: I said I don't believe Brad would stand up and say he is an expert either, but I know he saw some things in that jail that we went through in Colorado, and Brad can stand up and speak for himself, that he liked and that would functionally work for us, but at the same time we saw things out there we didn't like and I think that would be the case.

Gene Brooks: We talked to him precisely about things in this.

Commissioner Tuley: Okay.

Gene Brooks: And changes have been made.

Commissioner Tuley: Theoretically I'm not arguing with you guys at all because if we end up needing to build a new jail this may be the only real option that we have is this concept, so I'm not arguing with you on that. I just want to make sure with the functionality and everything, but we also want it to be truly functional and expandable for the future if that's where we end up at.

Gene Brooks: That's the plan. If we don't do that I think you're making a more serious mistake.

Commissioner Tuley: That's what we got right now.

Les Shively: That's why preliminarily for the three main reasons I stated we are looking at an 850 bed facility because we're not only going to meet the present overcrowding at the jail, the community correction's problem and also the future and then the opportunity to garner some additional revenue.

Commissioner Tuley: I like that concept and the predictability of the costs. We know what it is going to cost and those are the good points. The only thing I want to say is just make sure we have the locals that we need involved. The companies that you're dealing with are fine people. They do a good job and I have no qualms about that.

Commissioner Mourdock: The first question I would have is in quoting the \$42 million figure you're saying somewhere in the downtown area, somewhere close to be convenient to the court system, does that \$42 million include the land?

Les Shively: Yes.

Gene Brooks: It's all...everything.

Commissioner Mourdock: With that question out of the way let me just go into some generalities and I understand what you're presenting on the board there. In many ways it's a concept and you're bouncing a concept on us and that's fine. As a person who very much favors private sector involvement I salute all of you for your initiative with this and I greatly appreciate it from the point of view of being a member of the Blue Ribbon Committee. I think, Les, you said or, Judge Brooks, one of you made the comment about those discussions at the Blue Ribbon Committee have resulted in this whole topic being explored throughout the community and that was part of the purpose for having that committee because the worse thing in my mind that can happen is to have a group of politicians vote for something without getting a lot of community involvement so that is why we did what we did with the committee and will continue to do that. As far as the overall concept of the private sector coming into this I am extremely open to that idea. The way I would see it working, I would hope, would be that the Commissioners working with the consultant that we presently have onboard, which is PMSI, would at some point put together an idea as to what that facility that would best serve this community would look like. With juvenile facilities, perhaps, with community corrections incorporated, with the number of beds involved. I don't know where your 850 number comes from. Nine hundred

sounded like too many, 800 sounded too little, I don't know, but there are some formulas that need to be looked at from the point of view of how this community has grown and where the criminal justice system is going to help give us a good idea on that number, so once PMSI comes back in I can see at some point getting private sector involvement if that decision is made to go with the new jail. Having said that though the one thing that I would note strikes me most about this is using your numbers at \$17 per bed for 850 beds that a five and a quarter million dollar cost each year for 15 years. So in effect we're spending...we would be spending under this plan about \$78 to \$80 million for a \$42 million facility. The question I would offer to you from the point of view of being in the private sector more than my time is in the public sector, where is the risk for your group in doing this? You know, it seems to me when government gets involved with private sector the benefit that private sector can bring to something typically is on the management side. Now, I heard you say that this would continue, and I think it should certainly under the Indiana Constitution the Sheriff is responsible for running the jail, so it would be run by county employees. So what is the level of risk that you all would face with this? You don't have to answer that on the spot, but I'm just telling you long range that is what my question is because risk equals reward and we're taking a \$42 million facility to basically an \$80 million facility with the government signing its name it seems to me that's a pretty low risk venture when there is no operational side to it. So bottom line I like the general concept. Judge Brooks, I'll agree with what you said early on. This community will build a new jail. The question is simply when and under what conditions. I agree, I don't want a federal judge ordering us to do that. I think we're putting a process in place that is moving in some logical fashion and I think in the long run going to serve this community very well.

Les Shively: The only comment I would make to that is you're right and the devil is in the details. But one initial risk I would say is that these businessmen are being the ones borrowing the money. They'll be the ones paying the consultants, the architects, the contractors. The \$42 million of course is based upon a 850 bed facility. That may be a different number, but in terms of the consultants you have I think the consultants you have certainly had experience throughout the state. In fact, I think they were involved...they were involved in Johnson County, one of them was.

Commissioner Mourdock: Yes, they were.

Les Shively: I think the chairperson of this committee was involved with Johnson County, plus I think they were instrumental in the 750 bed private facility that Marion County now utilizes. But, again, what we would submit to you and why we're doing it now and bringing this to your attention now before they concluded their report is we would respectfully suggest that a lot of the really tough work on this issue was done by your committee, Mr. Mourdock, and what these consultants ought to be doing is working with the Sheriff, working with the judges, working with the Council, and working with the Commissioners so this thing is designed correctly and sort of a more rifle approach rather than a shotgun approach and use those consulting talents now to get something together so then we can sit down and start looking at it because this is going to take a very complex...Mr. Harrison is going to have to do a lot of work because this is going to take a very detailed contract. Not just a lease, a very detailed contract spelling out things like responsibility. There are certain things that we're going to obviously have to assume and certain maintenance warranties of how certain things work and function. Those things have to all be set forth. That's where I think you'll see when that's all done in addition to borrowing the money the risk these businessmen are taking.

President Jerrel: Well, my comments are not dealing with the facility because we've had a chance to talk with you and I appreciated your input and I appreciate the people that are with you. But I think you'll have to agree this has been very healthy process because, pardon me, Judge, but the judicial system needed to be looked at.

Gene Brooks: There is no question.

President Jerrel: It is...I mean, I don't want to read all the things we've discovered, but you know yourself that you could build a jail as big as you could build it and if you don't look at your system and evaluate all the things that came up during the Blue Ribbon Committee, I could enumerate them right now.

Gene Brooks: I think they go hand in hand.

President Jerrel: They deal with case files from the Prosecutor's Office, to rotation, to double charging, to public defender issues.

Gene Brooks: It involves everybody in the process.

President Jerrel: And I don't want to do something and neither do the other two Commissioners that doesn't have a fully understood and evaluated process because nothing will change, nothing will change if we don't accept the fact that there may need to be some change.

Gene Brooks: I said early, I said this has been healthy.

President Jerrel: I think it's healthy, yes, very healthy.

Gene Brooks: Yeah.

Commissioner Mourdock: Let me ask you, Judge, if I may and I'll kind of ask you to step aside from the group you're representing here for a second if that is fair. On the way the court system, and Bettye Lou just said it exactly right and I am surprised that neither Pat nor I put that on the table before she had a chance to speak because we've both said it many times, we could build a 500 bed jail tomorrow and if we change nothing else it will be full.

Gene Brooks: That's right, it would be full. So would 850.

Commissioner Mourdock: Yeah, and in looking at the chalkboard behind everyone back here you'll see some numbers and some dates and it goes across the top starting March 1 the Sheriff has been tracking the number of people in the jail each Friday and the second number underneath there, for instance on March 1st there were 332 people in jail and the average stay at that point was 79.

Gene Brooks: Right.

Commissioner Mourdock: And you can see what has happened as we've come across there and the latest two that I just have in my packet here tonight on April 26th we had 305 people in jail and a 75 day average and on May 3rd we had 334 in jail and a 72 day average. Everything you see up there is still considerably less, and, Sheriff Ellsworth, correct me if I am wrong here, but what you've seen since March is much lower than where we were a year ago on those numbers. What's...I

honestly don't understand because as has been pointed out in the paper—

Gene Brooks: The jump in that, you mean?

Commissioner Mourdock: Yeah, we've had three periods when the numbers have dropped dramatically now in the jail and each time it's when there is this very detailed public discussion. I keep hearing them say, well, it's a band-aid. In fact, you used that term, it's a band-aid approach. I'm beginning to wonder is it a band-aid which means something heals underneath it and you take it off or is it a shunt and a valve that we're opening and closing because it seems it is more controllable maybe than what we were giving it credit for.

Gene Brooks: It is controllable, Mr. Mourdock. There isn't any question about it, but you would have to look at each one of those individual deals, as Bettye Lou can tell you, to see how it is controlled. I don't know all the circumstances around each one of those, but I'll bet you that whatever judge it was or whatever prosecutor was involved in it there might have been a reduction in bond, for example, to let somebody out. There is that line, that cross line there that you said you're not going to make it too high and you let them out. There are instances where you've let people out. You know, you OR people that normally maybe you wouldn't. There are all kinds of ways that you can deal with this problem on a temporary basis. What you need is a long-term guideline deal where it applies to all the judges and all the prosecutors and all the defense attorneys and everybody else so everybody knows where it is so you can get these people in, get quick attention and get them out of the system as quickly as possible on an even basis for all of them. A fair basis for all of them. Perhaps too often it is a haphazard deal. I don't know if that answers your question or not.

Commissioner Mourdock: Yes, I think so and I have to tell you I literally lost some sleep this week because I heard of a case up in the northern part of the state—

President Jerrel: Anderson.

Commissioner Mourdock: Was it Anderson where someone was out on electronic arrest?

President Jerrel: They weren't out on it. They could get over to this house. They were not out of range.

Commissioner Mourdock: Right, yeah. They were on electronic house arrest—

President Jerrel: Yeah, right.

Gene Brooks: Okay.

Commissioner Mourdock: And now they're charged with a homicide. Like I say, when I'm sitting here—

Gene Brooks: That's a danger.

Commissioner Mourdock: —and I have been urging more use of that I have to tell you I lost sleep over that.

Gene Brooks: There is a danger of getting too much pressure for letting them out.

We had a lady walked in our office two weeks ago and said she heard that she had been charged with a felony. We called over and checked and sure enough she had. They said we would appreciate it if you don't turn yourself in this week because we're full and come back Monday. Well, normally they put you in jail. There is all kinds of ways you can deal with it.

President Jerrel: Come back Monday.

Gene Brooks: You know, you just don't put them in jail and nothing was done.

Commissioner Mourdock: Why is it that everyone is laughing except this board and the Sheriff.

Gene Brooks: That wasn't you, Sheriff.

President Jerrel: I think the issue with us is not so much how to get them out of there it's how...on electronic or reduced bond. Our issue is really about, and I don't know how this average is arrived at when there are over 60 people that have been there 300 days. We're interested in if they are guilty then let's sentence them, but when they're sentenced and we've got a hundred and some odd they need to be moved someplace else. Our jail is not--

Gene Brooks: You mean after they are sentenced, you mean?

President Jerrel: Uh-huh.

Gene Brooks: Well, that's a problem, too because the prisons are crowded and they'll tell you if you call up I used to when I would sentence somebody in federal court I had at least a three to four week waiting list before they would ever take them and I'm sure it's true with the state. Everybody has got the same problem, you know.

President Jerrel: Well, that problem needs to be solved at the state level. Many of the judicial issues are state issues. They shouldn't be county issues.

Gene Brooks: There is no question.

President Jerrel: That is something that is being looked at on the state level this year so there are apt to be many changes take place, but we need to be able to move people in a quick judicious manner.

Gene Brooks: I agree.

President Jerrel: They don't need to take up food, time and medical care by our taxpayers.

Gene Brooks: That's true.

Commissioner Mourdock: One other observation I would make and this is just me personally, I have never spoken to Bettye Lou or Pat about this or I don't know that it has even come up at the Blue Ribbon Commission per se, but, Les, in the presentation you said about using this facility as basically an income device with the state housing prisoners or even the feds housing their prisoners--

Les Shively: Cost reduction would be a better way to put it.

Commissioner Mourdock: Right. My personal feeling, and this may sound strange, but I don't think that's a good idea. I live by the philosophy he who lives by the government in the end is always disappointed. And I think if we put this facility together with the idea that so many beds every night are going to be filled by somebody with bill being paid for us I don't think it will work. I mean, if it happens it's nice, but I sure wouldn't book on it.

President Jerrel: It didn't work in 1992 or 1993 when the substation was built because we were going to pay for that substation with federal and state and it didn't work because we filled it up.

Gene Brooks: Mr. Mourdock, you're going to get a pretty predictable number of state and fed people. If you look over the past five years you'll get a fairly predictable number in that.

Commissioner Mourdock: Until they do something different.

Gene Brooks: Oh, sure. You can't predict what they're going to do.

Commissioner Mourdock: You can't predict what they're going to do.

Gene Brooks: But they're going to have prisoners. Nothing is going to change. They're going to have prisoners, both state and federal. It will either go here or someplace else.

President Jerrel: But we may not be able to house them. I mean, those are the issues that we've been faced with. If you view them as an income producing then, you know, you have to make sure you've got some space, but if you've got a whole lot of space it will fill up anyway.

Gene Brooks: You can also, you can contract with the state and feds. I mean, you can put that in a contract. You can pretty well make that predictable in contract terms too, how many prisoners they are going to furnish you.

President Jerrel: Well, we're attempting that now.

Commissioner Tuley: I think part of that concern is part of the problem that we've got now because one of the things that we were looking at is how many federal prisoners are we up there housing now—

Commissioner Mourdock: And we haven't got room for our own.

Commissioner Tuley: —and we haven't got room for our own.

Gene Brooks: Well, that's true.

President Jerrel: Yeah.

Commissioner Tuley: I think that's part of that predictability that you're talking about.

Gene Brooks: And you can get rid of part of the population by getting rid of the federal prisoners. There isn't any questions, but they paid you about \$580,000 last

year. So you've got to balance it out.

President Jerrel: That balanced against a lawsuit I would rather get rid of the prisoners.

Commissioner Mourdock: Exactly.

Gene Brooks: By getting rid of you mean?

President Jerrel: Sending them to the federal...no, I'm not going to do them in.

Les Shively: There is one thing that Mr. Mourdock asked a moment ago when he pointed to his chart up there, how do you explain 332 to 274. I don't do criminal work, but I'm in the courts on civil matters. I can tell you exactly how you do it. A judge that was normally in the civil division six times out of the year is now there three times. The divorce cases, domestic relations, which I think is a long overlooked court now has fewer judges and fewer hours to devote to domestic relation matters because everybody was focused on this and that can only go on so long.

Commissioner Mourdock: That's—

Les Shively: The bottom line is if we ignore that domestic relations court and don't do something over there to create a family court and give it the resources that 850 beds will fill up very fast because everyone knows that is sitting in this room that broken families, problems of children, it was leads to unfortunately a lot of our problems that manifest themselves in crimes. So, you know, there was a cost to pay. Now you can't even put a...get the calculator out, but I can tell you there was a price to pay by many of my clients and many other lawyers that are here this evening, if there are any others here this evening, because everything was devoted to making the numbers look better. You can only do that so long.

Commissioner Mourdock: Well, I appreciate that observation because I had not heard that point of view.

President Jerrel: Well, let me ask you a question while you are both here. Well, then with that in mind we're one of the few areas, maybe the only one, there may be a small county, that rotates judges. Now if you have a...if a criminal case comes before a judge and, you know, the next month he may not be there. Is that an issue that ought to be examined?

Gene Brooks: Yes.

President Jerrel: Okay, thank you. That's all I wanted. Thank you very much for the presentation. Is there any of the partners that want to make any comments?

Unidentified: May I?

President Jerrel: You're not with that group though?

Unidentified: No.

President Jerrel: Well, you want to wait until...well, unless it relates to them.

Unidentified: Yeah, it does. Well, it's the whole process. Like I've been telling you all for the last ten years—

Commissioner Mourdock: State your name, please.

Roger Madden: Yeah, Roger Madden. I started Fathers United in '91, Vanderburgh County. They've said that there seems to be a problem with the process. That process was identified by Lewis Sullivan, US Health and Human Services Secretary in 1990 saying that 90 percent of the juvenile delinquents in long-term correctional facilities grew up in a home without a father which comes back to the county court. Like was just mentioned the problem is Indiana does not enforce visitation rights. It's kind of ironic that Brooks is here because I have filed four federal lawsuits for visitation enforcement and all those...he says those federal lawsuits were not frivolous and he says mine was and mine was based on constitution rights, public law, federal law, civil rights. I've filed another one so I've got ten other co-plaintiffs this time so maybe that will get their attention. But the bottom line is Indiana has wasted about \$44 million a year on child support enforcement and only getting a 20 percent enforcement rate. They've had studies in '79 and a US census study in '89 that said that if you have enforced joint custody there is a 90 percent pay rate and if you have enforced visitation there is an 80 percent pay rate.

President Jerrel: You know what we need to do, Richard, we need to have a different forum for you.

Roger Madden: Well, what I am saying is this 70 percent reduction in juvenile delinquency would eliminate the whole need for the jail. Like Shively had said, you know, the problem is in the court system. As soon as our judges start giving equal protection the taxpayers wouldn't have to pay for it. Prevention has always been cheaper than corrections and if they are going to go for 800 beds what is the possibility that they can just put an addition over the parking area?

President Jerrel: Well, all of those...everything is on the table.

Roger Madden: Because we've got parking area this way and we've got a parking area to the street.

President Jerrel: Everything is on the table.

Roger Madden: And as was brought up in April or March, a couple or three meetings ago, has Levco looked into the four extra prisoners that could have been released that were costing us an extra \$1,000 a month? Was that addressed?

President Jerrel: As I said, all of these things are on the table.

Roger Madden: Well, was that addressed to Levco to save us \$4,000 a month in taxes?

President Jerrel: On what prisoners that could be released?

Roger Madden: You said, I think, either Dick or the man that gave the presentation said there were four prisoners that could have been released and Levco said it wasn't important enough to go through and do it every week, every month or whatever. Then it wasn't Ellsworth, but I guess his second man, second command, said it was \$1,000 a month so there is \$4,000 wasted a month and four extra beds

that could be free. So, you know, it's just common sense things like that.

President Jerrel: Well, we don't exercise control over those people. We're trying to make it part of the system's review of itself.

Roger Madden: Right.

President Jerrel: By bringing these issues up.

Roger Madden: Was that brought up to Levco is what I am asking?

President Jerrel: Yes, but we can't tell Mr. Levco what to do.

Roger Madden: But if he knows people know then it's like a little extra incentive to say—

President Jerrel: Right, but he at this point...I mean, we're doing just what you are saying. We're trying to get everybody informed.

Roger Madden: You say they're working on the visitation enforcement now for the judges?

President Jerrel: That's what—

Commissioner Mourdock: Yeah, I'm not going to begin to speak for the judges and what they're working for, Roger.

Roger Madden: I'm just looking at possible solutions.

Commissioner Mourdock: I understand.

President Jerrel: Did I say Richard? Roger.

Roger Madden: Okay.

Commissioner Mourdock: Thank you.

President Jerrel: Thank you.

Roger Madden: Thank you.

Objection to CSX petition to close/relocate Nurrenbern Road
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President Jerrel: Okay, moving on, County Attorney.

Joe Harrison, Jr.: I've got two matters that are on the agenda for action items. I guess the first one, is it F? Objection to CSX petitions to close and relocate...and/or relocate tracks. First of all it would be to close Nurrenbern Road and the second is to change the track relocation plans concerning Nurrenbern Road. CSX filed a petition with the Indiana Department of Transportation several weeks ago, it was in April, concerning plans that they have to either A close Nurrenbern Road out in Union Township or alternatively change the crossing grades at that location. I have drafted an objection essentially setting forth the fact that the railroad cited the

incorrect provisions in the code and failed to verify the petition, both petitions, and failed to attach exhibits that would for the most part give some indication of the plans for those two petitions. I think Mr. Stoll has had some contact with the Indiana Department of Transportation as well and I think it might be prudent to consider executing this document and forwarding on to the state Department of Transportation and their people and then from there hopefully we'll receive some more information concerning the plans that CSX has in mind for Nurrenbern Road.

Commissioner Mourdock: I would just make the comment, Joe, that in reading through those petitions I understand what you are filing is basically a procedural...you're claiming procedural error that they made in filing the petitions and that is fine, but I'll go on record right now as saying even if procedurally they had done everything correctly I am certainly opposed to the closing of these two roads. Having said that, go ahead, Bettye.

President Jerrel: I would like to make another point that we have had contact...I've contacted some of the farmers that are going to be directly affected by this and they are happy that we're doing this, but they don't want us to stop with just the procedural. That it is going to create a major hardship.

Joe Harrison, Jr.: Certainly at this point though we certainly need some more information.

President Jerrel: Right, this is a first step.

Joe Harrison, Jr.: I think Mr. Stoll has had some contact also with some people.

John Stoll: Right, I talked to INDOT's railroad section last week and they said that the County Attorney could go ahead and file an objection to the petition. They said ultimately there would be an on-site meeting scheduled out at the railroad crossing with CSX, with INDOT, with all the involved parties, to discuss the matter and then INDOT will gather all the information, make a ruling on the two petitions and then issue their ruling to all the involved parties. At that time they said there would be a 15 day comment period for anybody to object to what their ruling comes out to be, so we won't lose the opportunity to make additional comments.

President Jerrel: That's good.

Commissioner Mourdock: Yeah, this is probably totally improper for me to say, but I am going to say it anyway. CSX...well, let me put it this way. Within the last six weeks I have been contacted by two businesses that are both served by CSX and both of them are complaining to me because they received county benefits to either stay in this county or to move to this county and part of the package that was attractive to them was, well, it was good rail transportation and both of them are getting lousy service from CSX and then CSX wants to come in and close roads that are going to affect a lot of our other community and I'm just not in the mood to do that.

President Jerrel: Well, I don't know how much we're going to be able to do, but I'm ready to give them a fight.

Commissioner Mourdock: That's right.

President Jerrel: Is there a motion?

Commissioner Mourdock: I'll move approval of the petition as submitted by the County Attorney.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Lease agreement - SAFE House

Joe Harrison, Jr.: The other matter I have involves the SAFE House. I've got a proposed lease before you that is essentially a one year term, \$3,000 a month rental, \$36,000 a year. It does include a one year option to renew and then a second option to renew if the county would so desire, but the actual lease is for one year. It would begin March 1, 2000 and end on the last day of February 2001. There is some rental that we would have to pick up for the last several months to make up the difference between what has been paid by the county for the last several months and what is contained in the provisions in this lease.

President Jerrel: Did you give the amount?

Joe Harrison, Jr.: Three thousand a month, \$36,000 a year.

President Jerrel: Discussion, motion?

Commissioner Mourdock: It's dramatically less than \$17 a bed and I will say I would move approval of the one year lease agreement for the community corrections facility.

Commissioner Tuley: I will second and I would also like to say that Mr. Hart from my understanding had a massive heart attack today.

Commissioner Mourdock: Oh, really?

President Jerrel: Yeah, he did. The younger one.

Commissioner Tuley: The younger one.

Joe Harrison, Jr.: That's who we have the lease with.

Commissioner Mourdock: Really.

President Jerrel: This is not with Bob Hart, Sr. He transferred it to his son and daughter-in-law.

Commissioner Tuley: Just keep him in your thoughts and prayers because I understand it's a pretty grave situation.

President Jerrel: Did you second?

Commissioner Tuley: I did second.

President Jerrel: Okay, so ordered.

Any group or individual wishing to address the Commission

President Jerrel: Moving now to any group or individual that wishes to address the board.

John Stoll - County Engineer

President Jerrel: Seeing none, let's move to the County Engineer. Did I hear a sigh of relief from this side? Thank you.

John Stoll: The first item I've got is a change order for the Fulton Avenue Bridge project. This is for the installation of temporary supports for the bridge beams at the pier that is leaning. This would be for an increase of \$181,235 of which it is planned that we'll get 50 percent federal money and 50 percent local money, so our share will be \$90,000. The temporary supports are needed in order to get the existing bridge beams off the pier so that way it will be safe to excavate next to the pier so then they can determine the condition of the pier and make sure it's not damaged. It would also allow them to proceed with finishing new soil borings as well as constructing a new retaining wall if that is what all the evaluation shows that is needed. The change order has been given a verbal okay by INDOT and if it is approved this evening then we would turn around and send it back to the Vincennes District of INDOT where they have to contact Indianapolis to get final approval of the change order. The steel piling that is required for the temporary supports has a four day delivery time and no cranes will be available any sooner than next week for this work from Weddle Brothers. It will take Weddle Brothers approximately five weeks to install these temporary supports. The work will start no sooner than next week, but I don't have a definite start date for that if the change order is okayed by the county and INDOT. In order to proceed with the evaluation of what caused the problem, what is responsible and how to fix it this is something we need to proceed with, so on that basis I would recommend that the change order be approved.

Commissioner Mourdock: Question for the County Attorney. Essentially what we're doing here is establishing the rate of damage. Is that not right?

Joe Harrison, Jr.: We're starting down that path. As a matter of fact, I think we already started down that path a few months ago.

Commissioner Mourdock: We're further quantifying.

President Jerrel: Yes, you're right. Whatever we do we want to do it very carefully, but we want to do it right. This should show us whether this is going to cost a lot of money to correct or not so much money to correct. It's just a matter of whether there is a crack in that pier or it has moved for some other reason.

John Stoll: If the pier is in good shape then the retaining wall option would be the way that the consultants are leaning at this point. They've got to do all the soils evaluations to make sure and they also have to investigate the pier so it's just a matter of proceeding with this and then find out what all their results come out to be.

Commissioner Mourdock: Are they going to dig down beside the entire length of the pier then?

John Stoll: That's the plan.

President Jerrel: Yeah, to see if it is sitting on a—

John Stoll: I've not seen in the exact plan of how or where they plan to excavate. I don't know if they can possibly go to the east side or the west side of the pier and get just around the end of it as opposed to along the entire face, so that is something that there will be another change order for that excavation because that is not included in that current change order just like the retaining wall is not included in that change order, so this is just the first one.

President Jerrel: We do have the money in place. If we have to go higher with the additional the money is in place. But, again, we want to do it right so that the blame, if there is any blame, can be established.

Commissioner Mourdock: I would just correct that by saying it's not an if it is simply who.

President Jerrel: Who?

Commissioner Mourdock: I hate to say it that way, but this shouldn't have happened. I'll move approval of the change order as recommended.

Commissioner Tuley: I'll second.

President Jerrel: And I'll say so ordered.

John Stoll: The next two items I've got are street acceptance requests. The first is for Westhaven Hills Section E. This is 1,150 feet of Westhaven Drive. The second one is Glenwood Hills Estates Section B. This is 2,789 feet of Tahoe Drive and 400 feet of Prospect Court. It's recommended that these streets in these two subdivisions be accepted.

Commissioner Mourdock: So moved.

Commissioner Tuley: What was that Westhaven one?

President Jerrel: Westhaven Drive.

John Stoll: That's the extension of Westhaven that goes up the hill. The one we had posted that ended county maintenance.

Commissioner Tuley: Right.

John Stoll: The street has finally been patched and the punch list items—

Commissioner Tuley: So it's to our standards?

John Stoll: Yes.

President Jerrel: Yeah.

Commissioner Tuley: I'll second the motion.

President Jerrel: So ordered.

John Stoll: They finally did get all the punch list items corrected.

Commissioner Tuley: Good.

John Stoll: The next two items are in regard to the Lynch/164 project. The first is a right-of-way certification letter that needs to be submitted to INDOT. The plan from Bernardin Lochmueller is go ahead and submit all the paperwork that we need to try to keep this on an August bid letting. Right now there are still two billboards located out in the right-of-way that we have an agreement to get those removed. It just hasn't happened yet due to delays in getting the permits from INDOT. It is in the works, but the typical right-of-way certification letter says structures are not located within the right-of-way. I modified this one to say structures are located within the right-of-way, but they will be removed by July 1, 2000 so hopefully that will be good enough to keep this on track for an August bid letting, but I don't know for sure. So if it's not there may be an amended certification letter I may have to bring back here again in the future, but we'll give this one a try for now. This basically just says that we've acquired the right-of-way in accordance with all the proper procedures and we acquired two parcels outright, one is in condemnation, but we have right-of-entry. The other one was the donated parcel that has the two billboards located on it so the county does have right-of-entry or own all the property.

Commissioner Mourdock: I'll move approval of the certification letter.

Commissioner Tuley: Second.

President Jerrel: So ordered. This is a big step, you know.

Joe Harrison, Jr.: Well, we actually do own the Durchholz property now.

President Jerrel: Yeah.

John Stoll: The next item for the Lynch/164 project is the signatures for the cover sheet for the sign plans. This portion of the plan just covers all the large overhead sign structures, all the guide signs basically, associated with Lynch Road project and the I-164 interchange. It's recommended that this be signed off on by the Commissioners.

Commissioner Mourdock: So moved.

President Jerrel: Pat?

Commissioner Tuley: Second, I'm sorry.

President Jerrel: So ordered.

John Stoll: Next I would like to request to go before County Council to appropriate \$500,000 from the Cum Bridge Fund into the Lynch Road/I-164 Bridge account; to appropriate \$300,000 from the Road and Street Fund to the Lynch Road and Street account to cover the ramp portion of the interchange project; and to appropriate \$3.5 million from the Road and Street Fund to the Burkhardt Road account. That would be for the construction of Burkhardt between Interchange Road South and Lynch Road.

President Jerrel: The money is all there.

Commissioner Mourdock: What are you calling Interchange Road South?

John Stoll: That's the...you know where the Federal Express building is?

Commissioner Mourdock: Right.

John Stoll: That's Interchange Road down there.

Commissioner Mourdock: Oh, okay, that's right. I was thinking of it in the sense of interchange. That is a proper noun?

John Stoll: Right.

Commissioner Mourdock: I'll move approval of the Council Call.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The final item I've got is a request to approve an \$18,000 offer for parcel seven on Burkhardt Road between Interchange Road and Lynch Road. That's the offer letter I just handed to you, Bettye Lou. The appraised value was \$18,000 so this is just a request to authorize Bernardin to proceed with making that offer.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: That's all I've got unless you've got any questions.

President Jerrel: No.

John Stoll: Thanks.

President Jerrel: Thank you.

Erik Bentle - Superintendent of County Highway

President Jerrel: County Highway.

Erik Bentle: Erik Bentle, County Highway. You have my progress report for this week and...or last week and week before last. My work schedule for this week, as far as paving we got shut down four days last week due to a bearing going out in a screed on our paver and the rain. But we got started back on Frontage Road today and finished it up and we'll be on Barton Road tomorrow, so everything looks like it's a go on that. Old Henderson Road, we were down there all last week and they've really made good progress down there. We've got a three foot shoulder going a pretty good part of that way where it was tore up down there, so they'll be down there for probably the next couple of weeks finishing that up.

Commissioner Tuley: Is Frontage Road that road along 164 up there?

Erik Bentle: Yes.

Commissioner Tuley: I wasn't on it, but I drove down 164 the other day...or down 64 the other day and it looked really good. It looked like they did a nice job.

Erik Bentle: Yeah, they done real good.

Commissioner Tuley: I saw the equipment out there so I saw it was an in-house job that we were doing.

Erik Bentle: Yeah.

Commissioner Tuley: It looked real good. You might want to pass that along to those guys.

Erik Bentle: Yeah, that paving crew does a good job. Barring any more bad weather and stuff we're just hot and heavy on it.

President Jerrel: As long as the hot mix holds out and the money.

Erik Bentle: Well, the money is the big thing right now. We're taking the worst roads like we talked about before.

President Jerrel: Sure.

Erik Bentle: And getting them done first. It will be sort of hip hop around the county for the first month or so here until we get everything leveled out. That's all I have.

President Jerrel: Okay.

Commissioner Mourdock: Move approval of the Highway report.

Commissioner Tuley: I'll second.

President Jerrel: So ordered.

Joe Harrison, Jr. - County Attorney
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President Jerrel: County Attorney.

Joe Harrison, Jr.: Another item I have has to do with Peters Construction. Several weeks ago the Commissioners recommended assessing liquidated damages in the sum of \$11,800 with respect to the Daylight sewer project. Since that time the County Engineer and myself have had a chance to review the matter a little further and have discussed a reduction in the liquidated damages. One hundred and eighteen days was the amount...was the number of days before and now we are requesting a reduction down to 54 days which would be times \$100 a day which would be \$5,400 and we would ask approval by this board to assess liquidated damages in the sum of \$5,400 as opposed to the original amount of \$11,800.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: That's all I have. Thanks.

Tony Greubel - Superintendent of County Buildings
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President Jerrel: Superintendent of County Buildings.

Tony Greubel: First I would like to submit Quitclaim Deeds for all but one of the properties that we sold at auction last month. The second issue in the signature file you'll find three different blue claims from Ogden from The Centre account. Finally we had to add one name to the County Council pink slip. That was just put on your desk late this afternoon. That's all I have.

President Jerrel: The original is in there?

Tony Greubel: Yeah, the original is in the box.

Commissioner Mourdock: I'll move approval of adding all three of those things to the consent items.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Gary Hohman - Burdette Park

President Jerrel: Burdette Park.

Commissioner Mourdock: We need to change tapes.

President Jerrel: Sure, Gary, wait a minute.

Tape change

Gary Hohman: Gary Hohman, Burdette Park. You have before you our work report for the past two weeks. If there are any questions regarding those I'll be glad to answer any questions that you might have.

President Jerrel: Are you ready to go?

Gary Hohman: We're getting it every minute that we can.

President Jerrel: Well, if it gets as high...if that...what do they call that high, the Bermuda?

Commissioner Mourdock: The Bermuda high.

President Jerrel: If the Bermuda high stays around you'll have more clients than you'll know what to do with.

Commissioner Mourdock: It started early this year.

President Jerrel: Yeah, it did.

Gary Hohman: We would like to bring to your attention the outstanding efforts shown to Burdette Park by one of Evansville's outstanding civic clubs, this being the West Side Nut Club. On April 29th this group of gentlemen scheduled a work day at Burdette Park whereas in excess of 75 members attended to perform various projects throughout the park. The list of projects that were completed during this one day project, one day work day, are as follows. They purchased and installed 185 feet of six foot high vinyl fencing that was placed between the diving well and the family pool area. They also purchased material and installed 30 new picnic tables and repaired ten of our old tables. They formed and poured two sidewalks, one of them being 80 foot in length, which brought two of our buildings up to ADA accessibility standards. They also painted one restroom building adjacent to Building 16. They painted the stage and retaining walls on the pavilion area and they also painted several pieces of playground equipment. The civic pride and effort shown by the West Side Nut Club is deeply appreciated not only by Burdette Park, but all of our patrons. A formal letter of our gratitude is forthcoming. Steve and I are also looking at additional means of ways to express our gratitude and appreciation to the West Side Nut Club for an outstanding job.

President Jerrel: Well, I certainly think we should do the same.

Commissioner Mourdock: I'll even go a step beyond that. That is pretty extraordinary.

President Jerrel: That is.

Commissioner Mourdock: Just to get that many folks out there and to dedicate their time and also their resources perhaps we could have Tony see if we can get a plaque or something for them and just recognize what they've done, their contribution, and present it to them.

Commissioner Tuley: If that's a motion, I'll second it.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Gary Hohman: Thank you very much.

President Jerrel: Thank you, Gary.

Weekly reports

President Jerrel: We do have reports from Soil & Water and the Ozone Officer.

Commissioner Mourdock: And I would move acceptance of both of those reports.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent items

President Jerrel: The consent items with the addition of the one that Tony indicated was added.

Commissioner Mourdock: Yeah, I did have that motion before so that has been added and I'll move approval of the consent items.

Commissioner Tuley: I'll second.

President Jerrel: So ordered.¹

Scheduled meetings

President Jerrel: You have the schedule.

Old business

President Jerrel: Is there any old business?

New business

President Jerrel: Any new business?

Commissioner Tuley: I've got one item. I've been talking to Curt John off and on for the last couple of weeks. I would like, if I could, to turn this over to Joe. The city has a local ordinance that they use in terms of abandoned vehicles and their...the way their contract reads they don't pay a storage fee on vehicles and when they are sold they get like...right now they're averaging like \$60,000 as their net. This is some arrangement through a bidding contract that they have that Wolfe's when they sell the vehicles they keep a portion of it and then turn the rest of it over to the city. What I would like to do is give this to Joe and see if there is anything that would prohibit the county from doing something similar.

President Jerrel: I have already talked to the Sheriff's Department and given our County Attorney that information so that, you know, it would be to our advantage to accept those additional fees because, you know, as it is now, Pat, it goes to the state.

Commissioner Tuley: Right.

President Jerrel: So he has already got that information. Yeah, so we'll just follow through on that?

Commissioner Tuley: Yeah, that's all.

Commissioner Mourdock: Two quick items, and I meant to ask this of either John

¹See page 35 for listing of consent items

Stoll...oh, John Stoll is still here. Did the infrastructure committee get together?

President Jerrel: Yes.

Commissioner Mourdock: It did?

John Stoll: It was April 27th.

Commissioner Mourdock: Okay, I mean, I don't need a long report. I just want to make sure people are working together on that.

John Stoll: I believe it was on April 27th when the meeting was held. SIGECO was there, the Sewer Department was there, City Engineer had a representative there and Erik and I were there.

President Jerrel: I have a question about that and I've had some calls about...I'm talking cuts now. That's kind of what we...when you do something and then you...if you drive around town now where there is cuts made after a while you get a sink hole.

John Stoll: They don't compact it properly.

President Jerrel: Well, I understand they don't put concrete in them any more, that they are just gravel and then a skim of blacktop and some more on top and that won't work. So whoever is responsible for doing those cuts whether it is Water or Sewer--

John Stoll: It could be any utility.

President Jerrel: But, you know,--

John Stoll: That's typically who is at fault.

President Jerrel: Okay. But you just drive on the side of that and it's like going on a washboard. There isn't a street in town that isn't like that. And when they do them in the county, so would you see if they put concrete in those cuts anymore?

John Stoll: Some they do, some they don't.

President Jerrel: I bet you we don't have any concrete going in any more.

Commissioner Mourdock: When they have a cut is there any prodical that we have an inspection done or anything like that while they are doing it?

John Stoll: Typically they haven't been notifying us. I've talked to Joe about this. There is no good ordinance that deals with utilities within right-of-way. We need an ordinance that really defines it a lot better than the way it is right now.

Commissioner Mourdock: There you go. Why don't you work with the County Attorney to give us a draft?

President Jerrel: Right.

Joe Harrison, Jr.: We've talked about that. It's just that we need to come up with some guidelines and, John, we'll just come up with some stringent ones, I guess.

Commissioner Mourdock: Yeah, absolutely.

John Stoll: I've got a copy of what Indianapolis uses. That's the only one I've got so far.

President Jerrel: Because if you don't do it right then you have to go back and do it again.

Commissioner Tuley: If the road had to be built to county standards why would you not have to repair back to those same standards?

Commissioner Mourdock: Exactly.

President Jerrel: One has had concrete all year in these two areas. One.

Joe Harrison, Jr.: Okay, we'll do it.

John Stoll: We just had concrete put in the one out there on St. Joe and Commercial. We would be holding them to a higher standard.

President Jerrel: Yeah.

Commissioner Mourdock: One other quick issue unrelated to this one then. PMSI, the jail consultant, has a meeting scheduled. They're getting some committees together this Friday, I believe. I'm sorry, a week from Friday, May 19th, at 9:00 a.m. and I do not believe that I am going to be in town that day and if either of you would like to be there or, Tony, if you could be there I think it would be helpful to have us represented. I would prefer a Commissioner could be there, but if not, Tony, would you please be there?

President Jerrel: I can—

Commissioner Tuley: I've got to be at a thing at Harper, but I don't know what time it is.

President Jerrel: What time is it?

Commissioner Mourdock: It's 9:00 a.m., Room 318.

President Jerrel: I'll go.

Commissioner Mourdock: My schedule might change and if it does I'll be glad to be there, but as of right now I think I'll be in Pittsburgh.

President Jerrel: I'll go and if you're here call me.

Commissioner Tuley: That would be the 19th, the first committee meeting?

Commissioner Mourdock: Right, that's it.

President Jerrel: Is there anything else that needs to come before this board? Is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 7:07 p.m.

CONSENT ITEMS:

Employment changes

Burdette Park	Superior Court	Perry Assessor
Knight Assessor	County Commission	Prosecutor
Recorder's Office	County Clerk	Sheriff's Dept.
Circuit Court	Pigeon Trustee	Health Dept.
County Council		

Travel requests

Health Dept.	County Commission	Legal Aid
Perry Assessor	Pigeon Assessor	

Auditor

Submit monthly financial, cash and expenditure reports
Submit accounts payable vouchers

Surplus

The Centre - Various stage items transferred to Coliseum

Treasurer

Year-to-date investment reports

Sheriff

Submit inmate general information report

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne M. Crouch	Charlene Timmons
Tony Greubel	Jerry Bryan	Dolli Kight
Barbara Cunningham	Les Shively	Gene Brooks
Roger Madden	John Stoll	Erik Bentle
Gary Hohman	Others unidentified	Members of the media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
May 15, 2000**

The Vanderburgh County Board of Commissioners met in session this 15th day of May at 5:38 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners' meeting to order. At this time I think I'm going to defer the introductions since all of you have heard them enough times. I would like for you to join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: Thank you. At this time I would like to begin with the action items. Is there an approval of the minutes of the May 8th meeting?

Commissioner Mourdock: I'll move approval of the minutes of May 8th as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Certification of Executive Session

President Jerrel: The certification of Executive Session.

Commissioner Mourdock: I would move approval of the summary minutes showing the Executive Session began at 4:55 p.m., lasted until 5:30 and dealt with county personnel matters, union contracts or negotiations and real estate.

Commissioner Tuley: Second.

President Jerrel: So ordered.

**Open bids
VC00-04-02, Gregory Court slope stabilization
VC00-05-01, Seminary Road Bridge #1961**

President Jerrel: The next item is motion to open bids.

Commissioner Mourdock: I'll move approval of the opening of bids for VC00-04-02 which is for Gregory Court and also in that motion to include VC00-05-01 for the Seminary Road Bridge #1961.

Commissioner Tuley: And I will second.

President Jerrel: So ordered.

Jerry Bryan - City/County Purchasing Department

President Jerrel: Purchasing.

Jerry Bryan: Good evening, I'm Jerry Bryan, Purchasing Manager for the city and the county. I have before you the pricing formula for asphalt vendors. The formula, I went back and put together the cost back to 1997 showing a line as far as what the vendors were charging us and what the index was. Mr. Mourdock, I hope I'm getting close to what you need.

Commissioner Mourdock: Yeah, you certainly are, Jerry. The one question I would have though, in the memo that came with this you have the statement:

"The attached chart showing the prices from 1997 to 2000 shows the consistent nature of the increases."

As I look at the chart then, the next page, it would appear to me from April 3rd '98 until April 3rd '99, that one year, that the prices in fact went down for the liquid asphalt.

Jerry Bryan: That's true. So my statement is probably incorrect there.

Commissioner Mourdock: Okay, I guess the only thing I would ask, and the formula that you presented here—

Jerry Bryan: Yes, sir.

Commissioner Mourdock: —going forward I don't have any problem with that.

Jerry Bryan: Okay.

Commissioner Mourdock: That looks fully acceptable to me as far as the way you're basing it off a local indices, although I do have one question now that I think of it. You had put in here that the pricing, the indices, would be determined from the terminals which supply the Evansville area at either Mt. Vernon...well, it says at Mt. Vernon and Louisville, so does that mean literally what it says that regardless—

Jerry Bryan: Probably we're going to go more probably 95 percent Mt. Vernon on the thing. Louisville is probably a real stretch.

Commissioner Mourdock: Okay. I just want to make sure—

Jerry Bryan: Yeah.

Commissioner Mourdock: —that we're specific there.

Jerry Bryan: Right. The local Mt. Vernon is kind of like the gasoline where they go to the racks locally here and Louisville is probably a misstatement there.

Commissioner Mourdock: Okay. I just want to make sure that we clarify that so that we don't have one lower price—

Jerry Bryan: Sure.

Commissioner Mourdock: —and they say well this is what we have to use.

Jerry Bryan: That's right. That's Louisville. That's a good point.

Commissioner Mourdock: Okay. I guess the only question then that remains there were those price decreases throughout year '98...April of '98 through April of '99. There have been increases that have gone up, obviously, since it looks like about June of '99. Do we want to try in return for the automatic or almost automatic extension of this contract, do we want to make it a tit for tat type of thing? In other words they got the benefit of this for a year. Obviously prices have gone up now and we're willing to say that we're going to give them some breaks. Are they going to give us anything for the year when the prices went down? Have you looked at that? Have you taken that same formula and applied it over that year 1998? That's really what I am saying.

Jerry Bryan: No I haven't due to the fact of the current press. I don't know if we want to do linkage. I almost want to get...maybe the two of them are synonymous, but they're jumping up and down and making phone calls to me to give them price relief now and your point is well taken for that year '98. Maybe I need to go back and do that.

Commissioner Mourdock: If you would I would appreciate it. Let me...Suzanne was just making a point. Suzanne, the question about the language in the contract, what were you saying? That it is specific only to that contract?

Suzanne Crouch: Just to that company so if you had another company bid in the future they may not agree and the prices go down they may not agree to drop their prices.

Jerry Bryan: That's true, that's true, and we would have to spell that out very carefully when we bid this out because we bid this out every fall.

Commissioner Mourdock: Right.

Jerry Bryan: And I would like to clarify our language in there. If this formula proves successful, and I have a feeling that it will, then we can incorporate that in our bid package and say something like, you know, you're going to have to go along with this formula. If you're going to bid with us you can't just say, well, no I won't do that.

Commissioner Mourdock: Right. And I can't imagine why they wouldn't do that.

Jerry Bryan: I wouldn't either.

Commissioner Mourdock: It takes the risk out for them. Yeah, it takes a potential bonus away.

Jerry Bryan: That's true.

Commissioner Mourdock: With that one bit of clarification everything else you've got here is fine. I just want to know we're getting as fair as we can be here.

Jerry Bryan: Right.

President Jerrel: You want to just keep your approval in terms of general until you get the corrected one or do you want to make your motion in favor based upon—

Jerry Bryan: And let me come back to you?

Commissioner Mourdock: That would be fine, yeah. I'll move the acceptance of the formula that has been presented by Mr. Bryan for the liquid asphalt provision of the contract.

Jerry Bryan: With the covenant to come back to you with the other thing?

Commissioner Mourdock: Correct.

Commissioner Tuley: Let me ask for clarification then. On that other thing we're going to come back for, we're going to come back to see if they're willing to give us relief for that period when the price went down?

Commissioner Mourdock: If in fact...yeah. I mean, if that's a possibility. We need to see what the numbers are. If in fact based on the tonnage they bought during that period.

Commissioner Tuley: Right.

Commissioner Mourdock: Here is—

Commissioner Tuley: No, I think I understand. I guess the point I'm getting ready to make is if we go ahead and approve the adjustment in the increase for the future what carrot do we have any more to get them if there is a need for reduction?

Commissioner Mourdock: Oh, that's a good point. Yeah, that's a real good point.

Commissioner Tuley: We just gave away our carrot.

Commissioner Mourdock: You're right. I withdraw the motion. That's a real good point. Let me say it a little bit differently.

Joe Harrison, Jr.: We don't know the numbers.

Commissioner Tuley: I know we don't the numbers. That's the reason we shouldn't do it yet.

Commissioner Mourdock: Yeah, we don't the numbers. Looking at this chart the prices were going down through an entire paving season. When has the increase occurred? It started in October really is when it really skyrocketed and went through March. Well, the price went up, but we weren't buying any stuff then. So, I mean—

Commissioner Tuley: I would like to see comparisons completely before we decide to do anything one way or the other.

Jerry Bryan: Okay, that would be fine.

Commissioner Mourdock: Sorry to belabor this, Jerry, but money is money.

Jerry Bryan: Okay, well that's alright. What's done is done. Let me come back to you then.

Commissioner Mourdock: Okay.

Jerry Bryan: Thank you.

President Jerrel: Thank you.

Bill Cottun - SCT

President Jerrel: Bill Cottun.

Bill Cottun: Good afternoon. I'm Bill Cottun, Account Executive for Systems and Computer Technology. We manage the city/county government computer network. What we have before you today is an amendment to our contract for SCT to provide public safety project management services. What we will...this project will entail the upgrade and/or replacement of the existing CAD, which is Computer Aided Dispatch, RMS, which is Record Management System, and FMS, which is Fire Management System. Currently those are mainframe based and there is a desire to look at some additional features to the products and very possibly move into the client server arena such as we have done with the court's project. The contract is for \$133,500. That amount is to be paid entirely by the city. Funding has been identified through the Controller's Office. It will be a limited term contract. We expect the contract to go through approximately 31 December of 2001. The project could be terminated prior to that if the product is identified, acquired and installed before then. There is some possibility that the project could go a few months beyond December 31, 2001 if there are still items to be done. The \$133,500 comes out to an annualized amount of \$55,000 a year for these services. We will be taking one of our existing staff, Mr. Clifford Thomas, and moving him into the project management position and he will maintain that position through the duration of the project. We will also be promoting a gentleman on staff to take care of Mr. Thomas' existing position and we will be doing a hire to backfill that position. This is not adding a permanent position onto the contract though.

President Jerrel: They understand that?

Bill Cottun: Yes, ma'am, fully. Everyone understands the risk.

Commissioner Mourdock: Did I understand you to say that even those this is the joint city/county department that the \$133,500 is coming solely from the city?

Bill Cottun: Yes, sir, that is correct.

Commissioner Mourdock: I would like to make a motion!

President Jerrel: It's a lot like last year's, you know.

Bill Cottun: Right, and this particular item the Evansville Police Department is being the big driver on this with the Evansville Fire Department also wanting to add some substantial services that they don't have right now. So your big drivers are the city departments. They probably could have broken it down into some small percentage and they determined since funding exist rather than putting everyone through that the city would fund it. But since this is a city/county contract, it is being amended as a city/county contract, both the city and county are being requested to approve it. This was approved this afternoon at the Board of Public Works.

Commissioner Mourdock: I'll move approval of amendment seven to the contract

between Information Resources Management, and SCT, and City of Evansville, County of Vanderburgh, as of the 7th day of May, 2000.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Bill Cottun: Thank you very much.

President Jerrel: Thank you.

Final reading - Ordinance amending Title 17
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President Jerrel: The next item on the agenda is the final reading of an ordinance amending Title 17.

Commissioner Mourdock: Since it's a public hearing officially is anyone here to speak on final reading of ordinance amending Title 17 regarding communication towers? Seeing none on final reading I would move approval of amendment of Title 17, Chapter 28, Special Uses, Section 17.28.30, and 17.28.50, and 17.28.70 regarding towers and installations within the county.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: We need a roll call.

President Jerrel: I know. Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

Permission to advertise - Vacation of a lake drainage easement

President Jerrel: Next item on the agenda is the Auditor, permission to advertise vacation of drainage easement.

Commissioner Mourdock: And I'll move the advertising for the Lake 7 drainage easement, Cambridge Subdivision in Section 1 with a suggested hearing date of June 5, 2000. Oh, yes, well let me do that one as one motion and then I'll come back to the other one. Pat, you want to second that?

Commissioner Tuley: I'm sorry, second, yes.

President Jerrel: So ordered.

Permission to advertise - Vacation of a public utility easement

Commissioner Mourdock: And I would also then move permission to advertise the vacation of a public utility easement for Cambridge Subdivision Section 1 Lot 125 with the suggested hearing date being June 5, 2000.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Soil & Water Conservation District - Cell phone contract

President Jerrel: Okay, there is a request from the Soil & Water Board for the approval of a cell phone contract.

Commissioner Mourdock: Just a question. Was there any reason...normally that's almost a consent item type of thing. Was there some reason, did it come in separately?

President Jerrel: I don't have any idea.

Tony Greubel: No particular reason. It will be paid for out of their own budget.

Commissioner Mourdock: Okay, I'll move approval of a contract between Vanderburgh County on behalf of the Soil & Water Conservation District and GTE Wireless as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered. Are we still opening?

Joe Harrison, Jr.: Uh-huh.

President Jerrel: Want me to go ahead? Okay.

Joe Harrison, Jr.: Do any group.

President Jerrel: Yeah.

Any group or individual wishing to address the Commission

President Jerrel: Is there anyone here that wishes to address the Commission? Okay, seeing none let's move on to the department head reports.

John Stoll - County Engineer

President Jerrel: County Engineer.

John Stoll: First I've got a change order for the Vanderburgh Industrial Park project. This is for additional areas of lime stabilization for the subgrade conditions and it is also to add a new item to the contract, the vacuum testing of sanitary sewer

manholes. The subgrade conditions we found that there are an extra 4,250 square yards of subgrade that need to be lime stabilized in order to help get the project ready for paving. The vacuum testing of the manholes, that's a new state requirement that went into effect at the start of this year and since it went into effect the start of this year and the project was bid late last year it wasn't part of the specifications for the contract. These two items result in a net increase of \$22,012.50.

Commissioner Mourdock: I don't know that we have any options in either one of them really.

President Jerrel: No.

Commissioner Mourdock: I'll move approval of the change order as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: As far as the options go they've tried to dry that soil and it has just not been working. The soil tests do indicate that lime would help it out, so that's why we were going with that route. The next item I've got I would like to request approval to install a wood bridge out on McCutchan Road. This is bridge number 1340 and also request going to County Council to transfer \$240,000 from the Old Henderson Road Bridge account. This is Old Henderson Road Bridge #1545 to the McCutchan Road Bridge account. The McCutchan Road Bridge is the one I have spoken to you each about over the past week or so. It's a single span bridge that we are anticipating needing some additional right-of-way and that is one of the reason why we were looking at that as being an option since the timber bridge packages include the design and by providing the design we could get the consultants to give us legal descriptions so we could pursue the right-of-way in that manner so requesting approval on both of those items.

Commissioner Mourdock: I'll move approval of the request. Actually two requests. I would move approval of the request for the Council Call for the \$240,000.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: And I would move approval to proceed with the plans for a wooden bridge at McCutchan Road as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The next item I've got is a revised right-of-way certification letter for the Lynch and 164 project. The letter that I brought last week did not define the one parcel that had structures on it well enough. I talked to Bernardin Lochmueller and the only difference between the letter last week and this week is that they requested that we specifically put at the bottom of it:

"Exception: Parcel 1, anticipated right-of-way clear date is July 1st."

So it clarifies where we still have the structures in the right-of-way, but other than that it's the same letter and this will be submitted to INDOT tomorrow.

Commissioner Mourdock: I'll move acceptance of the revised letter.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: We did get the revised pavement design approval. Bernardin Lochmueller notified me of that today so so far it looks like we're still working towards getting on an August bid letting.

President Jerrel: Good.

John Stoll: The final item I've got is the final cost of the Oak Hill Road Barrett Law sewer. The final cost of that project was \$286,687.89. The project needs to be officially accepted by the Commissioners so that way Joe can proceed with doing the bond issue.

Commissioner Mourdock: I'll move approval of the acceptance of the Oak Hill Barrett Law project.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: In connection with that next week I'll bring a preliminary assessment roll for consideration by the board and then thereafter we'll have to have a hearing concerning that assessment. It will be sometime in June, probably the 12th or 19th. I'll get the date after I speak with Charlene next week.

Commissioner Mourdock: And for the record, John, what was our estimate on that? We came in well under it.

John Stoll: Right, this...I can't remember.

Joe Harrison, Jr.: It was over \$400,000.

John Stoll: I think our estimated cost was around \$475,000. We ended up with a very low bid. The low bidder on this project was in the neighborhood of \$120,000 less than the next highest bidder, so that's where the big savings came in.

Commissioner Mourdock: And the project has been done satisfactorily?

John Stoll: Yes. It has been accepted by the Water and Sewer Department as well.

Commissioner Mourdock: Great.

John Stoll: Everything was tested and everything was done properly. The only thing that remains is some final grading and seeding work, but everything else has been completed. That's all I have unless you've got any questions on anything.

Commissioner Tuley: Give me a call tomorrow.

John Stoll: Okay.

Commissioner Mourdock: It looks like we're going to get done here a moment or two early. Before the rezoning I would like to talk to you over a map at that point.

John Stoll: Alright.

President Jerrel: Yeah, (inaudible).

Commissioner Mourdock: It may be.

President Jerrel: Yeah, it is.

Commissioner Mourdock: The map there on the other side of the wall.

President Jerrel: Yeah, okay, good.

County Highway Department

President Jerrel: County Highway Department. Oh, I'm sorry. We had...I talked to Erik real early this morning and he was already sick, but he was still working so I told him not to come down here with his germs. But you do have the report for the Highway Department. I guess we can accept it when we do the rest of them.

Commissioner Mourdock: Right.

Joe Harrison, Jr. - County Attorney

President Jerrel: Superintendent...no, County Attorney. You ready or do you want--

Joe Harrison, Jr.: Yes, I've got the bids on the two projects. The first project was VC00-04-02. That's the Gregory Court slope stabilization. You may recall that is the failure out in the Deerfield Subdivision area. There were two bids submitted.

Company name	Amount bid
Naas Brothers Trucking, Inc. Haubstadt, IN	\$62,799.00
Deig Bros. Lumber & Construction Co. Evansville, IN	\$39,897.00

I would ask you to take those two bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: The second group of bids is for the Seminary Road Bridge project.

I guess it's number 1961. It's VC00-05-01.

Company name	Amount bid
Deig Bros. Lumber & Construction Co. Evansville, IN	\$146,579.00
Southwest Engineering, Inc. Evansville, IN	\$108,519.25 Alt bid: \$95,691.00
Blankenberger Bros., Inc. Cynthiana, IN	\$132,671.75
CCC of Evansville, Inc. Evansville, IN	\$101,334.88
Phoenix Construction Company Evansville, IN	\$122,604.00

I would ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered. Is there anything else?

Joe Harrison, Jr.: That's all I have today. Thank you.

President Jerrel: Okay.

Tony Greubel - Superintendent of County Buildings

President Jerrel: Superintendent of County Buildings.

Tony Greubel: I met with Bonnie Bittner and two members of Soil & Water Conservation District last week to go over how to do blue claim forms for how they are going to start with the year 2000 funding. That's all I have to really report.

Steve Craig - Burdette Park

President Jerrel: Burdette Park.

Steve Craig: Steve Craig from Burdette Park. Our Bishea Building restroom renovation is finished and we've even used it for our lifeguard orientation and a couple of other meetings with our employees. It looks really nice. In the present our park employees are landscaping around it and doing some stuff that needed to be done, so that project came in a little bit earlier...or early. It wasn't supposed to be done until the 18th, but it's finished. We're doing real well. We've fixed everything that has broke so far. We had one 12 inch line that broke and an eight inch mechanical fitting that broke in a wall, but I think we got both of them fixed, so it's just kind of whatever pops up, but other than that everything is going good on the park and we're right on time with everything. I think everything will be open when it

should be. Other than that I don't have anything else.

President Jerrel: Any questions? No? Thank you.

Steve Craig: Thank you. Did you get...you did get our reports?

Weekly reports

President Jerrel: Right. Is there a motion then to approve the Garage, Burdette, Soil & Water and the Ozone Office?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent items

President Jerrel: You have your consent items A and B.

Commissioner Mourdock: And I'll move approval of the consent items as filed.

President Jerrel: Second?

Commissioner Tuley: I'm sorry?

Commissioner Mourdock: I'll move approval of the consent items as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.¹

Sheriff Brad Ellsworth - SAFE House report

President Jerrel: Brad, did you have any comments you wanted to make?

Brad Ellsworth: You want to talk about the SAFE House or jail? I haven't even had time to think about the jail! I couldn't tell you the confinement rate right now. It's upward somewhere between upper 320s and lower 330s.

Commissioner Mourdock: Friday it was 325 with the average of 72 average days.

Brad Ellsworth: Thank you, that's good enough for me. Let me give you a little four day history of what has gone on at the SAFE House. I'll tell you that's where we have been and I'll let you decide where we are going. On Thursday they had been watching some cracks and cracks aren't uncommon at the SAFE House, but they noticed one in particular was getting rather large. What was pencil lead at one time within a few days got to be inch and a half opening on the wall which concerned

¹See page 18 for listing of consent items

them out there. Also, there was a beam, and if you've been out there, the classroom section there is a beam that looked like it was kind of folding down or the drywall was folding down around the support walls. It was at that time they contacted Roger Lehman and his office and asked them to come out and do a visual inspection on that which they did on Thursday morning. It was, and I think I provided you with a copy of Roger's letter from May 11 letting us know that he did see a problem and he wouldn't recommend putting people in that area that centers around basically a post and beams and I won't use all the proper terminology here, but the damage seemed to be concentrated to a central part of the building, but did go through all three floors and into the basement. On Friday morning again Roger Lehman, one of his associates and Jim Morpew...is Morpew the right name?

Joe Harrison, Jr.: Jim Morley.

Brad Ellsworth: I'm sorry. I don't know why I keep getting that wrong. Jim Morley came out. We inspected all three floors and did find basically water damage in some of the timbers still centering around one particular post. Later that afternoon we contacted...I called both Industrial Contractors and Deig Bros. and Industrial called me back in an extremely fast manner and I met Bill Nix out there that afternoon. We again checked all three floors. He said it wasn't an area for huge concern, but also not to put inmates back in that area surrounding that post until we looked further. He asked that we peel back the drywall several feet around that pole area which over the weekend I had Kerry Moore come in and peel it back. We met over there at 8:00 this morning and again Mr. Nix brought another one of his colleagues and did a three story inspection where we did find basically due to water damage and we believe it is from the third floor shower stalls that has been running down this post and causing some decay on that particular post and a couple of the beams that generate out from that. Again, saying don't put inmates back in there yet, but it wasn't in danger of collapsing at this time. Their proposal...they discussed that for a while and also Mr. Morley came out. Their discussion is that they feel that the best, I guess, solution is to go all the way underneath to floor jack and basically jack that area back up and replace these damaged posts, the posts and some rafters or whatever the term...I'm trying to think of here, to bring it back up and level and shore it up. Like I said, nobody there, Morley or Nix, felt like there was danger of the place collapsing, but that it was an area that we did want to shore back up and if that is what we desire to do and bring it back up to snuff. I supplied you...Bill Nix dropped off a packet and it's in the green folder and I laid it on everybody's desk. Like I said, this was just at 8:00 this morning so this does not include an estimate at this time so I talked to him on the phone later this afternoon and he advised me that he hadn't had a written proposal yet, but I asked him for a ballpark figure and he said that he could not imagine it going over \$15,000 for their part. He said they could start as early as tomorrow if I called him tonight or they could start Wednesday if that's what the Commission desired. That's where we are at right now. None of the inmates have been moved out. We've basically moved them into an area, they are sharing the day room which is what we call phase two day area. Probably the only stress on the place is that we've lost eight to ten shower stalls and some toilets. The inmates are now forced to share down in the phase two area which makes it a little crowded down there, but that has really been the only pressure on the operation of the place. Like I said, we've crowded up a little room down there, but the bathroom is really the thing that has caused us any problem, but we have not moved any inmates out. We did attend...I sent a Chief Deputy to the judges' meeting at least making them aware of this situation and, you know, kind of putting them on notice that if there was areas in the home detention electronic bracelet area they could help us out on that we would welcome that. They were going to take that under advisement and discuss

that. So that's basically where we are at right now.

President Jerrel: Joe, I have a question. Can we act on this tonight so that work can begin immediately?

Joe Harrison, Jr.: Only if the board would declare an emergency situation and suspend the bidding requirements for the work that needs to be done. It appears to me that it is an emergency situation should the board want to act in this fashion. It is my understanding that Morley and Associates has also...will be providing some services as well? I mean, obviously they have been out there. Do you have an idea what their services will be, the amount?

Brad Ellsworth: Yes, I forgot to mention that. They'll basically be designing and consulting on shoring it up. He told me, this was again verbal, but he thought his consulting fee or design fee would be no more than \$1,500.

Joe Harrison, Jr.: So you're talking probably under \$20,000 total?

Brad Ellsworth: Right. Deig Bros. did not call me back until late this afternoon. I haven't even had a chance to return their call and that is why they haven't been out to the facility and I tried to call two places.

Joe Harrison, Jr.: As far as that's concerned I think it would be good to get if Deig is willing to submit a request, but it sounds like you're talking about under \$20,000, is that correct?

Brad Ellsworth: Like I said, Bill said unless something horrible happened while they got started into it and then found something, but from what he saw...hi, he may be able to address this. But he saw no reason for it to go over \$15,000 from Industrial's point.

Commissioner Mourdock: Yeah, that's just from their point of view.

President Jerrel: What's your pleasure?

Commissioner Mourdock: I do think we need to declare an emergency to get this thing done. That's point number one. Point number two, even with that being the case I would certainly like to see us I guess one of two things, either get another quote as Brad was just suggesting from the other vendor or if we want to go forward with what we have in our lap right now to simply say we could do this on an emergency basis, but with a not to exceed \$10,000.

President Jerrel: It's going to exceed that.

Commissioner Mourdock: No, they're saying close to word for word here what Brad said is the person, Mr. Nix, said he didn't see any way it could go over \$15,000, so I'm saying as a contractor if he is saying it's not going to go over \$15,000 he is giving himself lots of slack there so we could put a limit and say we don't want any expenditure over \$10,000. If at that point they run up to something real quickly and find out it is going to be excessively over they're at least obligated to come back here and start talking to us. It helps cut down on the risk of surprise. The \$20,000 that Joe was mentioning, if I understood him correctly, was also including the engineering cost, is that right?

Brad Ellsworth: One thing Bill said in our phone conversation today, and it doesn't give you total, was saying on a day to day basis he can tell you we spent \$1,200 today, we spent \$900 today, so we could keep a running figure of that.

President Jerrel: Okay, so what if it...let me play the devil's advocate. What if it costs \$15,450 and they can finish it this week and we're not going to have a meeting. Do you want them to stop and wait and come in on Monday and see if it is okay to go ahead?

Commissioner Mourdock: That's a good question. The flip side of that is what if it is going to cost \$6,000, but they know they've got \$15,000 budgeted?

President Jerrel: Well, it depends on the—

Commissioner Mourdock: That's the way it works.

Joe Harrison, Jr.: Well, if it is an emergency you need to get it done right away. That's my only advice.

Commissioner Mourdock: That's right.

President Jerrel: Do you have a comment?

Joe Harrison, Jr.: I think it needs to be done this week.

Jim Morley: Yeah, I would like to address that a little bit. I don't think that you ought to cut them short. I mean, they've got to go out there. They've got to take some heavy jacks, some 100 ton jacks, set it under and do it. It's not going to take all that long. I would hate to have them stop, you know. I don't know why they would have any reason to prolong anything. I think now that staff out there uncovered it, it's easy to see what part had rotted, what is deteriorated, what failed. I discussed everything with Bill. I mean, they have very well in mind what they have to do and it's a matter of just getting to it and doing it. My initial estimate was, you know, \$25,000. I mean, I'm pleased that he has got an estimate from the contractor for a whole lot less, but I would hate to see you on a job where you have to mobilize to make them stop in the middle of it, so, you know. You know, mobilization costs an outfit money.

Commissioner Mourdock: Of course.

Jim Morley: So that kind of wastes their money, so I would hate to see you pull down, squeeze back down tight, when they know what has to be done. They just can't see everything on it.

Commissioner Mourdock: Let me just raise one other vision here. Let's assume Mr. Morley is closer with what I understand was your original estimate of \$25,000.

Jim Morley: At that time I thought the roof was involved, too. Today we found out after they uncovered it that the roof support and column is not involved, so that estimate...my estimate on that would come back down. Okay, because the roof is not involved.

Commissioner Mourdock: Is it your feeling, Jim, that we're likely to have any surprises once they start tearing into it?

Jim Morley: No, no.

Commissioner Mourdock: For the record that was James Morley!

Jim Morley: I was there with my survey hook today jabbing it in to the columns and beams and no. We found out what...they uncovered it all. Staff out there did a good job or the people out there did a good job and they uncovered it.

Commissioner Mourdock: Okay.

Jim Morley: You're not going to get any new surprises at this location.

Brad Ellsworth: This location.

Commissioner Mourdock: In the course of this project during the next ten days! Now that we've cleared that up. I will make a motion...let's do it in two parts. I'll make a motion that we declare the repair situation at the SAFE House an emergency.

Commissioner Tuley: Second that motion.

President Jerrel: So ordered.

Commissioner Mourdock: Okay. I will move that we give approval then for the execution of the work with a not to exceed price of \$15,000.

President Jerrel: Plus the—

Commissioner Mourdock: Plus an additional \$5,000 for engineering expense.

President Jerrel: No, he said \$1,500.

Commissioner Tuley: I thought I heard \$5,000 as well.

Jim Morley: Fifteen hundred is fine.

Commissioner Mourdock: Okay.

Jim Morley: I can guarantee that one.

Commissioner Tuley: Good, let's hurry.

Commissioner Mourdock: In that case I would clarify the motion that the total expenditures under this emergency basis not exceed \$16,500.

Commissioner Tuley: Second.

President Jerrel: So ordered. But I don't think that \$1,500 was Jim's, was it?

Jim Morley: Yeah it was.

Joe Harrison, Jr.: Yes.

Jim Morley: Or whatever.

President Jerrel: Okay. Then, Brad, you'll take that message to them?

Brad Ellsworth: Yes.

President Jerrel: We do have funding available in account 2031 so we'll be able to do it so we can get moving.

Brad Ellsworth: I'll call him tonight. Okay, thank you.

Old business

President Jerrel: Okay, is there any old business to come before the board?

Commissioner Tuley: Just one little quick point. We're in the process...last week there was a motion and a second to create a survey type card and Tony is in the process of doing that and Joe has made some revisions so maybe this will be ready to bring back next week.

Commissioner Mourdock: Okay, very good.

New business

President Jerrel: Any new business? Motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 6:21 p.m

CONSENT ITEMS:

Employment changes

County Clerk	Burdette Park	Auditor
Co-op Extension	Circuit Court	Pigeon Assessor
Election Office	Recorder	Property Tax Board

Travel requests

Health Dept.	Perry Assessor	Center Assessor
Auditor		

Sheriff

Submit inmate general information report

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne M. Crouch	Charlene Timmons
Tony Greubel	Jerry Bryan	Bill Cottun
John Stoll	Steve Craig	Brad Ellsworth

Others unidentified

Members of the media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and transcribed by Charlene Timmons.

**Vanderburgh County
Board of Commissioners
May 22, 2000**

The Vanderburgh County Board of Commissioners met in session this 22nd day of May at 5:45 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I apologize for the delay. At this time I would like to call the Board of Commissioners' meeting to order. I'm going to waive the introductions. You've been introduced numerous times, but I would like for you to join me in the Pledge of Allegiance. Thank you. I know now that all of you have heard about Pat and we're going to miss him. We're not in a position to be able to get a lot of interaction with him right now, so we'll just...we aren't having a meeting next Monday, so all of you know that.

Approval of minutes

President Jerrel: At this time I would like to ask for the approval of the minutes of May 15th.

Commissioner Mourdock: I'll move approval of the minutes as filed from the May 15th meeting.

President Jerrel: And I'll second and say so ordered.

Jerry Bryan - City/County Purchasing

President Jerrel: The next item on the agenda is Purchasing.

Jerry Bryan: Good evening, I'm Jerry Bryan, City/County Purchasing Director. I have in your folder a revised packet for permission to implement a new formula. Mr. Mourdock, the reason I brought that out to your office was I was afraid if it faxed it would get black there.

Commissioner Mourdock: Sure, yeah. And I have reviewed it, Jerry, and the question that came up last time was to make sure that the thing was going to net out and as you have pointed out either in the voice mail to me—

Jerry Bryan: Yes, sir.

Commissioner Mourdock: —or somewhere along the way the total variation that they would of had over the past year would have been less than the dead band that is being applied here.

Jerry Bryan: Yes, sir.

Commissioner Mourdock: And given the escalation that is there certainly my personal opinion is that we're going to see some of that coming back to us. I don't know when, but I think it will come back.

Jerry Bryan: Right.

Commissioner Mourdock: So I think the formula you've proposed is appropriate. I'm glad to hear that the contractors are willing to go with it therefore I would move acceptance of the new formula for pricing for liquid asphalt per the Purchasing Director's recommendation.

President Jerrel: And I'll second and say so ordered and that was very easy to understand.

Jerry Bryan: Thank you very much. Now I know the term of getting angry phone calls from the people. The contractors, I think they have a harmony now of calling me every other day wanting to know and get relief, so I have the letters in the mail and posthaste I will give them that relief. Thank you very much.

President Jerrel: Thank you.

Commissioner Mourdock: I apologize for making that if it seemed exceptionally long or drawn out.

Jerry Bryan: No, I think we needed to just sort it out until we get it finite and I will include that in the bid package in the fall, too, so there will be no misunderstanding.

Commissioner Mourdock: Yeah.

President Jerrel: Okay, thank you very much.

Judge Wayne Trockman - Grant application for drug addiction program
--

President Jerrel: The next item on the agenda is Judge Trockman.

Wayne Trockman: Good afternoon.

President Jerrel: Good afternoon.

Wayne Trockman: Thanks for having me. This grant application I delivered to the Commissioners the middle of last week. It was presented on Thursday evening to the advisory board...for the Community Correction Advisory Board and although it received unanimous approval and was received very well there was not a quorum unfortunately so we're going to return at a special meeting next week.

Commissioner Mourdock: This week.

Wayne Trockman: This week.

Commissioner Mourdock: It's Thursday.

Wayne Trockman: Wednesday. I wrote down Wednesday, but now I'm told it's Thursday so it is going to be Wednesday or Thursday of this week. I have been in communication with Mike Brown at the Department of Corrections. He is responsible for the grant money and grant applications submitted around the state. When I talked to him first about the concept of a drug court here in Vanderburgh County his first reaction was the Department of Corrections does not fund drug courts. The more we talked...I called him back and we talked again and I called him back and we talked again and explained to him that what we are requesting is

money to fund two additional probation officers, probation officers that would be supervised by the court just like all of the other probation officers that they fund. Whether we call it a drug court or we call it a...and I'm not playing games with him, but I'm sure that you noticed in the application that I didn't...no where in here is drug court even mentioned.

President Jerrel: Right.

Wayne Trockman: That was an accommodation to him because he is concerned about setting precedence. I don't think that it matters what it is called. We're requesting two additional probation officers to help administer this new program. We went through a period in the '80s and certainly through the '90s of can't build jails fast enough and can't make sentences long enough. That may have been appropriate in many circumstances, but there has been a lack funding, at least in my opinion, in Indiana and across the country and certainly in Vanderburgh County of adequate and appropriate treatment of those people who are addicted to drugs and alcohol. They're not getting the treatment. These courts have been established across the country already and have been in operation five, six, seven and eight years in some states. They are effective. They are not widely effective. They don't eradicate drug related crime and they don't even make a significant impact with regard to drug related crime because drug related crime makes up a very large portion of what...of the arrests in this county and around the state. But in terms of human costs they have made a large impact. Anyone who is aware or familiar with addiction, which we are all either through training or through having friends with problems, or friends of friends, or family members, you know that number one relapse is a part of recovery. Number two, that motivation for treatment is necessary and our system does very little if anything and it does not, at least in my opinion, does not recognize that relapse is a part of recovery and needs to in certain instances. This program, and I won't go into the specifics of the program, but I'll certainly answer any questions that you ask, but some of the more significant points, I think, are that relapse is recognized and relapse is dealt with. Currently when an individual on probation who is known to have a drug problem relapses that is dealt with severely and certainly severely on the second and third event. Relapse under the drug court philosophy is dealt with punitively, but also dealt with with more rehabilitation, more services with a goal towards changing the lifestyle and changing the thought process of the particular offender. So I think that this has merit. I'm encouraged by Mike Brown and his reception of this application at this point. He has not seen it, but we've talked about it. He knows what the numbers are. He is looking forward to receiving it. He is going to be in Evansville on June 8th. He is going to be meeting with the Sheriff and I am going to meet with him before the Sheriff's meeting and that was at his request which was encouraging. It's about \$140,000 in the first year. One other significant point and that is in putting this together I met with first the Prosecutor, the Police Chief and the Sheriff and asked them to listen and eventually asked them if they would support this type of a project. Not only have they after learning about the project and its specifics agreed to support it, but they put some money behind it. I don't know how much of that money is going to be needed at this point because I have asked in this application for this to be one hundred percent funded by the state. I think it is significant in terms of the program's credentials and viability to have the law enforcement officials of Vanderburgh County solidly behind it. Not only behind it from the standpoint of yes, we'll support it, but putting some money behind it. They have pledged some money out of their forfeiture account as some start up costs. This grant application would be no different than all of the other money that comes and helps fund our Community Corrections. It would come directly to the county. The two employees

that are suggested in the application would be county employees. All of their benefits are included in the package. I have included some rent and other amenities for a separate office although Sheriff Ellsworth has graciously offered the VCCC facilities at least during the infancy of this program which I think will be necessary as a place to start it, as a place where computers that are hooked into Court View are available because that is a very expensive procedure to get those links. Asking for the county to not only endorse this project, but to approve the application as submitted for forwarding to the Department of Corrections. They have indicated to me that if they receive this six weeks before July 1st that it could be processed and some decision could be made before July 1st. We've already passed that deadline and I have talked to Mike Brown about that and he knows that it is going to be about a week late. This time line was the best I could do and he understands that so there may be some decision if it is approved here and by the Advisory Board hopefully in July.

Commissioner Mourdock: Okay, Judge, first of all I apologize that I wasn't at the Community Corrections' meeting. I was trying desperately to get back here on Thursday from Pittsburgh and I didn't get here until about 4:45. I would have asked these questions there, but since I've got the chance now you're showing in your grant application the total number of clients to be served by this component is somewhere between 45 to 50 which means basically the workload of these two people will be somewhere between 15 to 30 people at any given time. How many people do you see in a year being served by those two people?

Wayne Trockman: That 45 to 50. This would be a...I neglected to mention this would be a pilot project. All of the interviews that I have done around the state with other courts that have adopted such a project have indicated that they were not able to receive federal funds without some success with a pilot program in their counties. In fact, they were each denied federal funds without showing that they could put this type of a program together and run it successfully first. So this is a pilot project with no more than 30 probationers involved at any one given time. The 45 to 50 number is based upon information that I received mainly from Allen County where Judge Scheibenberger indicates about a 40 percent success rate over 18 months and so some of those 30 that might initially be accepted into the program are going to wash out.

Commissioner Mourdock: Right.

Wayne Trockman: Even though I think it is clear it's designed for 30 I think that question on the application was asking how many total in a given year and that was my best guess.

Commissioner Mourdock: Yeah, it didn't specify per year. It's kind of foggy in the application, so you're saying 45 to 50 a year. Okay.

Wayne Trockman: And that is quite different than what our probation officers are doing now. They're paper shufflers, unfortunately. They're handling about 200 probationers each which needs no further explanation. They are not providing any personal services unfortunately to individuals who need it.

Commissioner Mourdock: As an operational question then, if I can find my questions here from the weekend, on one of the pages and they're not numbered, but you speak of the treatment components. When a defendant is arrested and charged he/she will be advised of the program and then this application must be submitted

within 48 hours of the first court appearance. Once an application is received it will be screened. It may be obvious, but be screened by whom? By simply those two people that are running the program?

Wayne Trockman: It is anticipated that the final decision with regard to entry into the drug court would be left to the judge who is assigned the drug court and that hasn't been determined yet. You know, I've discussed this, of course, at length with the judges. We've had several meetings on it and I have told them that I would like to be responsible for that and I think that if this ever comes about that's how it will happen. Quickly how I think the process will work is the...and this is what I have talked about with the Prosecutor's Office is that the deputy assigned to the drug cases who is now Mike Perry would initially flag those cases that he thought would deserve a closer look and then that there would be a small committee who would look at them more carefully to make sure that they qualified not only in terms of are they an addictive person in need of these services, but do they have any violence in their past which would disqualify them. Has there ever been a handgun...was there a handgun involved or has there ever been a handgun in that person's past? Is this a drug dealing case which would disqualify? Has the person ever been involved with any type of a sex offense which would disqualify. And then once it gets past that committee which I envision as a very small committee then it would be left to the judge. The process necessarily needs to be streamlined and very quick because that is one of the main advances and components of a drug court is that an individual doesn't sit in jail for six months, eight months or even 30 or 90 days or isn't on bond for six or eight months awaiting trial because as we all know addicted persons don't quit committing crimes to support their habit. I have related this story before and I'll relay it very quickly. Before I became a judge I did not an overwhelming amount, but some defense work and I had clients who would come in and one in particular towards the end of my law career who listed for me all of the stores, the major stores, in Evansville where he could walk in, pocket something valuable, make a stroll through the parking lot, return to the desk and return it for cash without a receipt. He knew every place in town that would do that and that's what he did all day to support his habit. Every day. There are a lot of people in this community like that. When those people are arrested and they're placed on bond they don't just, of course, stop using drugs. They don't stop committing crimes in order to fund their habits. I'm not saying that every drug defendant is like that, but those are the candidates that we're going to be looking for. Those people who you see...and this is not a softball program and there are some softball drug courts, even in Indiana, but this program is going to be looking for individuals who probably have prior felony records, who have a very demonstrated addiction to drugs and who is not going to be locked up for a long period of time even if that person were treated in an old fashioned and what some would say barbaric way of sending them off to the Department of Corrections or putting them at VCCC where they are going to continue in the community committing maybe dozens of crimes a week. That's the way I see it happening in the community. What I was going to say is you look back at a record of someone like that and they were arrested let's say in 1997 for possession or for theft or forgery, something related to their addiction, and now they are arrested again in 2000 so for three years in most cases they haven't quit using drugs. They have gotten away with what they were doing for a period of three years and probably committed hundreds of crimes in the community. Those are the individuals that we are looking for as candidates.

Commissioner Mourdock: Okay, you have in here as well the director duties and the administrative assistant duties and one question that applies to both, have these been submitted as full job descriptions yet to the Job Committee?

Wayne Trockman: No.

Commissioner Mourdock: Is that yeah, no?

Wayne Trockman: No, they have not.

Commissioner Mourdock: Are you intending on doing that, I presume?

Wayne Trockman: Yes.

Commissioner Mourdock: And then also since these are county employees I presume all benefits, everything that they're doing, even though it's under the grant program that would be funding it they'll still be considered county employees and under the county employee handbook?

Wayne Trockman: Yes. And, of course, that's one of the compelling reasons for...or one of the many reasons for bringing this request to the Commissioners.

Commissioner Mourdock: I appreciate that. Last, but not least for me at least is item ten, monitor payment of fees is one of the duties for the director and maybe for the administrative assistant as well, although I don't see it listed on that one, but I would just make the suggestion that however you do that you tie that back in with some form of Council oversight since they are the county fiscal operation. That you provide with that some monthly audit or whatever. Maybe audit is too strong of a word.

Wayne Trockman: And I have not envisioned some separate account for maintaining user fees although I don't want user fees to be some exorbitant or some unreachable amount for the people who participate in the program, but I simply want, and especially if it is funded through this grant, and hopefully in 2002 through the Department of Justice that money should come directly back to the county.

Commissioner Mourdock: Yeah, and my question isn't even so much as far which account is which, it's just that under the checks and balances just as this Commission has to work everything fiscal through the County Council it seems to me that maintaining that check and balance is good for everybody.

Wayne Trockman: And I have not worked through those details, but want to work with you to make sure that it is set up appropriately because that's not my strong suit and I will want to make sure that is done appropriately.

Commissioner Mourdock: Okay, I did think of one last one. The administrative assistant as you describe it here kind of seems a mismatch to me as one of two employees. I guess maybe because I think of the word administrative assistant to be 2000 speak for the old word secretary. That person will be doing some counseling, monitoring and all those other things, correct?

Wayne Trockman: That person needs to be capable of doing that. Now how much counseling that person ends up doing, I don't know. I think that to some small extent that is 2000 speak for secretary because that will necessarily be a large portion of that person's duties.

Commissioner Mourdock: So even though the ratio is 15 to one then for two people with 30 in reality it may working be more like 20 or 25 to one for one person and ten

for the other?

Wayne Trockman: I think that is correct because I would envision the director being away from the office for various reasons and maybe even for long periods during the day and the person who is there at his or her desk all day long like that assistant needs to be capable of handling the same problems that the director handles.

Commissioner Mourdock: Okay. Well, that last part is just I have a hunch when Job Study looks at it and you start working through the formal job description that will be important with that title. So for whatever it is worth there.

President Jerrel: Question, when you and I spoke this is an amendment to the current contract?

Wayne Trockman: Right, yes.

President Jerrel: Okay, so when the Sheriff submits this year's contract this will automatically be an amendment to the new one?

Wayne Trockman: Yes. I'm assured that this will not affect the current contract.

President Jerrel: Right.

Wayne Trockman: And Vanderburgh County, I think, has not received, and this has been well publicized and discussed, its share of funds from the state. Hopefully this will make some difference in that regard and I should tell you that even Mike Brown acknowledges that he would like to assist the county in some way. Whether this is a way in which he can do it, he certainly has not provided any promises, but he has been very helpful.

President Jerrel: I think they recognize that there has been some inequities and I think they do appreciate the situation. The only other question I had, and I do commend you for this, you and I did discuss the treatment component. We talk about how many services there are in the community, but we never do talk about any evaluation of those services. Again, I'm not putting that on you. I'm just saying when you get to the point of dealing with those or you get your person in place as your director I think it's important that we do evaluate the existing services because you're going to be committing people to those and what is on paper is not always reality and so your director might in the process do another good service by being able to do some evaluation.

Wayne Trockman: That's a great suggestion—

Commissioner Mourdock: Very good point.

Wayne Trockman: —and maybe that should be done on a regular basis.

President Jerrel: I think it should be.

Wayne Trockman: For instance, maybe several months into the program and then either annually or semiannually. I think that's a good idea.

President Jerrel: I think it would be a very fine thing for you to do. It would serve a lot of different areas.

Commissioner Mourdock: There is a lot of ways you could check that.

President Jerrel: Yes.

Commissioner Mourdock: Everything from actually interviewing the people going through the process to—

President Jerrel: Checking the numbers for repeats.

Commissioner Mourdock: Check the numbers, right.

Wayne Trockman: Right.

President Jerrel: Is there a motion?

Commissioner Mourdock: Yeah, again as Bettye Lou just said, I commend you for doing this, Judge. I think if anything I have learned through the jail committee experience it has been how pervasive drugs are in this community and what a huge increase the drugs have had on our numbers going through the whole judicial system. So this, I think, is a good step. So with that I would move approval of the amended grant application submitted by Judge Trockman.

President Jerrel: And I'll second and say so ordered. Thank you very much for coming.

Wayne Trockman: Thank you, and may I bring up one matter which I meant to do when I started, but forgot. My assistant.

President Jerrel: I was going to ask you if you would introduce.

Wayne Trockman: Ben. Would you come up, Ben? There are a lot of people here and I'll only take 30 seconds to do this.

President Jerrel: No, of course.

Wayne Trockman: Ben wanted to come and get a civic lesson tonight. He is graduating from Hebron tomorrow morning on the honor roll.

President Jerrel: Good.

Commissioner Mourdock: Alright.

President Jerrel: Going to Plaza, you're big. You're going to pass your dad up soon.

Wayne Trockman: He has got my shoes on. Thank you.

Commissioner Mourdock: If you're on the honor roll you're in the top half of the class that I never knew, so good for you.

Wayne Trockman: Thanks again.

President Jerrel: Uh-huh. Thank you.

City Council - Interlocal agreement regarding T-1 fiber optic line

President Jerrel: The next item on the agenda is the City Council. This—

Commissioner Mourdock: Yeah, we have submitted before us an interlocal agreement concerning a T-1 fiber optic line, but after consultation with the Sheriff's Office found out that we do not need to act on that in any way.

President Jerrel: That it is in fact already being paid for by the Sheriff.

Joe Harrison, Jr.: Although they may want us to go ahead and—

President Jerrel: Approve it in theory?

Joe Harrison, Jr.: And just indicate that the money is already being paid for by the Sheriff's Department, but I think they want some interlocal agreement indicating that the county is paying in some fashion.

Commissioner Mourdock: Okay. With that duly noted then, I would move approval of the interlocal agreement for T-1.

President Jerrel: And I'll second and say so ordered with the caveat that the funding is explained.

Any group or individual wishing to address the Commission

President Jerrel: Is there anyone that wishes to appear before this body at this time?

John Stoll - County Engineer

President Jerrel: Okay, moving on. County Engineer.

John Stoll: The first two items are recommendations to award contracts. The first is a recommendation to award contract number VC00-04-02, the Gregory Court slope stabilization project to Deig Bros. for the amount of \$39,897.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: The second recommendation is to award contract number VC00-05-01, Seminary Road Bridge No. 1961 removal and replacement to CCC of Evansville in the amount of \$101,334.88.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: The next item I've got is a change order for the St. Joe Commercial Court improvement projects. This results in an increase of \$2,861.54. The primary reason for the increase was we had to switch from a 72 inch diameter manhole up to an 84 inch diameter manhole and we also had some overruns on the stone. This is the

final change order and the only change order for that matter and the project has been completed. It's recommended that this be approved.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: Next I've got an encroachment agreement for St. Charles Cove Subdivision. This is for some sign and landscape encroachments that are in the right-of-way. I've had Joe Harrison review this agreement and everything is acceptable. The developer has signed off on it on behalf of the homeowners association. Basically, the homeowners association will be responsible for maintaining all the landscaping and they'll hold the county harmless for any liability associated with the signs and landscaping so it is recommended that the Commissioners approve the agreement.

Commissioner Mourdock: And you said Joe reviewed it so the developer does have the authority under the neighborhood association to sign the agreement?

Joe Harrison, Jr.: Yes.

Commissioner Mourdock: I'll move approval of the encroachment agreement.

President Jerrel: Second and so ordered.

John Stoll: With the encroachment agreement being approved it is recommended that the streets in Section 1 of St. Charles Cove be accepted. This is 517 feet of Heard Street, 178 feet of Waverly Court, and 176 feet of Newgate Court.

Commissioner Mourdock: I'll move acceptance as recommended.

President Jerrel: Second and so ordered.

John Stoll: The next item is a request for approval of street plans for Section 2 of Stonecreek Subdivision. This is a subdivision located at the intersection of Kansas Road and Seib Road. This portion of the subdivision involves one of the sections of the realignment of Seib Road. This has been reviewed and it's recommended that these plans be approved.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

Commissioner Mourdock: Do we have to sign the mylar, John?

John Stoll: Yeah. The next item is a request for approval of street plans for Section II of Ashwood Subdivision. This is located south of Bergdolt Road. This is a continuation of a previous section of Ashwood that was started several years ago. We've reviewed the plans and after the engineer made several changes to the plans it is now recommended that those plans be approved as well.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: That's all I have unless you have any questions on anything.

President Jerrel: Thank you.

John Stoll: Thanks.

Erik Bentle - Superintendent of County Highway

President Jerrel: County Highway Department.

Erik Bentle: Erik Bentle, County Highway. You have my progress report from last week and my work schedule for this week and basically that's all I have.

President Jerrel: Are we getting ready to do any paving?

Erik Bentle: We are paving Barton and Schrader right now. We had tire trouble out there today. It will be Thursday before we can get another tire for the paver, so it's shut down until at least Friday.

President Jerrel: Okay.

Commissioner Mourdock: Are you going to use the pie charts again this year to keep us up-to-date on the percentage?

Erik Bentle: Yes, we are.

Commissioner Mourdock: Okay, just getting started so they are not here yet, okay. Okay, I'll move acceptance of the County Highway reports as submitted.

President Jerrel: And I'll second and say so ordered. Thank you.

Joe Harrison, Jr. - County Attorney
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President Jerrel: County Attorney.

Joe Harrison, Jr.: The only item I have has to do with the Oak Hill Road sanitary sewer Barrett Law project. As you may recall the project was officially accepted by the Commissioners last Monday and the sewer has since been accepted by the city. In front of you is a preliminary assessment roll for acceptance by the board. There needs to be a motion with regard to that and as you will note there are, I believe, 83 homeowners to be benefitted by the project or are benefitted by the project. Right now it looks like the assessment for each homeowner will be \$3,454.07. If they choose to finance it over a term of ten years there will be interest and some other associated costs along with the financing. I would ask that you all formally accept the preliminary assessment roll and then there will be a hearing regarding the affirmation of this assessment roll on June 12th and I have prepared a notice of public hearing concerning the assessment roll and that would be on June 12th and thereafter that time the homeowners would then be notified of the cost whether they decide...or the options out there whether they want to pay up front or whether they want to finance it over a period of ten years. Again, this is substantially lower than what they thought it was going to cost several months ago. I would ask that first of all accept the preliminary assessment roll and then a second motion to have a public

hearing with respect to approval of the final assessment on the project.

Commissioner Mourdock: Okay, I'll move approval of the preliminary assessment roll for the Oak Hill Road sanitary sewer Barrett Law project.

President Jerrel: I'll second and so order.

Commissioner Mourdock: And do you have a recommended date, Joe?

Joe Harrison, Jr.: Yes, June 12th.

Commissioner Mourdock: Okay, and I would move that on June 12th we have the public hearing to review the Oak Hill sanitary sewer Barrett Law assessment.

President Jerrel: Second and so ordered.

Joe Harrison, Jr.: That's all I have.

Tony Greubel - Superintendent of County Buildings
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President Jerrel: Okay. Superintendent of County Buildings.

Tony Greubel: There is just several additional late pink slips. Since we don't have a meeting next week I called the Auditor's Office to make sure that there was none in that gap, so there was about three or four that came up today. That's it.

Steve Craig - Burdette Park

President Jerrel: Okay, Burdette Park.

Steve Craig: Steve Craig, Manager of Burdette Park. Our Bishea Building restroom renovations are done and we had a wedding reception in it this weekend. Everything went well. We got all our summer help hired as of today because we got them in with Tony for the late thing. The gelcoating of the slides is finished and our pool and that is ready to be opened. The second one is being filled right now and will be open on Thursday for the summer.

President Jerrel: Ah, and it's just going to rain today, tonight and a little bit tomorrow and get hot.

Steve Craig: It's supposed to be 91.

President Jerrel: Yeah.

Commissioner Mourdock: Is that right?

President Jerrel: Yeah.

Commissioner Mourdock: Wow. The cool spring has passed.

President Jerrel: Steve and I are making the weather predictions.

Steve Craig: It may not come true, but we can predict it. Did you get our work reports?

President Jerrel: Yes.

Steve Craig: Do you have any questions?

Commissioner Mourdock: No.

Steve Craig: Thank you.

President Jerrel: Thank you.

Weekly reports

Commissioner Mourdock: I'll move approval then of the Soil & Water Conservation District report and the Ozone Officer report as submitted.

President Jerrel: I'll second and say so ordered.

Consent items

President Jerrel: Under consent items are there any questions?

Commissioner Mourdock: Just to add as Tony recommended. We had just a couple—

President Jerrel: Yeah, of the—

Commissioner Mourdock: There it is. I move first that we add those several late pink slips to the consent item file. Go ahead and do that.

President Jerrel: I did.

Commissioner Mourdock: No, just go ahead and accept that. That was a motion to add those to the file.

President Jerrel: Oh, excuse me. I'll second and say so ordered.

Commissioner Mourdock: Okay, and with that taken care of I would say I move acceptance of the consent items.

President Jerrel: And I'll second and say so ordered.¹

Scheduled meetings

President Jerrel: You've got your schedule meeting list. We do not have a meeting next Monday.

¹See page 15 for listing of consent items

Old business

President Jerrel: Is there any old business to come before this body?

Commissioner Mourdock: Yes, one bit of old business. Just to update the jail report as we had on 5/10 325 people incarcerated with an average stay of 72, as of last week we had 340 incarcerated. The average days has dropped to 71. Although the 340 Eric Williams tells me is a bit of an aberration in that just a few hours after that count they actually were down below 300 because they got State Corrections to accept something like 40 people so we made some headway this week.

President Jerrel: I think we had, what, 88 or 80 some odd that could have been transported, but we only got–

Commissioner Mourdock: They had slots for 40.

President Jerrel: Yeah, right.

Certification of Executive Session

Commissioner Mourdock: One bit of new business. Did you have anything for old business?

President Jerrel: No.

Commissioner Mourdock: Okay, one bit of new business that we skipped at the beginning of this meeting. Just officially to provide our minutes for the notes of the Executive Session this evening. We began a meeting at 4:30, discussed the initiation of litigation, pending or threatened litigation and some county personnel matters and completed that meeting at about 5:40 and Commissioner Jerrel and I were present.

President Jerrel: And I'll second and say so ordered. Is there a motion to adjourn?

Commissioner Mourdock: So moved.

President Jerrel: Second, so ordered. For those of you here for drainage we'll be ready to go in just about five minutes.

The meeting was adjourned 6:24 p.m

CONSENT ITEMS:

Employment changes

Sheriff's Department	Auditor	Burdette Park
Circuit Court	Clerk's Office	Pigeon Assessor
Prosecutor	Health Dept.	German Assessor
Highway Dept.	County Council	County Assessor

Travel requests

Health Dept.	Center Assessor	Knight Assessor
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Surplus

Auditor’s Office Co-op Extension

Weights & Measures
Submit monthly report

Sheriff
Submit inmate general information reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Joe Harrison, Jr.
Suzanne M. Crouch	Charlene Timmons	Tony Greubel
Jerry Bryan	Wayne Trockman	John Stoll
Erik Bentle	Steve Craig	Others unidentified
Members of the media		

APPROVAL:

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

**Vanderburgh County
Board of Commissioners
June 5, 2000**

The Board of Commissioners of Vanderburgh County met in session this 5th day of June at 5:40 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Commissioners meeting to order. At this time, I would like to introduce the people before you. On my far right, Tony Greubel is the Superintendent of County Buildings. Mrs. Barbara Cunningham on the end is the Director of Area Plan. Joe Harrison, Jr. is to my right that's the County Attorney. My far left is Charlene Timmons. She is the recording secretary, and whatever people say she takes verbatim minutes and types them and gets them back in about four days. I'd like to take just a minute because this is her last meeting with us. She has been our recording secretary for four and a half years and that means a lot of transcribing. She is going to be leaving and we're going to have a new recording secretary. She will still be in the Auditor's office but I would like to thank her for all of the excellent work. You're a real professional.

Commissioner Mourdock: And I don't recall that I've ever interrupted you during the introductions before, but you said four days and actually she turns them around in about two days. So, she does a great job. We will miss you Charlene, and I know you'll miss us every Monday night.

President Jerrel: Uh, the County Auditor, Suzanne Crouch is next to Charlene. Commissioner Mourdock is to my left. If you don't know, Commissioner Tuley had a bad fall. He is better. I saw his x-rays today and he had a break and the femur was sort of a split with two ragged edges. They've got a rod in his leg with wire wrapped around the wire around the rod to hold it together. It's nasty looking and he wishes he could be here. He really does. I think he's getting...you know, he's been tied down now for two weeks and he's ready to get out. The doctor says he can't yet. My name is Bettye Lou Jerrel and I'd like to have you join me for the Pledge of Allegiance.

Approval of minutes

President Jerrel: Thank you. The first item on the agenda is the approval of the minutes of the May 22nd meeting.

Commissioner Mourdock: And I'll move approval of those minutes as submitted.

President Jerrel: And I'll second and say so ordered.

Certification of Executive Session

President Jerrel: The next item on the agenda is the certification of the Executive Session.

Commissioner Mourdock: And I would move approval of the summary minutes of this evening's Executive Session that began at 4:40 and concluded at 5:30 dealt with pending litigation, real estate lease issues, and also collective bargaining issues. Present at that meeting were the County Attorney, Commissioner Jerrel, Suzanne

Crouch, Auditor, and myself.

President Jerrel: And I'll second and say so ordered. Now, it is my understanding that our hearing, I mean that our Baseline hearing is first. Is that correct?

Commissioner Mourdock: No, six-thirty.

President Jerrel: Six-thirty.

Commissioner Mourdock: Yeah, yeah.

DADS - Approval of contract for services

President Jerrel: Ah...okay, I was going to speed it up for you, but the next item on the agenda is the approval of the contract for services submitted for the DADS office for cleaning.

Bill Campbell: The two contracts you have in front...one is for cleaning service.

Commissioner Mourdock: State your name.

Bill Campbell: Bill Campbell, Director of Drug & Alcohol Bureau Services. The service we had contracted with you all's approval was with the Mental Health Center and they've stopped doing that. We've looked around to other not-for-profit corporations and none in our community provide that service. So then we went looking at the best offers we could get. The one before you is the most appropriate and most, I think, cost effective.

Commissioner Mourdock: We have two in front of us, Bill. One of them is with a Mr. Patrick Backer.

Bill Campbell: Oh no, that's a separate contract. There are two contracts you're looking at.

Commissioner Mourdock: Okay, so you're referring—

Bill Campbell: The first one is for the cleaning service.

Commissioner Mourdock: Okay, alright. Joe, have you looked at this or have any comments?

Joe Harrison, Jr.: No, it looks fine, I'm looking at it right now. You've got a two year agreement is that your understanding?

Bill Campbell: I believe so. There's money in the budget, at least right now, for at least part of that. I'll have to go back to the Council if this is approved.

Joe Harrison, Jr.: And you can terminate the agreement with 30 days advanced written notice?

Bill Campbell: Absolutely.

Joe Harrison, Jr.: Okay, it looks fine.

Commissioner Mourdock: Okay, I would move approval of the contract services agreement between Vanderburgh County and Jani-Clean contract dated 5/17/2000.

President Jerrel: And I'll second and say so ordered.

Bill Campbell: Thank you. The other matter is we keep a variety of number of people who teach sessions for the youth alcohol program. These people are certified, very competent people in the community. We try and rotate them through so no one gets too burned out. This individual is certified and in addition services, very competent and look forward to having him as a part of our youth alcohol program on a part-time basis.

Commissioner Mourdock: And that is the proposed contract with M. Patrick Backer?

Bill Campbell: That is correct.

Commissioner Mourdock: Okay, and again Joe, you okay with that?

Joe Harrison, Jr.: Yeah, it looks fine.

Commissioner Mourdock: Okay. I would move approval of the Vanderburgh County Drug and Alcohol Deferral Service with Mr. M. Patrick Backer of YAP sessions.

President Jerrel: I'll second and say so ordered.

Bill Campbell: Thank you.

President Jerrel: Thank you.

Open Bids - RFP plat book conversion services
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President Jerrel: The next item on the agenda is the opening of the RFP for plat books for the GIS Committee. Is there anyone here representing GIS? Yes sir. I guess the first item is we just need to have a motion to open.

Commissioner Mourdock: Yeah, first of all I presume that's what all the boxes are behind you, Tony? I would make a motion then that we open the RFP responses for the plat book conversion services in connection with the county's GIS.

President Jerrel: And I'll second and say so ordered. Then, I'm assuming we will read them into the record and then take them under advisement.

Joe Harrison, Jr.: During my report, if that's okay, it looks like we got six or seven responses.

Commissioner Mourdock: Okay. Is there a quick summary page in there? Those things look pretty voluminous. Will you be able to read into the record?

Joe Harrison, Jr.: We'll have to wait and see. It may just be that we have to indicate who they're from and take them under advisement.

Open Bids - XL3100 Excavator

Tony Greubel: And actually we have one more bid to open, Jerry.

Jerry Bryan: I'm Jerry Bryan, City/County Purchasing Director. I have a bid opening for the XL3100 excavator for Erik.

President Jerrel: Is there a motion?

Joe Harrison, Jr.: What' the bid number on that, do you know?

Jerry Bryan: VC2003-2000.

Commissioner Mourdock: And I'll move that we accept those bids and open them to later read them in the record this evening.

President Jerrel: And I'll second and say so ordered. Is that all?

Jerry Bryan: Yes ma'am.

Commissioner Mourdock: Jerry, did everything go okay with the asphalt?

Jerry Bryan: Yes, everything is fine, thank you very much. The vendors are very pleased. I got some nice phone calls. They're putting that formula into play and they thank us very much for that.

Commissioner Mourdock: Okay.

Brinks - Extension of contract for Clerk/Treasurer services

President Jerrel: The next item on the agenda is the extension of the contract for the Clerk/Treasurer service to Brinks.

Commissioner Mourdock: And we have submitted to us a letter that simply changes the existing contract with a six percent increase and it's from Mr. Michael Hunt. I would move acceptance of this addendum to the contract with a description of service as provided.

President Jerrel: And I'll second and say so ordered.

First Reading - Vacation of lake drainage easement at Cambridge

President Jerrel: The next item is the first reading...this is a public hearing on the vacation of the lake drainage easement at Cambridge.

Krista Lockyear: Good afternoon, I'm Krista Lockyear here for the petitioner, Cambridge Development. I really only here to answer questions, if you have them. This is a lake easement that was actually...what we are vacating was never built. There is a replacement lake drainage easement that has been built out on the property and we are really amending the legal description to correct what is currently on public record.

Commissioner Mourdock: You said it wasn't built, Ms. Lockyear, was it part of the drainage plan initially and it has not been built?

Krista Lockyear: It was and—

Commissioner Mourdock: You know what my next question is gonna be.

Krista Lockyear: I talked to Bill Jeffers early about this and he knows what's going on and has been going on out there. My understanding is that there were certain reasons why this lake was more appropriate to be built than the originally platted lake. Mr. Jeffers has been involved in this. Like I said, I talked to Bill today and what's gonna have to happen is it's my understanding that we'll end up having to go through with an as built plan when this is all said and done. Some changes have been made out there to fit the golf course. The gold course designers changed things and this and that. Each time any revision that has anything to do with drainage. We are talking to Bill Jeffers about this.

Commissioner Mourdock: Okay. I would point out that, Charlene, this is why we are going to miss you. Charlene jumped to my aid here and pointed out that the, in fact, the County Surveyor did send a letter that was attached to the very rear of this packet. So he expressed his support. So—

President Jerrel: Since this is a public hearing, however, is there anyone who's here that wishes to speak to this? Seeing none.

Commissioner Mourdock: Seeing none of the first reading, I would move approval of the vacation of the lake drainage easement at Cambridge Development as requested.

First Reading: Vacation of platted utility easement at Cambridge

President Jerrel: And I'll second and say so ordered on the first reading. The next is also yours too?

Krista Lockyear: Yes ma'am.

President Jerrel: You want to explain this? This is a vacation on the easement.

Krista Lockyear: This is actually a...it's also a drainage and public utility easement. It crosses a very large lot out at Cambridge. Lot 125. When the original lake was not constructed in the originally planned position, this easement became unnecessary as it would have drained into that lake. Currently the building plans will go right across that easement. No utilities have been submitted and you do also have the letters, I believe, from the utilities indicating that nothing is built out there now. We are just modifying and we'll put proper easements in around where the buildings and structures are built.

President Jerrel: And is there anyone here that would like to speak to the vacation of this easement?

Barbara Cunningham: I would like to have copies of any of these changes for our records.

Krista Lockyear: Absolutely.

Barbara Cunningham: If they're approved.

President Jerrel: Is there anyone else that wishes to speak? Is there a motion?

Commissioner Mourdock: On first reading, I would move approval of the vacation of the platted utility easement for Cambridge Development as submitted.

President Jerrel: I'll second and say so ordered.

Contract - Bovine Brucellosis and Tuberculosis Eradication

President Jerrel: The next item on the agenda is the approval of the bovine brucellosis and tuberculosis eradication contract.

Commissioner Mourdock: I chuckle, there's a veterinarian in the audience who picks up at bovine brucellosis there. I would move approval of the bovine brucellosis and tuberculosis eradication contract with the State Board of Animal Health.

President Jerrel: I'll second and say so ordered.

Public Hearing - North Green River Road Transportation Plan
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President Jerrel: This is a variety of things. Everything from a lake to a little bovine inoculation. We're now at our public hearing on North Green River Road Transportation plan.

Barbara Cunningham: I'll start.

President Jerrel: Okay.

Barbara Cunningham: We passed out some plans, we still have a few left if anyone needs a copy of them. I'm Barbara Cunningham with the Area Plan Commission and our job in this project was to do the maps, get the information together, get the list together so you could invite all these nice people to come to the public hearing. Now, we hope we can tell you what this means. Indiana statute states that units of government are charged with the purpose of improving the health, safety, convenience, and welfare of their citizens. It is our job to plan for the future development of their communities to this end. One of these things that we are to plan for is the highway systems we carefully planned and that new communities grow only with adequate public ways utility, health, educational, and recreational facilities. That the needs of agricultural industry and business be recognized in future growth and that the residential areas provides healthy surroundings for family life and that the growth of the community is commensurate and promotive of the efficient and economical use of public funds. For that reason the County Commissioners have instituted a series of public hearings on heavily traveled roads and they have adopted plans and I might say with the caveat that these plans are to help us, but it depends on the circumstances if things are to be changed. For this determination to do this planning to effectively meet future needs the local officials must have a good understanding of the interrelationships between the diverse set of elements that make up the community such as the type of soils, flooding potential,

vehicular circulation, availability of utilities and many others. To meet this need the Comprehensive Plan has been adopted. But as we have before you, you have one of a series of what is it, four or five that have been before the Commissioners? We have had public hearings on different segments, so tonight you have the North Green River Road plan and you'll notice that there is not much red on it and possibly I can address that and land use issues because number one, there are certain areas that flood very much that you probably are not going to see much heavy development and if you do it would probably be large acreage residential uses in the areas that flood and it also are areas...I don't think that the Commissioners' intent is to do a strip development all along Green River Road and I think that you're going...and so because of that fact there are large areas that are left, some for agricultural, some for residential and residential can go in agricultural and I think you see some of these large areas where you do not see an intersection for a street and the reason you do not see an intersection was because it is dependent on the subdivision in that instance that will go in. Another thing, and I'll turn it over to someone else, but another thing that we do is the Plan Commission for a long period of time the Comprehensive Plan has been a strong advocate as have the Commissioners of frontage roads and interconnecting subdivisions and activities so that you don't have to go out on the main thoroughfare every time you wanted to do something. We can keep some of the traffic off of it and we also have been a strong advocate of a lot of not many cuts on the main roads. We would prefer that they be done with street access and that cuts be given off that internal road with street access. It was at this point that I was going to turn it over to Ms. Zigenfus of Evansville Urban Transportation, but she has a previous commitment and cannot be with us tonight, so John Stoll, the County Engineer, is here to talk to us. Another question that has come up is everybody is concerned about a median, the median, the median. Well, if you have a series of frontage roads and if you have proper planning you don't have to worry about the median. The medians are generally there when the planning is not up front and it is not done well. If you would have a series of 60 foot lots around the thing, yes, you would have to have a median because you could not have all those left turns. You would never have a road that would move any traffic, but those are things that are not planned for, I don't think at this time. John is here and he can tell you what is planned for on Green River Road. If you have any questions we're available to answer. Blaine, did you have anything? Anything else? Okay.

John Stoll: I thought I would just give a rundown of what roads are shown on this plan.

Commissioner Mourdock: John, if you would since we've got someone new who is going to do these you'll need to state your name.

John Stoll: Okay, John Stoll, County Engineer. I thought I would give you a rundown of the roads that are shown on this plan and kind of what we were looking at when these roads were proposed. I'll start down here at the south end. Down here what is proposed, part of it is actually in the city on the west side of Green River, and it would go from Theatre Drive up to a development that is currently in the planning stages just south of the Timber Apartments. It has four access points on Green River Road and no intermediate access points proposed anywhere in between. The access points that are shown we're trying to get them to tie into existing roads that are already out there like this southernmost one would be directly across from a commercial development that has currently been partially constructed within the city limits. The second one is in line with Sugar Mill Apartments. The third one is in line with Constellation Avenue which is a part of the VCH Commercial Subdivision and

then the fourth one is not in line with anything on the east side of Green River. The next piece up, as a part of this plan, is at the southeast corner of Lynch and Green River. Here again we're showing a frontage road that would extend from Spring Valley Road up to another road that would be parallel to Lynch Road that would go back toward Cullen Avenue. Keep in mind these roads are shown in generalized locations. They're not set in stone. They'll have to be...the locations of the roads would likely have to be modified to suit whatever development ends up going into these areas because these roads would be funded through the developer constructing them rather than the county. The next section of road that we show is on the east side of Green River north of Lynch Road between Lynch and Hirsch. In this area right now there is a convenience store under construction directly at the northeast corner of Lynch and Green River, but north of there we show another road parallel to Green River and one access point coming off of Green River to serve that parallel frontage road. That area is currently not called for commercial development as part of the Plan Commissions' Comprehensive Plan so this road may or may not never happen, but in the event that does become commercially developed as part of a future comprehensive plan then that is the type of road system we're projecting needs to be done in order to serve that area. The next road north that we were looking at is up at Green River and Heckel. Here again we show a frontage road on the west side of Green River parallel to Green River with two access points shown south of Heckel and one shown north of Heckel. The portions south of Heckel are currently in the planning stages in conjunction with the Keystone development. They are proposing a commercial development right at the corner of Heckel and Green River and we are currently working with those developers to get the access points in locations that would generally comply with this plan. In this area from Heckel up to Millersburg and Kansas we're not showing any extensive frontage road plans like Barbara said because a lot of this area is flood prone and it's not projected to be developed commercially at this point according to the Comprehensive Plan. So the next area that did have some commercial or industrial growth proposed was up at Boonville-New Harmony Road. Here again we're showing a parallel frontage road on the west side of Green River and just selected access points to Green River to serve that area. Portions of this are currently in the planning stages in conjunction with an industrial park that is being done at the southwest corner of Green River and Boonville-New Harmony. Like I said, some of these locations they're conceptual and we don't have a firm plan on the exact locations of the roads because we don't know what the developers may be forecasting as far as how they want the roads to circulate within their own developments, so changes may be required to pinpoint the exact locations, but in general this is the concept we're looking for.

President Jerrel: Is there anyone that would like to ask either Mrs. Cunningham or John Stoll a question? Do you generally get the concept that wherever there is going to be commercial development we would like to have access roads so that we eliminate a lot a curb cuts on Green River Road. We're not planning a median. On the question of widening, that is a long-term issue also. We've got a number of roads we're widening in the county now. Mt. Pleasant Road is being widened this year. The rest of Burkhardt, Lynch Road, I-164 interchange will be under construction before the end of the year, but this is an area we want to make sure we plan for well so that if the time comes when we do need to widen it we'll be able to, but the residential sections, they are likely to remain a number of them just because of the flood plain aspect of this northern region. Does anyone have a question?

Commissioner Mourdock: Just to highlight the theme here, this is a public hearing. We're accepting input tonight on what this generalized plan is about. We're not, as Betty Lou was just saying, we're not saying there is going to be a divided median

and all that. We're just trying to take input from the public as to whether or not you think this plan is well thought out and fits with the future needs for the area.

Barbara Cunningham: Another thing we want to say is although we don't address residential uses on here and we don't show red lines for residential it still is the feeling of the Commissioners and the Plan Commission that if you do a residential we would want road access. So if there are developers out there that are planning, you know, large subdivisions or anything like that we don't want a series of cuts on the road. We want to have it well planned with street access and the cuts to come off of that so I think what we're saying is we want to minimize the number of access points on the road and we want to maximize the movement on the road to allow the road to be well used in transportation. This is probably the most minimal of any of the plans that we've done and I think possibly it's because there is so much area that is ripe for residential and large residential that we don't show all the access roads. We just have mostly pockets of commercial.

President Jerrel: Yes, sir. Would you want to come up and give us your name.

Unidentified: I can stand back here.

President Jerrel: No, she has to get you on the—

Commissioner Mourdock: Our sound system doesn't pick up many voices if you're not right at the microphone, so please come forward and state your name and address and then we'll get it all.

Bill Heilman: Okay, Bill Heilman, 4515 Millersburg Road. On your draft here it says on Green River Road you've got improved road in the green line here. I was wondering what you're going to do to improve Green River Road now from where it is at and also you show on here you're going to put a stoplight at Millersburg.

Barbara Cunningham: (Inaudible.)

John Stoll: The Evansville Urban—

Commissioner Mourdock: John Stoll speaking.

John Stoll: John Stoll, County Engineer. The Evansville Urban Transportation Study's long range plan does call for improvements on Green River out up to 57. Off the top of my head I don't recall what that improvement was whether it was three lane road section, five lanes, four lanes, or what it is, but they did call for that. I am a little more familiar with what they were showing at Millersburg and Green River because they've done some studies that a traffic signal was warranted at that intersection and in conjunction with that there would need to be some widening of the intersection basically to provide left turn lanes north and south bound on Green River. Also, an additional east bound lane on Millersburg to get a right turn lane in for the traffic heading east on Millersburg to turn south onto Green River.

Bill Heilman: So there would be another lane on Millersburg, is what your saying?

John Stoll: Correct.

Bill Heilman: How far... from Green River how far west?

John Stoll: It's not been designed so that's hard to say. The traffic studies, once it gets designed, the traffic studies would dictate how far those lane improvements would need to run west of Green River.

Commissioner Mourdock: Is that your place right there on the corner?

Bill Heilman: Uh-huh.

Commissioner Mourdock: I thought it was. Thank you.

President Jerrel: Is there anyone else who would like to ask a question? Yes sir, please come up.

Mike Waters: Hi, my name is Mike Waters. I live on the corner there at Kansas and Green River. If there is going to be a widening done up through there, I'm gonna lose quite a bit of yard. One question that I've got is, there is no city sewer in that area. Is that something that is proposed with this plan or is that something that they're gonna come back and cut the road up again and put in later?

Commissioner Mourdock: Good question.

President Jerrel: Usually the sewer department waits after the project is done.

John Stoll: The sewers are not part of this plan. Whether they have a long range plan to extend the sewer out there, I'm not sure. When they notify us of their improvements, we try to get them to bore underneath roads as opposed to cutting up new pavements. As you've seen, we're not always successful. In regards to the right of way, I believe up around Kansas there's about an 80 foot existing right-of-way on Green River...on most parts.

Mike Waters: I have 60 foot off Green River.

John Stoll: Okay, I was gonna say, in most parcels it's 40 foot on either side of the center line.

Commissioner Mourdock: On the sewer question, do you know enough about the area out there, John, where the sewer just went in along 57? Would it be going back to that, if in fact there was a tie in made or would it come back further south?

John Stoll: In order to serve the industrial park, there was gonna be a Boonville- New Harmony and Green River...they would extend south off the lift station at Schlensker Ditch parallel to 57 then run down Boonville-New Harmony east towards Green River and where it would go from there, I really don't know.

Commissioner Mourdock: Okay.

President Jerrel: Is there anyone else that would like to ask any question at all?

Raymond Wright: My name is Raymond Wright. I didn't come here about this plan, but I do own property on North Green River Road just north of Morgan Avenue. About eight years ago we addressed the issue of median strips and significant financial investments have been made so I'd just like to appeal to the Commissioners that we never ever consider median strips in the commercial development area of North Green River Road. It would just absolutely zero out a

bunch of fine business people. Secondly, I would like to tell the audience that this plan group is doing a very, very thorough job. We just had to sell a small strip of land to a developer to allow Theatre Drive to come around and connect with Old Boonville Highway. Our Area Plan Commission did an outstanding job working with my son and nephew who run our properties company. Did a fair job, did a little encouragement with us but they're planning. These people are good at what they do. We understood the need to let that traffic flow better, but they're very, very thorough. I just want to say that I hope they never, ever consider in the commercial development...that's a fine road from Morgan Avenue to Lynch Road today. If any of you travel that road. It's a beautiful road. I think it's very convenient for the people who travel it and I hope it's effective. There is a good job being done by these planners. So often we give them heck, but in this case, I know they're doing a good job.

President Jerrel: Thank you.

Commissioner Mourdock: Thank you, Mr. Wright. Part of the purpose of this, again, is to make sure we get input so that we don't have the situation that happened, as you said, about eight years ago and arguing about whether or not there should be permanent dividers through there. I think Burkhardt has shown that when you lay these things out, you can at least prevent that kind of problem.

John Stoll: Just remember North St. Joe Avenue.

Commissioner Mourdock: Uh-huh, good example.

President Jerrel: Is there anyone else that would like to offer any suggestion? This is a public hearing and it's just for that purpose. If you want to think about it, we will come back for a second hearing before we adopt it so if you think of something else you would like call any of us.

Barbara Cunningham: They can send comments to the Area Plan Commission.

Commissioner Mourdock: And maybe just one other footnote to how this system works. Once a plan is formally adopted, then it helps us when we work with developers to say this was a publically supported plan. By having all of you come here tonight and either say, yes you should do that, or if you think, no you shouldn't at least it's part of the public input and helps us do our job in laying out how these streets and roads should be put out there in the future for better development. So, we appreciate you coming tonight.

President Jerrel: Yes sir?

Chad Hobgood: I'm Chad Hobgood, 8625 North Green River. I just want to be clear on...he was asking you about the widening of Green River Road, the gentleman back here, cause I'm close to him. I'm like him, you know, that will be pushing that much closer to my front door. Will we be notified, or what have you, when you know what's gonna happen?

John Stoll: Yeah, everybody would be notified of the project. The way the process would work: first, an environmental study would have to be done. The Commissioners would have to authorize that. Then the design would take place from there and throughout the design process, two things happen. One, the designers try to minimize the impact to properties wherever possible. We don't want

to cause adverse impact to your property or anyone else. Sometimes there's just no way to shift a road to miss all the obstacles so they'll work with that and try to avoid it. So that's one way we try to minimize the impact to you. The second thing that would occur, would be as...once the plans were drawn and approved then the...when the right-of-way was purchased, the appraisers would contact you and let you know exactly what was proposed to be purchased and then the property would be appraised. Then an offer would be made to you. You'd have the right to accept it or reject it. If it's accepted, then the county goes ahead and buys it and it's available right away for the project. If it's rejected, then it could ultimately go into the a condemnation suit. But that's pretty far off in the future right now because, for one, we've had some design done for the portion down between Lynch and Heckel for some time and we don't have funding to do that. So, it will be, who knows when, whenever the project could be widened...when Green River could be widened far enough up that it would affect you. There's no time table on it as it stands right now. Like Commissioner Jerrel said, there's other projects we're trying to get done right now like Burkhardt, Mt. Pleasant, Lynch. All those projects are not only taking up the federal aid money that we are eligible for, it's also taking up the local dollars as well. There's no funding immediately available for that project that I'm aware of.

Chad Hobgood: I'm kinda glad to hear that actually.

President Jerrel: You don't know until they're ready to buy right-of-ways and that's it.

Commissioner Mourdock: From the point of view of urgency, and don't misinterrupt that word. Maybe priority is a better word. I think it's more important that this Commission act with the Area Plan Commission to determine what the plan is for these roads that developers might put in that would serve Green River. That's certainly more important to us in the near term than looking at the widening all the way up there.

John Stoll: One other thing on the widening too, as a part of the federal aid process... in order for the county to be eligible for federal aid money, there are public hearings throughout the process. At the environmental stage, there are design hearings. I forget how many public hearings there are, but in that process every affected property owner is notified of the hearing so that way...it will be a meeting similar to this. All the affected property owners have the opportunity to come and comment and possibly make changes to the design. If there are any options that haven't been explored that can be brought up at that time. So, there are several different times the property owners would be notified.

President Jerrel: Yes sir.

Dan Grimm: Dan Grimm, 4307 North Green River Road. My question is, between Lynch and Heckel, there at the red line. My residence and business is there. What would that frontage road do there to my business? Would I have to move that or is that gonna go around it? What are you thinking there? It's about right where the cut is right there.

John Stoll: You're on the east side, south of Hirsch. That's the portion that currently isn't called for commercial development as part of the Comprehensive Plan, so...

Dan Grimm: But if it would be, what would happen?

John Stoll: It would probably be modified to correspond with whatever the developer

proposes. Like I said, the developers would ultimately be building the road and however to best serve his property. Unless he had an agreement with you, he couldn't go on your property so he'd have to go around it.

Commissioner Mourdock: Again, that's a good question, Dan. The red lines that you see up here indicating the new roads, those are not roads the county would build or pay for. Those would be done by developers. By approving this plan we therefore, as a body, can say to the developers this is the publically approved plan and this is how we would like to see roads developed. If someone owns a tract of ground that one of those roads is presently shown to go through, if they never sell that, then obviously that road doesn't happen.

President Jerrel: Is there anyone else?

Commissioner Mourdock: Any developers who wish to address this one?

President Jerrel: When we had the first meeting like this with Burkhardt Road, we didn't really know what to expect because we purposely invited all the developers we could think of that would be interested. We told them that we didn't want a lot of cuts on Burkhardt. We didn't want left turns, just right turns only. They were very agreeable. I mean, it was the kind of meeting you would like to have every time. Everybody got together and they saw the value to them and to the traffic pattern and it's working out there. I mean, the access roads are there and they're happy. What we'd like to do is make sure that kind of involvement from the developers continues and that we are assured that they will participate. They understand that's part of their responsibility. Your input is important. If there's any ideas you have in the next few weeks...when shall we set the second hearing?

Barbara Cunningham: I don't know what period of time you have to have. Anytime. You can set it at the next zoning meeting or—

President Jerrel: In July?

Barbara Cunningham: In July would be fine.

President Jerrel: We'll make plenty of announcements so that you all know.

Barbara Cunningham: Do you want to look at a calendar now?

President Jerrel: I think it would be a good idea if we gave them a date and if you have any input, at all, that you'd like to give between now and then, you can get a hold of any of us.

Commissioner Mourdock: The zoning meeting in July would be—

President Jerrel: July 17th. If there's anything that comes up...

Commissioner Mourdock: I would move that we advertise the final public hearing for the Green River Road corridor plan for our rezoning meeting for July 17, 2000.

President Jerrel: If you're not going to be here for any reason, send us what you think ought to happen. This isn't anything that's going to be pushed in the sense that you're not going to have adequate time for input and certainly the developers ...as you can see, there's a large part in here where it's primarily residential in the flood

plain.

Joe Harrison, Jr.: You may want to have it just during your regular meeting as opposed to rezoning but have it on the same night as the rezoning meeting.

Commissioner Mourdock: Good point. I'll modify my motion.

President Jerrel: Your motion is to have it at 5:30?

Commissioner Mourdock: Right.

President Jerrel: Yes sir. Sure, because this lady won't be here.

Unidentified: Concerning your next meeting, we're just concerned neighbors out there and want to hear everything that's going on...if we send something in...I'm also President of the Vanderburgh County Fair and that it's fair week. I know a lot of the neighbors will be working at the fair and that would be bad on our part. I know we're all concerned and want to work together so...

President Jerrel: We don't have to have it on the 17th, we can do it the week after that.

Commissioner Mourdock: If we're going to do it during the regular meeting as opposed to the rezoning, we could do it the 24th. I'll amend my motion for adverting to July 24, 2000.

President Jerrel: Okay, is that better?

Unknown: Yeah.

President Jerrel: I knew there was something wrong with it. I could tell by the look on your face.

Commissioner Mourdock: Hopefully, we plan our roads better than our meetings.

President Jerrel: Okay, if there's no other input right now then you all think about it and we'll hope to hear from you. We'll see you on the 24th. I'll second that motion and say so ordered.

Any Group or Individual Wishing to Address the Commission
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President Jerrel: At this time, on our agenda, there is an opening that wishes to come before the Commissioners and make comments. At this time, we've had someone make that request. Mr. Ray Wright, would you want to step forward, please.

Raymond Wright: Thank you very much, I appreciate you allowing me to come here. I'm here tonight with my wife Marilyn. We have a problem out in the Cambridge Subdivision. We need a drainage easement encroachment agreement. There is a ten foot drainage easement that actually has a drainage pipe from the sewer outlet to a lake. We wish to build a concrete driveway, part of a driveway over that easement. There would only be about 30-40 feet of concrete. I can tell you that we understand the maintenance and repair responsibilities. We understand the liability

for injuries and damage. We understand that we have financial responsibility in regard to this and we'll see to it that proper construction methods are used and so on and so forth. We are very familiar with this. I know that this should come before your 26th meeting, but we have delayed and delayed our contractor trying to get through the red tape of this easement. Not anybody in the city or county's fault but primarily our fault in trying to switch lots around and so on and so forth. It would be very beneficial...we have a couple contractors and subcontractors planning to do work that are kind of nervous about whether they're going to have a job or not. I'd just like to let them know that they do have a job and ask for this agreement this evening.

President Jerrel: Mr. Jeffers did provide us with a letter. Mr. Jeffers, do you have any comments? This is from the letter you sent us that you're in agreement that this would be possible.

Bill Jeffers: I'm sure the Wrights understand everything and I've faxed them a copy of this letter this afternoon that he's received here. I see it's been faxed at 16:25. Uh, 4:25 p.m. I just want to bring everyone's attention to item number six in that letter because the easement he wishes to encroach is an emergency overflow for the street. We still have no objection to that easement being encroached so long as the design for his house and driveway provides protective grade away from the dwelling so his garage isn't inundated during a heavy rainfall and any water that accumulates in the street should the inlet become plugged or can't take all that water coming down the hill continues to run through the easement or adjacent area down to the lake without inundating the Wright's new home or anything that may be built on the remainder of Lot 42. So, we have no objection to you going ahead tonight, if you deem it proper to take it at this time, we ask that we have the ability to continue to talk with Greg Mullen at McCullough & Associates, H.G. McCullough Designers, Inc. So that at some point in time we'll have in our record, our permanent drainage record, a design showing that the emergency overflow is preserved.

President Jerrel: Is that agreeable to you?

Ray Wright: Yes, Mr. Mullen and Mr. Robert Curt, the builder, we've already discussed this. Fact is, it's probably a known fact that water will flow better over concrete than it will over yard so it will assist in an overflow situation.

Commissioner Mourdock: Just had a procedural question, and I should have asked this when Ms. Lockyear was here on the other drainage easement, I don't know why I didn't think to. We acted on a public hearing for that easement as the Commission Joe, should we technically not have done that as the Drainage Board?

Joe Harrison, Jr.: We addressed that at a previous Drainage Board meeting and Bill even submitted a letter to that effect. Didn't that come up on the previous one with Cambridge?

Bill Jeffers: Right. I believe the action you took earlier...the reason you had a public hearing and notified everyone is that you actually vacated the easement.

Joe Harrison, Jr.: That's what it was.

Bill Jeffers: Abolished it completely. In this case, you're just allowing an encroachment at the Wrights.

Joe Harrison, Jr.: Right, but he was talking about the one that Krista Lockyear had.

Bill Jeffers: That one was a vacation and total eradication of that easement.

Commissioner Mourdock: But again, and I'm not asking specific to this request, I'm just trying to understand procedurally, should we be doing that under the Drainage Board or the County Commission since that's a separately advertised meeting?

Joe Harrison, Jr.: I believe we brought that up at a Drainage Board meeting previously but it had to be approved as the County Commissioners.

Commissioner Mourdock: Okay, that's the answer I needed to hear.

Bill Jeffers: I'm just coming to you as the technical advisor to the Drainage Board—

Joe Harrison, Jr.: For this matter.

Bill Jeffers: For this matter, if this was to come before you as the Drainage Board we would recommend exactly as we are tonight.

Commissioner Mourdock: Okay. Okay.

Ray Wright: I'd just like to reinforce the fact that the complete driveway will not be down that easement.

Commissioner Mourdock: I understand that.

Ray Wright: As the driveway turns going to the garage, there will be a 30-40 strip of concrete and I do appreciate you allowing me to make this request.

Commissioner Mourdock: Sure.

President Jerrel: Is there a motion?

Commissioner Mourdock: Let me see that, if I may? I would move that we direct the county...ask the Chief Deputy Surveyor to work with the County Attorney to formalize an agreement for a formal drainage easement encroachment with Mr. Raymond and Marilyn Wright for the property, Lot 42, at Cambridge Section 1. That would be drafted pursuant to the terms of Mr. Jeffers' letter of June 5th.

Joe Harrison, Jr.: I didn't realize it but there's one. He just handed me a copy of an agreement that is already prepared.

President Jerrel: Is it in the signature file? I need to have it. Okay, there's been a motion.

Commissioner Mourdock: Yes, I would move then the signing of the drainage easement encroachment agreement as submitted to this board for Lot 42, Cambridge Section 1.

President Jerrel: And I'll second and say so ordered.

Ray Wright: You don't have to put this in the minutes, but we were married 44 years last Friday and if I didn't get this house built we probably won't see 45. Thank you

very much.

Commissioner Mourdock: It's in the minutes, so if you'd like a copy you can get that.

President Jerrel: Is there anyone else who would like to appear before the Commission at this time? Did they raise their hand? Next, oh, excuse me.

Commissioner Mourdock: Yeah, they did.

Fievel Elliott: I'm Fievel Elliott and I'll make this very concise. Half a year ago, I came before you to ask permission for you to help me in making a local access station available. For me to have time...for anybody out here in the audience who wants to know what local access is, it's a community channel provided by cable companies to allow a citizen to make any kind of program he wants as long as it's non-commercial. The only thing it costs the citizen is his time. There's no money or no cost to do community television. Currently, I've been on SIGECOM local access channel 9 for the last three months. I wanted to thank the county Commissioners, County Council, the City Council for listening to me during that time period when I was asking permission to do this. The reason I'm here tonight, besides thanking you, is that today on...tonight during local access program, before the program came on, there was a commercial by SIGECOM for someone to order a movie. The commercial was for Big Daddy and anyone who wanted to call in could view the program through SIGECOM. My problem with that is that a few weeks ago, SIGECOM actually handed the chores of screening and broadcasting local access over to Tri-State Interconnect. You probably know that they handle sales and commercials and advertising programs and church programs that pay to get on TV. They pay, it's not free, and they handle that for Insight, Adelphia Cable, and Century Cable. Since SIGECOM is now aligned with them, and since they are handling the chores of viewing local access, it was my concern that local access may become pay tv. In a sense, this same thing happened with local access when TCI had it seventeen years ago. I do not want to see that happen with SIGECOM. If you look into the franchise agreements that you, the County Council, made with SIGECOM, it specifically says that apart from public access it is for the sole use for the citizen and there is not to be any advertising at all. In SIGECOM's actual agreements with the person making a program, it specifically says there should be...and will not be any advertising whatsoever. Even though this is the cable company making the advertisement, and not the citizen, I'm quite sure from looking into FCC rules that the franchise public access section was taken from, there's not suppose to be any advertising whatsoever. Personally, I wanted to know how Tri-State Interconnect was going to make a profit off of screening and showing local access programs. Therefore, when I see them...when I see this commercial, basically tonight, that's my problem, my concern. I would like that to be looked into and I have the phone numbers for the Alliance Community Media. They handle situations like this all across the country for local access stations. I have a phone number in Ft. Wayne/Allen County library who handles local access there. I talked to them tonight and they told me there cannot be commercials by a cable company on local access. I also have the phone numbers to SIGECOM, the President, Richard Wadman. And I have the phone number to Tri-State Interconnect, Michael Alvey, who is the Production Manager there. I can give these phone numbers to any of you. And again, I thank you for my local access. I've been on for three months now, like I said. I enjoy it very much and I've taped a number of programs for other people, including myself and word of mouth has really helped people get interested. So, above all, I thank God for being here tonight and thank you again.

President Jerrel: Thank you.

Commissioner Mourdock: If you would give the phone numbers to Mr. Greubel. Did I understand you just saw this commercial for the first time today?

Fievel Elliott: Right. I believe I have a tape. I have the evidence to show the commercial. I've already called SIGECOM, Alliance for Media, Ft. Wayne, Tri-State Interconnect, Mike Alvey, so whatever you want to do. Thank you very much.

Erik Bentle - County Highway Superintendent
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President Jerrel: Thank you. The next item on the agenda is the department head reports. County engineer? I think he's outside. County Highway Department?

Erik Bentle: Erik Bentle, County Highway. You have my progress reports and worksheets for the past two weeks and my work schedule for this week. Other than that, that's all I have.

Commissioner Mourdock: Erik, did you get a call, I noticed something that may have come in an e-mail from John, but I have a hunch the maybe the garage got involved. Someone called in inquiring about whether or not we should put a speed bump or rumble strips along Darmstadt Road about a half mile north of Wolf's where the real sharp curve is located.

Erik Bentle: No, I haven't heard anything about it. No.

President Jerrel: I left a message on that...one of the through roads I talked to you about this morning. I left a message and your telephone number or ours down here and told them that these were actually the contracted part and that there would be milling done and it maybe in progress in some nearby lane rather than his. You may get a call from that gentleman.

Erik Bentle: I talked to John Stoll about it. The milling is actually done.

President Jerrel: Yeah, okay.

Erik Bentle: It's the concrete underneath the asphalt that's caving in. Maybe John needs to talk to the contractor whoever's doing it so they don't try to cover that up before it's fixed right.

Erik Bentle: I think he had someone out there today prior to me talking to him about this...working on this problem.

President Jerrel: I'll mention it to him. Thank you very much. County Engineer?

John Stoll - County Engineer

John Stoll: First item I've got is a request from Bernardin Lochmueller for additional fees associated with evaluating some oil leases on the right-of-way that would need to be required for the Eickhoff/Koressel project. This is for...the additional appraisal fee would be \$5,000 and the engineering evaluation of the oil wells themselves would be \$5,900. So this would be for an increase of \$10,900.

Commissioner Mourdock: Were those simply not included in the original contract?

John Stoll: No they weren't and that was the first I've heard of it. I went back and checked and there was a brief reference to the oil wells in the original environmental study but it treated it as a minimal impact to the project as well as to the oil leases. It hadn't been discussed again until this came up when the appraisers were actually out there looking at the parcels that would be affected.

Commissioner Mourdock: Okay. So I don't know if we have a lot of choice, but it sounds like we're going to pay around \$10,000 to be told it will still have minimal effect.

John Stoll: Hopefully, it will be minimal effect.

President Jerrel: Is there a motion?

Commissioner Mourdock: With gritted teeth, I'll move approval of the change order as recommended.

President Jerrel: And I'll second and say so ordered.

John Stoll: The next item I have is a street acceptance request for Kotter Avenue. This is for the north end of Kotter Avenue up near the Evansville Basketball Academy. The street was constructed last fall. It was according to plan and it's recommended that the street be accepted. This is 371 linear feet of the road.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: Next, I've got a Notice to Bidders for project number VC00-06-01, the Broadway Avenue Bridge #273 removal and culvert installation. This is a project that would get rid of the existing bridge out on Broadway just east of Schutte and replace it with a large box culvert. It is recommended that this Notice to Bidders be approved.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: The final item I've got is a request for approval for making offers on the Burkhardt Road right-of-way between Interchange Road and Lynch Road.

President Jerrel: Getting close, aren't we? Aren't gonna get any cheaper.

John Stoll: This request covers parcels one, two, three, four, six, nine, ten, twelve, thirteen, eighteen, nineteen, twenty, twenty-one, twenty-three, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-eight, and fifty-one. The grand total of all those appraisals is \$246,875 and the money is currently in the budget. It's recommended that the offers be approved.

Commissioner Mourdock: Do you know cumulatively how much land we're talking about with these, John? Roughly.

President Jerrel: I didn't check that before I came over.

Commissioner Mourdock: Okay. We need to keep that project moving forward so I would move approval that we begin making offers based on the appraisals.

President Jerrel: And I'll second and say so ordered.

John Stoll: Based on what Bernardin Lochmueller told me, they expected to have the rest of the appraisals on the project sometime within the next week. Hopefully I can bring the rest of them next Monday and they hope to get offers out within the next week or two.

President Jerrel: This is critical because the time table we're moving...we don't want something like this to hold it up.

John Stoll: Right. That's all I have unless you have any questions.

Commissioner Mourdock: John, two quick items. The rumble strip idea on Darmstadt you had sent me the e-mail about.

John Stoll: Yeah, Tony had sent me an e-mail and I got a phone call. I haven't had a chance to call the lady back yet.

Commissioner Mourdock: Okay. What I'm curious about is if you could find out the rumble strips that were put in by Hamilton Golf Course on Petersburg Road, would you check and see, I suppose with the Police or Sheriffs Office actually, see if there has been a significant decrease in accidents in that area.

John Stoll: Sure. I would doubt it.

Commissioner Mourdock: Okay.

John Stoll: From what I can recall, that problem is pretty similar to what we have on Darmstadt, where people driving the speed limit don't have a problem, but people speeding do have a problem.

Commissioner Mourdock: Okay.

President Jerrel: Real quickly, the Magnolia Lane and some of those other two or three lanes out there...I had a call and turned it over to Erik and they've milled it. We just want to make sure that those parts that are sinking get repaired before they put the blacktop on.

John Stoll: We'll have overruns on that contract because it's taking substantially more rock to fill those voids because, like we see on all those projects that have been similar to that, once the old asphalt is milled off and the broken concrete is exposed, we find huge voids that just lead to more concrete being removed.

President Jerrel: But we need to do it right because it's...we want it to last awhile. They're concerned that we're just going to put something down on top of them.

John Stoll: They will fill all the voids with rock and then patch with asphalt and then overlay with asphalt. It will be done properly.

Commissioner Mourdock: One other issue, a couple weeks ago you and I met Mr. Rust and Mr. Wittekindt out there off Browning Road. Anything new with that? Did you get back with them on information regarding the freeboard on the other—

John Stoll: I was gone last week so I didn't have a chance to talk to them. I haven't had a chance to talk with Bill Jeffers since that last e-mail you sent me about cutting the ditch back through the lake.

Commissioner Mourdock: Okay. Let's keep that moving because I'm sure they'll be at the Drainage Board meeting. Look to me like we had a fairly reasonable solution there, if it works.

John Stoll: I was going to talk to Bill about it and then get with the property owners as well.

Commissioner Mourdock: Okay, thank you.

Joe Harrison, Jr. - County Attorney
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President Jerrel: Thanks, John. County Attorney.

Joe Harrison, Jr.: I have a couple items. The first is the bid openings for the truck VC2003-2000. It's the XL3100. There were only two bids submitted. Four companies submitted "no bid" responses.

Company name	Amount bid
Haasco, Inc.	No bid
Southeastern Equipment Co. Inc., Indianapolis, IN	\$162,932.00
Carlisle Equipment Group, LP Newport, KY	\$161,894.00
C & S Equipment Sales, Inc. Laotto, IN	No bid
Rudd Equipment Company Evansville, IN	No bid
Diamond Equipment, Inc. Evansville, IN	No bid

I ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

Joe Harrison, Jr.: The next matter is the GIS Platt Book Conversion RFP.

Company name	
Morley and Associates	Evansville, IN
Beam Longest & Neff, Inc.	Indianapolis, IN
The Sidwell Company	St. Charles, IL
GRW Aerial Surveys, Inc.	Lexington, KY
3DI, LLC	Wilmington, NC
The Schneider Corporation	Indianapolis, IN

I would ask that these RFP responses be taken under advisement and reviewed for their responsiveness.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

Joe Harrison, Jr.: The next item I have is a matter that's come up every three years for the past...since 1994 so this will be the third occasion when the county has been asked to consider a lease, a sub-lease, and a management agreement regarding Bosse Field. A sub-lease would be entered in to between The School Corporation and Vanderburgh County regarding the lease between The Evansville-Vanderburgh School Corporation and the Otters for the use of Bosse Field during the summer months that they are playing in the Frontier League at Bosse Field. So it's roughly June, July, and August. The reason for this is so the Otters can sell alcohol, beer, at Bosse Field during those summer months. Only beer can be sold for Otter games. There's a sub-lease between the county and the Otters relating to the lease terms that are contained in the lease between the School Corp. and the county. Lastly, there's a management agreement to be executed by the commissioners between the county and the Otters. At this time, there's not a need to execute renewal applications with respect to alcoholic beverages. I think the renewals that were executed a year or two ago are still in effect. So simply, if the commissioners would consider the lease, the sub-lease, and the management agreement we can get these documents fully executed and this will enable the Otters to officially sell alcohol at their first game out there tomorrow night. We got this under the wire.

President Jerrel: Do I hear a motion?

Commissioner Mourdock: We wouldn't hold this off to the 9th inning. Ah, yes. I guess we actually need to do these as three, so first of all I would move approval of the lease agreement between the Evansville Vanderburgh School Corp. and Vanderburgh County for Bosse Field as recommended.

President Jerrel: I'll second and say so ordered.

Commissioner Mourdock: Secondly, I would move approval of the sub-lease agreement between Vanderburgh County and Old Time Sports, d.b.a. The Evansville Otters.

President Jerrel: Second and so ordered.

Commissioner Mourdock: Third, I would move approval for the management agreement between Vanderburgh County and The Old Time Sports, LLC, d.b.a. The Evansville Otters.

President Jerrel: Second and so ordered.

Joe Harrison, Jr.: Thank you. That's all I have.

Gary Hohman - Burdette Park

President Jerrel: Okay. We have Gary here from Burdette Park. He's had some really nice stories on television over the weekend. They were very good.

Gary Hohman: Gary Hohman, Burdette Park. You have our work reports for the past two weeks. If you have any questions regarding them, I'll answer any questions. We did have a real good weekend. Mother Nature did cooperate with us with two consecutive days of sunshine. We're looking forward to a big season at Burdette this year.

President Jerrel: It's going to be 96 Friday, so get ready.

Commissioner Mourdock: Are you all set personnel wise now? I know we've had a bunch of pink slips the last couple weeks.

Gary Hohman: Today, yes sir. Tomorrow, I can't answer that, Mr. Mourdock.

President Jerrel: Your doing better than most of the city pools in terms of having your lifeguards in place. You're to be congratulated on that.

Gary Hohman: We're not having near the problems with lifeguards as we are with our other departments.

President Jerrel: Is there a motion to accept these reports?

Commissioner Mourdock: Yeah, I'll move acceptance of the Engineer's report, County Highway. Superintendent of County Buildings we skipped.

Tony Greubel - Superintendent of County Buildings
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President Jerrel: Oh-oh. I'm sorry, Tony.

Tony Greubel: I just had those last minute pink slips and then a memo that our summer help, Becky Pike, was wanting to send out to county departments tomorrow about a proposed newsletter that she's going to edit.

President Jerrel: You have a copy and I think it's well done. Ah, Becky has been working on it.

Tony Greubel: That was her major in college.

Commissioner Mourdock: Do we need to take any formal action on that?

Tony Greubel: It's more just permission to send out the memo.

Commissioner Mourdock: Let me deal with that one first. I move we direct Becky to go ahead with the county newsletter.

President Jerrel: I'll second and say so ordered.

Weekly Reports

Commissioner Mourdock: I would move acceptance of the Ozone Officers reports, Soil and Water, Burdette Park, and the Highway Department reports as filed.

President Jerrel: I'll second and say so ordered.

Consent Items

President Jerrel: Under the consent items we do have the late Burdette Park that have been included. Is there a motion?

Commissioner Mourdock: With those several included, I would move acceptance of the consent items.

President Jerrel: I second and so ordered.¹

Old Business

President Jerrel: Any old business?

Commissioner Mourdock: Old business would be the continuing jail information we have in our packets. Several weeks of information and significantly on 5/24 we had 323 incarcerated, 5/31 had 318, and our average stay has dropped to 62 for both weeks. We've dropped ten days off the average stay. Also, I was asked to mention that in early comments our retention rate of people at the jail in the 70's, 80's, now in the lower 60's. That was perceived as being extremely high in all national standards. In fact, now that Eric has looked at how he calculates that number to compare apples to apples, our actual average stay is about 15 days. The difference being that a lot of people come in the day he files this report and they're not there by the time the next report is ready to calculate. In other words, there's a bunch a people who roll over in a seven day period that don't show up. To be consistent, we're still tracking these as he's given us. There are some positive signs there. I did want to say, for the record, the national average and ours are not that terribly far off. That's my old business. Oh, one other bit of old business. I'm going to be calling the probation group...I know PMSI has had some discussions with various stakeholders in this process and they haven't gotten as much information and involvement from the probation group as they would like so I'm going to make sure Mr. Henson gets a...I'll give him a call and also PMSI is going to intensify their efforts to get him involved with the process.

¹See page 27 for a listing of consent items

New Business

President Jerrel: Under new business I have...we got a request. The holiday this year is on a Tuesday and so on a Monday...we have five meetings in July and we were going to cancel the 3rd if you're all in agreement?

Commissioner Mourdock: Those all being "me". I would move that we cancel the July 3rd meeting.

President Jerrel: I second and say so ordered.

Commissioner Mourdock: I have a question on this, do you have this?

President Jerrel: Yeah, I did. I just got it out.

Commissioner Mourdock: Suzanne just pointed out that we need permission to advertise cancellation of the meeting so I move that as well.

President Jerrel: I second and say so ordered. Tony, this petition for Knollview Drive speed limit. That wasn't on the agenda. It was in the approved. I didn't see it.

Commissioner Mourdock: It's certainly not intended to be in the consent items.

President Jerrel: It's under consent but has this been...our action does not say.

Commissioner Mourdock: Is John here? Was there a letter that we forwarded this to John Stoll? I wouldn't want it to be misconstrued that our acting on it is acceptance.

Tony Greubel: We just might want to make it clear that we accepted the petition and are going to forward it to the County Engineer.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

Commissioner Mourdock: With that old and consent items, we did the consent items didn't we?

President Jerrel: We did. We're all through. We're ready for a motion to adjourn.

Commissioner Mourdock: So moved.

President Jerrel: I second and say so ordered.

Meeting adjourned at 6:55 p.m.

CONSENT ITEMS:

Employment changes:

Clerk’s Office	Auditor	Recorders Office
Sheriff’s Office	Coroner	Prosecutor
Pigeon Assessor	Burdette Park	County Commission
Knight Assessor		

Travel requests:

County Assessor	Health Dept.
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Knollview Drive/Court & Knollbrook Court:

Petition to lower speed limit in subdivision

GIS Committee:

Approval of change order for contract with Schneider Corp.

Treasurer:

Submit year to date investments report

Sheriff:

Submit weekly confinement and inmate general information reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Joe Harrison, Jr.
Suzanne M. Crouch	Charlene Timmons	Tony Greubel
Bill Campbell	Jerry Bryan	Krista Lockyear
Barbara Cunningham	John Stoll	Bill Heilman
Raymond Wright	Chad Hobgood	Dan Grimm
Bill Jeffers	Fievel Elliott	Erik Bentle
Gary Hohman	Others Unidentified	Members of the media

APPROVAL:

VANDEBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

**Vanderburgh County
Board of Commissioners
June 12, 2000**

The Board of Commissioners of Vanderburgh County met in session this 12th day of June at 5:31 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Commissioners' meeting to order. At this time, I would like to introduce the people before you. We have one new face and so I'd like to at least give them an opportunity to be introduced. First of all on my right, Tony Greubel, is our Superintendent of County Buildings and next to him, Joe Harrison, Jr., County Attorney. On my far left we have a new face and the lady on the end is Jane Laib. She will be our Recording Secretary and everything everybody says is taken down verbatim and presented in our minutes verbatim. You can check them on the web site in the Auditor's Office. If there's anything you don't hear in here that you think is right, you can pick them up and read them in about a week or ten days. We are glad to have you with us. Suzanne Crouch, County Auditor, is next to Jane. To my left Commissioner Richard Mourdock. To my right, we thought Pat Tuley would be here tonight but he is still unable to be up for an extended period of time. He had a bad fall. He went to work for a little while today but he wasn't able to keep that schedule so he's not here this evening. My name is Bettye Lou Jerrel and I would like to have you join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: Thank you very much. The first action item on the agenda is the approval of the June 5th meeting.

Commissioner Mourdock: I'll move approval of this minutes as submitted.

President Jerrel: I'll second and say so ordered.

Jerry Bryan - Purchasing Director
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Jerry Bryan: I'm Jerry Bryan, City/County Purchasing Director. I have before you in your packet permission to award VC2003-2000. It's a new gradall excavator. We sent out about fourteen bid packages and we received two very good bids which we evaluated between Southwestern Equipment Company and Carlisle Equipment Company. Erik and his people have told me that the low bid, which was \$161,894 from Carlisle Equipment, was the preferred vendor. I'd ask you to okay that recommendation.

Commissioner Mourdock: I'm looking for Erik. He was here earlier. Any comments Erik?

Erik Bentle: As far as service out of both of these companies, Carlisle is by far the best. We had no complaints about them. Whenever we call them with a problem they're right on it. As far as I'm concerned, it's a better company to go with.

Jerry Bryan: Even though there's about one thousand dollars difference, their equipment people out of Louisville just really jump through a hoop for us. That was

a very meaningful part of the bid.

Erik Bentle: They are low.

Jerry Bryan: Yes, they are low.

Commissioner Mourdock: I will move approval of the package to award for VC2003-2000 the gradall for the garage.

President Jerrel: I'll second and say so ordered.

Final Reading - Vacation of Lake Drainage Easement at Cambridge

President Jerrel: The next item on the agenda is the final reading for the vacation of lake drainage easement at Cambridge.

Commissioner Mourdock: I do not see Krista Lockyear here this evening who is representing Cambridge Development. Is there anyone here wishing to speak to this particular issue? And seeing none, I would move approval on final reading of the vacation of the lake drainage easement for Cambridge Development as submitted and previously passed.

President Jerrel: I'll second and call for roll call vote. Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

Final Reading - Vacation of Public Utility Easement at Cambridge

President Jerrel: The next is the final reading for the vacation of public utility easement at Cambridge.

Commissioner Mourdock: Again, Attorney Lockyear is not here. Is there anyone here to speak on the public utility easement vacation? Seeing none, I would move approval on the final reading of the vacation of public utility easement for Cambridge Subdivision as submitted to us previously and passed on previous reading.

President Jerrel: I'll second and call for a roll call vote. Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

Assessor - Project Agreement for the Online Assessment Database

President Jerrel: The next item on the agenda is the Assessor for the project agreement for the online assessment database.

Cheryl Musgrave: Hi, I'm Cheryl Musgrave, County Assessor, and we are arranging for some improvements to the assessment database. A number of new fields will be added and some new functionality. Now you'll be able to log on to the

assessment database and once you find the property you're interested in, you'll be able to do a companion search and see if there have been any sales associated with that property. I think that it will be more useful to the public. Just wanted to let you know.

Commissioner Mourdock: Okay. I'm curious. Is your number of hits, searches, is it continuing upward or has it leveled off some?

Cheryl Musgrave: I haven't check lately, but I sent around a memo two or three weeks ago and in 20 months we've had 350,000 searches, I think.

Commissioner Mourdock: It was a huge number.

Cheryl Musgrave: The first month or so the sales database was 30,000 searches. The impact it had on the property database was to increase traffic on it by 50 percent so this information seems to be in great demand and the complaints we've had have been next to none. I'm deeply thrilled.

President Jerrel: We appreciate the update and this agreement needs to be signed so is there a motion to accept this project agreement?

Commissioner Mourdock: I would move acceptance of the agreement with Network WCS on behalf of the County Assessor.

President Jerrel: I'll second and say so ordered. Thank you.

(Inaudible.)

SCT Proposal - Develop Integrated City/County Web Site

President Jerrel: The next item on the agenda is a proposal from SCT.

Bill Cottun: Good afternoon, I'm Bill Cottun, Account Executive with Systems and Computer Technology. We manage the city/county computer network. You have before you today a proposal for amendment number eight to the Information and Resources Management Agreement. This agreement is for SCT to provide web services to the city/county. This agreement comes in two phases. First phase is web services development from June 2000 through May 2001. This will provide for the establishment of a city/county web site also for the migration of the existing city/county web sites from departments who wish to participate in the city/county government web site. Also, the development of 20 additional web sites for up to 20 new city/county departments with specifications for developing those sites. The second phase is for web services maintenance which we expect to run from June 2001 through May 2002. That will basically be for the maintenance of the web sites that have been developed or migrated to the city/county server. Also, we would be providing updates to those web sites for departments that don't have the internal ability to do that. Some city/county offices have existing staff with which they would like to use to provide their web page updates. We're going to work with each of those departments to facilitate their ability to provide their own updates. The contract is for a two year period which happens to run through about the end of our existing contract. The amount is \$7,483.33 per month. The city's portion of that is 42.34 percent and the county's portion is 57.66 percent should the contract continue through the entire 24 months, the contract total amount would be 179,600. Of

course, this contract as with all of our amendments is subject to renewal each year.

Months	Contract Total	City	County
1	\$ 7,483.00	\$ 3,168.00	\$ 4,315.00
12	\$ 89,800.00	\$ 38,021.00	\$ 51,779.00
24	\$ 179,600.00	\$ 76,043.00	\$ 103,557.00

President Jerrel: Just a comment. We are fortunate on the county side to have had so many people get their systems up and running. The city has a lot of complicated information also, but I can assure you, the most complicated is on our side. It deals with everyone's property taxes and courts, the jail and the most complicated things you can think of—the deeds to your property. I think it makes sense to have one government web site. People don't distinguish between city and county so there will just be a government web site then you can go anywhere you want to, to get your information. I think it's pretty exciting.

Commissioner Mourdock: Is this, in fact, one web site that houses all that information or is it basically a web site that links...you go to that web site and it would then link you to those other sites?

Bill Cottun: It will provide both services, sir. There are some city/county agencies that currently have agreements with third party vendors and they may wish to continue their current arrangement with those vendors. We would then link to those sites. For the city/county agencies that wish to migrate to this server of course, they would be located directly on the site.

Commissioner Mourdock: And what enticements do we have here to cause them to migrate?

Bill Cottun: I think funding is probably the enticement, sir.

Commissioner Mourdock: That usually works.

Bill Cottun: Yes, sir. If an agency wishes to use a third party vendor, then there would be additional cost to the city or county in order to use that. They may be in multiple year agreements at this time and could not abrogate those agreements.

Commissioner Mourdock: Are any—let's be hypothetical here for a moment. If we have an officeholder with a web site out there on...someone's got a server out there, it's probably an ISP server, do they have to grant you permission to link...to have you create this site to link back to that ISP's server?

Bill Cottun: We certainly would not do so without their agreement, sir.

Commissioner Mourdock: Do we know of any situations like that, just hypothetically but sometimes officeholders don't always agree.

Bill Cottun: I am going to be surprised if there's any city or county agency that would not allow a link. It doesn't give any access to data other than the front page which is accessible anyway. I would be surprised should that request be denied.

Commissioner Mourdock: The ultimate goal though is with the enticement of,

obviously, the funding coming through the city/county jointly that everyone eventually get on with the same server as well as having the one web site.

Bill Cottun: I would think from the city/county point of view...from a technical point of view it would not be necessary, but from a funding point of view it may be more cost effective, yes sir.

Commissioner Mourdock: Okay. Is the money in place and where is it in place to do this?

President Jerrel: This money will be in next year's budget and the money is currently in place in two or three different accounts. We have additional CCD money, we have additional riverboat money and we also have unexpended money in our own budget.

Bill Cottun: If I may, the Board of Public Works has approved this and the City Controller is actually transferring funds today for this.

Commissioner Mourdock: You mentioned about the 20 different web sites, that would be 20 new sites beyond these that are listed?

Bill Cottun: That is correct, sir. Departments that do not have web sites at this time up to 20 new sites would be developed up to ten pages deep of text and small graphic data.

Commissioner Mourdock: Each 20 up to ten pages?

Bill Cottun: That is correct, sir.

President Jerrel: The issue on the city's acceptance of one web site is sort of a moot point because there is just one boss over there. I think the county has already said what they're going to do; they're all going to participate. The leadership among our officeholders, and it's bi-partisan, they're the ones that have gone out here and done this and so I think they have to get some of the credit for it.

Commissioner Mourdock: Certainly the different officeholders just looking down the list here with the Assessor, Auditor, Treasurer, all these folks have gotten very active in getting the information out there where it's publically available which I certainly agree with—that's where it needs to be. I just want to make sure, like I said the hypothetical situation of having that one site if people link to it I want to make sure we have everyone working together to make sure that it leads to all those different sources.

Bill Cottun: If I may, to go off what Bettye Lou said, there have been several county offices, I'd like to point out the Assessor's Office, Cheryl went out two years ago and started pushing for things that her office needed. I think she has been a front-runner for these types of services. She is using Network WCS, who is an excellent company to work with. She may wish to continue that relationship--or not. It's the same way with any department. A lot of folks have gone out and used other vendors to develop their product and they're very comfortable with them. Those departments that wish to work with us, we're more than glad to work for them. Our kudos to any department that's gone out ahead of these services to develop their own capabilities.

President Jerrel: I think you have to say this, when the Mayor took office he said

"Where's my computer? Don't we have e-mail?". The answer was no, no.

Bill Cottun: The city has been a very strong driver for the last five almost six months where before there was not the drive to do this. They are trying to catch up in a great degree to what the county has already done. We think a consolidation of these services having a unified front page for the city/county is going to help internet access to the data that each department has expressed a willingness to put out on the internet.

Commissioner Mourdock: I would be remiss with two officeholders sitting here both of whom have done a lot to get the systems that they have up and working if I didn't ask them if they care to say a word? Suzanne says no. Cheryl do you have any comments?

Cheryl Musgrave: Inaudible.

Commissioner Mourdock: Okay. That's fine.

Bill Cottun: I would like to point out that both the Assessor's Office and the Auditor's Office have very capable people within their offices. They have developed their pages internally. They've worked with Network WCS and other vendors to establish their capabilities and they've done an excellent job. What we want to do is be able to give them a service that will be equal to or greater than what they currently have plus give the city/county the ability to consolidate some of its costs.

Commissioner Mourdock: With the last part of that being the important part of trying to consolidate our cost and keep the cost down, I will move approval amendment eight to the Information Resource Management Agreement between the county and SCT.

President Jerrel: I'll second and say so ordered. Would you repeat the 42. what percent?

Bill Cottun: The city is 42.34 percent and the county is 57.66 percent. If I may, just take one second, the amendments, particularly amendment six that was a reverse city/county split. Amendment seven the city paid 100 percent of that amendment. Amendment eight is the standard city/county split which the numbers I just gave you are. If you averaged all the amendments out it's becoming about a 50/50 split on how our services are being funded at this time. Just an F.Y.I.

President Jerrel: I was asking you that for Tony's benefit. Get it? Thank you.

Final Resolution - Oak Hill Road Sanitary Sewer Barrett Law Project
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President Jerrel: At this time we're going to have the hearing for the assessment roll of Oak Hill Road sanitary sewer Barrett Law project. I think that's what most of you are here for. I'm going to ask Joe Harrison, Jr. to initiate and conduct this public hearing.

Joe Harrison, Jr.: At this time, the Board in just a few minutes, will consider a final resolution of the Board of Commissioners of Vanderburgh County modifying the Oak Hill Road sanitary sewer Barrett Law project assessment roll. Some of you may have noticed in the assessment notice that appeared in the paper or what was

mailed to your residence a listing that indicated a property at 5100 Oak Hill Road. It's the Keystone Development property. From day one that particular piece of property was not included in the project. As a matter of fact, by law it can't be because it contained more than ten acres—ten or more acres. What happened, why it showed up on there, is partially my fault. The records on the tax code, for some reason...on a piece of property that was next to 3100 Rode Road for some reason the tax code, the old tax code number changed and went to 5100 Oak Hill Road. I'm not too sure how that really happened, but for some reason it did. Now that tax code number is correct and the address of a piece of property that's always been included in the project is not a property address, it's next to 3100 Oak Hill Road is the actual address for a piece of property that's always been included in this assessment project, Barrett Law project but for one reason or another 5100 Oak Hill Road showed up on a list and that is not correct and it's not in the project. There are 83 properties to be benefitted by the project. All of the properties have less than ten acres. As a matter of fact most are .5 acres or less. The assessment roll which I can give you a copy of—I've got a copy here. I'm sorry I don't have forty copies or whatever but you can certainly have mine if you want to look at it. If one of you wants to come up and look at it and pass it around for a minute that would be fine.

President Jerrel: You can mine also. Somebody can take it.

Joe Harrison, Jr.: Now the assessment amount that will be assessed to each property owner is \$3,454.07. The total project cost was \$286,687.89. If you recall when we first started this project back in 1998, October 1998, we thought that the project amount could be \$499,577 so we're a lot less, half as much, as what we thought it would be. Right now is the time that the County Commissioners are to consider the assessment for each property owner. After today, assuming that they pass this, within the next week I will send out a letter to all of you. It will actually come from the Auditor's Office, but I will help them with the letter. It will indicate that your property assessment is this amount and you have 30 days within which to pay should you desire to pay that amount up front. If you don't want to do that and you want to finance the assessment amount over ten years, it will be an option you can mark and beginning in November of this year when you get your tax bill you'll also get a little statement for that amount. Right now the interest rate appears will be 7.75 percent. There's also a bank administration fee to be tacked on to that. I can't tell you exactly what that is right now, but it will be in the letter that I send to you. The three local banks, major banks, Fifth Third, Old National, and Integra, which was National City, are all participating in the financing of the project for that sum of money that's not paid up front so we can pay the contractor off within the next two months or so. It very well could be that more than half of you will pay the assessment amount up front and we may have to borrow \$120,000 or so. We'll figure that out when it comes in another 30-35 days or so. Here's another copy of the resolution that contains Exhibit A that has the assessment amount set forth. If you all have any questions regarding it, that's fine.

Suzanne M. Crouch: Do we need to re-advertise the ad since the one address was wrong?

Joe Harrison, Jr.: No. Tonight takes care of that. On two or three projects that we've done in the past, we've had a tax code number wrong or an address wrong. You may note that on number 83 on the assessment roll whenever that comes around that we had two tax code numbers on there, but there's only one tax code number. They changed their address. It was something on Bexley Court and now it's something else on Bexley Court. So we made that change as well so there's two

changes from the original advertisement that went out.

Commissioner Mourdock: So the effect from the first part of your remarks regarding the change of address or the errant tax code, what's the effect of that to all these folks?

Joe Harrison, Jr.: The main reason they are here, I sense, is that they thought maybe that a piece of property that Keystone Development owned was in this project. It's a ten or 12 acre tract. It was never included in the project and when they saw 5100 Oak Hill Road and saw Keystone Development owning that property that sent a red flag up in the air. The reason that showed up is for some reason that tax code number on this small tract of land got merged into this other piece of property in some fashion but that's what started it.

Commissioner Mourdock: Okay. So they may have thought that one piece of property was going to get all the units or lots served for the price of one of these, but that's not the case.

Joe Harrison, Jr.: That's not the case. In fact, they can't be a part of the project and they're not a part of the project. You might want to come up to the mike, sir.

Commissioner Mourdock: Remember when you come to the mike state your name and address for the record, please.

Ed Wickman: Ed Wickman, 3514 Bexley.. Does that mean now divide by 82?

Joe Harrison, Jr.: No, no. The property that was listed as Keystone being the owner is owned by Bruce Biggerstaff and that is a .4 acre tract. Is that right, Mr. Easley? A .4 or .5 acre tract. That property is benefitted by the project. It's just an empty lot, but they can build a house on there so they're going to have to pay.

Commissioner Mourdock: A house?

Joe Harrison, Jr.: Yes. Do you have any questions or any comments concerning anything I've said?

Patricia Schillumeit: My name is Patricia Schillumeit and live at 3419 Bexley Court. My question is, who do we contact if the contractor left a mess? I have a field bed ...some of it was put up on top of the land so I have rocks back there and I can't cut my grass.

Joe Harrison, Jr.: Okay, the fellow you need to talk to is right behind you. Maybe he can hopefully get a hold of the contractor. The contractor has not been paid yet so we probably have some leverage.

Jean Claybon: I'm Jean Claybon of 3406 Bexley Court. Will any part of the Keystone lots be on this sewer now or later?

Joe Harrison, Jr.: They are not a part of this project. If I was a guessing person or a betting person, I would say at some point they might be able to, in some fashion, hook into that sewer but the sewer is now owned by the City of Evansville and that will be between the City of Evansville and them to determine if and when that development gets hooked into this sewer. The thing is whatever they may pay is—I have no idea what that amount is. All I know is that the deal that you all are

receiving is a very good deal.

Jean Claybon: I didn't want this in the first place. I'm not going to use it and I'm still having to pay for it. I'm not going to hook up to it and if they get in free on something I've paid for and I don't use...

Joe Harrison, Jr.: Unfortunately, what happens here in Evansville and Mr. Easley is well aware of this and the County Engineer is well aware of this—when people build developments what happens is that other developments...the developer may have brought the sewer out to an area. What typically happens is someone gets the idea to development a piece of property down the road from that and bring the sewer down to that particular development that he may have developed. I can see further development out in this area and this sewer is certainly one of the catalyst for that. Whether or not they actually get on, I don't know. Mr. Easley may have some insight. Mr. Stoll, the County Engineer, may have some insight but that's the way it works, unfortunately for...

Jean Claybon: And I have to pay for this even if I'm not getting on it?

Joe Harrison, Jr.: You have to pay that assessment. Now you will not have to pay to tap in further from your home to your sewer.

Jean Claybon: That's about 300 and some odd feet.

Joe Harrison, Jr.: Right. What I'm saying is no one is going to make you put that line in from the street or back of your house up to your property. If you don't want to hook into it, you don't have to hook in but your still going to have to pay this assessment amount. There will be a lien on your property. Whenever your assessment is paid that lien will be released. The property value of your home will obviously benefit from this.

Unidentified: How much?

Joe Harrison, Jr.: I have no idea but certainly the figure you're going to have to pay is a pretty good starting point.

Commissioner Mourdock: It's hard to imagine that the amount your going to pay would be anything less than the very starting point. If you put in, what was it a \$3600 or 3800 assessment, almost immediately the value of your property goes up by that amount. It's well worth having.

Jean Claybon: I have one other question. I will not be charged sewer charges on my water if I'm not on this sewer, will I?

Joe Harrison, Jr.: No. If you're not hooked up, you're not going to pay any charge. Better not.

President Jerrel: Yes ma'am.

Mary Beck: Mary Beck, 3100 St. George Road. I understand what you're saying...that this one house is going to have to pay for one person but five years down the road or in between these five years when he puts all these 44 houses back there can we get compensation from that?

Joe Harrison, Jr.: That property that you're talking about at 5100 Oak Hill Road is not a part of this project so it very well could be that that person may want to have sewer brought out to that development. I'm sure it's going to happen but that person, that developer, is not a part of this project. He doesn't have any property that's benefitted by this assessment.

Mary Beck: So that makes us back down to 82.

Joe Harrison, Jr.: No.

Mary Beck: I still don't understand where you get that other person. I'm not dense because I count one, two, three and I come up with 83.

Joe Harrison, Jr.: Number 20—we had the wrong address for number 20.

Mary Beck: What is the address for number 20?

Joe Harrison, Jr.: Next to 3100 Rode Road.

Rose Mary Williams: Sir, you're wrong because I'm at 3100 and I have houses on both sides of me.

Joe Harrison, Jr.: Well, that's what showing on the file in the Auditor's Office.

Rose Mary Williams: I have houses on both sides.

Commissioner Mourdock: What's your name ma'am?

Rose Mary Williams: Williams, Rose Mary Williams.

Joe Harrison, Jr.: I'm sorry ma'am, it's 3110. I'm sorry. I was saying 3100. It's next to 3110. I'm sorry.

Mary Beck: In place of 5100 Oak Hill Road is suppose to be what address?

Joe Harrison, Jr.: Next to 3110 Rode Road.

Mary Beck: And what's the address?

Joe Harrison, Jr.: That's what I'm trying to say, there is no address.

President Jerrel: It's number 20 on here.

Mary Beck: It says Keystone Development. That's what we, the public, sees as being Keystone Development and it's got an address, I guess a billing address is on a different address.

Joe Harrison, Jr.: All I can tell you is there is a piece of property when this project started that was to be benefitted by this project. It's a part of this project. It's got a sewer out in front of the home or in back of the home and it has to be benefitted by the project. It just so happens that there's no house there so there's not an address listed at this time. It's kind of common not to have an address for a piece of property if there's no house there yet.

Commissioner Mourdock: But that house is receiving an assessment?

Joe Harrison, Jr.: They are receiving an assessment.

Mary Beck: Can there be some kind of a clause that if somebody in this house decides to tap it in and make a subdivision behind it?

Rose Mary Williams: I seen it where there use to be a blackberry...strawberry patch and I could see where there could be homes up in there if it was 5100.

Joe Harrison, Jr.: Again, the only part of this project is what's on Exhibit A and 5100 Oak Hill Road can't be on the project. That Keystone Development is more than ten acres and the project wouldn't be possible if they were part of it.

Rose Mary Williams: Okay. Then I have another question. When I went down to the Waterworks Department and asked them approximately what it would cost me to tap in, an individual, they told me approximately one thousand dollars. That's after I paid the plumber to get it to this sewer line.

Joe Harrison, Jr.: I have no idea what the (inaudible).

Rose Mary Williams: Then I asked if it was a subdivision and they told me it was only four hundred and fifty dollars to tap in. This is why I'm thinking that somewhere along the line this piece of property taps into our line and makes a subdivision, they are still going to get a savings on the money that we pay.

Joe Harrison, Jr.: Again, I can't answer what you're saying...your question. There is no ten acre tract that's part of this plan. That's the bottom line. Mr. Easley helped out with the engineering on this project. If you think there's anything else that needs to be added to that statement, you might want to add to it.

Andy Easley: Just a comment, if anyone participates in the cost of construction on a sewer, which you are all doing--

Rose Mary Williams: Which I did not want in the first place because when I asked you five years ago to put my system in for us, you told me behind my house it was too low and there would be no way we could put sewers in to get into the pump station across the street.

Commissioner Mourdock: Five years ago?

Rose Mary Williams: Approximately five years ago when we first moved out there. I would have to put a pump at the end of my drain from the house to be able to pump it to the pumping station like Olivett School-Church has. So we decided not to chance it. Now, two or three years ago, they decided to get you. So one time you tell me something and then...

Andy Easley: What is your address?

Rose Mary Williams: 3100 St. George Road. There's four houses along that road. We're backed up against the subdivision and the church. They all have sewers.

Andy Easley: And I told you that you couldn't get into it?

Rosemary Williams: You told me the chances because we are so low, we would have to run the pipe so low that by the time it got there we'd have to have a pump at the end of it to pump it to a station like Olivett does. Shortly afterwards all these other people from Bexley Court decided to get into the sewer and it was fine to run it that way by our house.

Andy Easley: There is a gravity sewer there now that you can get into. I don't recall the conversation, I really don't.

Rose Mary Williams: I'm sure you don't because it wasn't to your advantage.

Andy Easley: No, I don't take that attitude in my life. If you participate in the construction cost of a sewer, the tap in is four hundred and fifty dollars for a single family house.

Rose Mary Williams: The Water Department told me if we were not a subdivision ...when I called the engineer, I couldn't get through.

Andy Easley: It is a thousand dollars—a thousand fifty, I think.

Rose Mary Williams: So after we pay this it's going to cost us one thousand fifty just to...

Andy Easley: No, no. It will cost four hundred and fifty dollars.

Rose Mary Williams: But we're not a subdivision.

Commissioner Mourdock: But you're taking part in the participation for putting the system in. It's not whether it's a subdivision; it's whether or not you're involved with the project.

Andy Easley: A subdivider, Keystone, when they built their subdivision they put the pump station which the St. George/Bexley Court sewer is benefitting from that and you're not paying any amount of money for that. They put a lot of money into that pumping station.

Rose Mary Williams: I know they did.

Andy Easley: So you, in effect, are riding on someone's coattails. The people that take out a building permit and pay a tap in fee in Keystone pay four hundred and fifty dollars. Just like you're going to pay four hundred and fifty dollars.

Rose Mary Williams: No matter when we decide to go into it? I mean, it may be ten years down the road when I decide maybe I'll get sewer now.

Andy Easley: That's correct.

Commissioner Mourdock: The record is firmly established as far as the number of lots that are in this Barrett Law project so even, correct me Joe if I'm wrong, even if you sold your house...

Rose Mary Williams: I know they have to pay it.

Commissioner Mourdock: No, no. Let me finish. Even if you sold your house two

years from now, if eight years from now someone else moved into that house they could still go to the city and it would still be considered part of this Barrett Law project and it would only be a four hundred and fifty dollar fee.

Andy Easley: That four hundred and fifty is established by regulation and it could be six hundred and fifty dollars a month from now.

Commissioner Mourdock: But it is an advantaged fee over what typically is offered to everyone else who's not participating in some plan like this.

Andy Easley: It would probably behoove you to pay the tap in fee and you don't have to hire a plumber to connect but you would go on the little card that the tap in fee has been paid.

(Inaudible.)

Joe Harrison, Jr.: No, well you all add it in, but it's not an assessment amount, okay. The county is not paying that amount.

Commissioner Mourdock: I think she meant in the sense of financing it.

Rose Mary Williams: They call that a neighborhood project--is the reason we pay four hundred and fifty dollars because I called the sewer department. Will you explain sometime before we close how to handle this Barrett plan and how much it's going to cost us over a period of ten years which sounds enormous.

Joe Harrison, Jr.: I will send you out a letter telling you what the average monthly--yearly payment will be in the letter. It's going to be once a year and it will probably go out to you in November. It will be ten installments that you will make. If you want to pay early, if you want to prepay and pay it off before ten years you can call and get a balance and pay it off early. There will be an amount--I don't know if it's six or seven hundred dollars a year, something like that. That will be set forth in the letter that I send to you, but right now, I don't have that figure.

Rose Mary Williams: Backing up to what you said...

Commissioner Mourdock: Excuse me, Mrs. Williams, if you would, please go to the microphone because Jane has to do all this by notes.

Rose Mary Williams: One thing you said and I didn't get it down. You said something to the effect, if we can pay the fee at one time we had 30 days from when?

Joe Harrison, Jr.: The date you receive the letter in the mail from the Auditor's Office. It will probably come to your house within the next week so you'll roughly have 37 days or so from today's date.

Unidentified: Good evening. Sir, I heard you state this evening--

Commissioner Mourdock: State your name, please.

Marlin Beck: I'm sorry. Marlin Beck, 3100 St. George Road. Sir, I heard you state many things this evening. One is that 83 of us are getting a good deal. What I say is a good deal is 127 should be getting it. One hundred and 27 voters should be

getting this bill. I've heard you state that this is not part of the plan because of a ten. something acre tract. I wish you would consider saying now. This be realistic, it doesn't take a rocket scientist to know what's going to happen. These people will eventually benefit from that so why don't they share the responsibility with us.

Joe Harrison, Jr.: Because it's illegal.

Marlin Beck: Let's have 127 people benefitting not 83.

Commissioner Mourdock: Mr. Beck, where's your one 27 coming from?

Marlin Beck: The other 44.

Commissioner Mourdock: In Keystone? Is that what you're saying?

Marlin Beck: Yes. I would just appreciate if you say it's not a part of the plan now.

Commissioner Mourdock: I guess, if I may take a shot at answering that one and again, I'm not an attorney here in trying to deal with this question. I would kind of make the point that Mr. Easley was making. We have a system flawed though it may be, that at least gets these types of systems put in place. Mr. Schwenker came forward several years ago and with a group of neighbors from Bexley Court and got this rolling. The other part of it is that we didn't ask then nor are we asking now for any of you to take part in the payment that Mr. Easley was referring to for the pumping station that's already been built that's downstream from you. There is that sense that gee, maybe you're carrying the next guy behind you, but in the same sense someone else could have been here a couple years ago and said what about those people on Bexley Court and Rode Road? I'm not saying it's a perfect system; I just offering that as an explanation.

Marlin Beck: Yes, but what's the rush? We have a strong anticipation that there's going to be 44 more families participating and benefitting. So my questions is, what's the rush for this payment right now?

Joe Harrison, Jr.: We've got to pay the contractor.

Marlin Beck: I would ask you to consider the 83 plus the 44 families out there. Thank you.

Dr. Michelle Blake: Dr. Michelle Blake, 3307 Bexley Court. One of the things that I think probably is summarized in what people are saying is that a number of us who moved out, frankly, the term "benefitted to the sewer" is incendiary to some of us. A number of us did not vote for the sewer. The decision was made before we purchased our home, and we would definitely voted against had we been in residence to vote at the time. What I think is the concern that a number of us have is not only the sewer, certainly that is a big concern, but most of us who purchased homes in the area believed at the time we made purchase that we were purchasing "out" and this is one more symptom of a lot of development that is occurring in and around the area. This new subdivision is not exactly welcomed by a lot of us but it's something that's been done. I'm aware that Oak Hill Road is to be widened. If any of you have had the opportunity to drive up and down Oak Hill Road there are a number of for sale signs up and down the area. I haven't done any kind of systematic study on this, but just from casual observation it does not seem that real estate properties are moving as they're placed on the market. One of the things that

I think would be helpful to us, certainly, would be if someone could give us some idea of how we will be affected. Not if but when Keystone decides to go onto the sewer, what will that do to our costs?

Commissioner Mourdock: It won't affect them. Understand also that the...this is one of those odd things between Vanderburgh, the county, and Evansville, the city, everything that deals with the Sewer Department once this project was completed was accepted by the city utility. I could sit here from now until the cows come home and tell you the rates for city sewer aren't going to change but, quite honestly, the people on this board have nothing to do with that. In the sense of financing for the project that is a fixed number. As our County Attorney has said, it can be projected out over the next ten years and that is what you will pay. Now, will the monthly fee possibly change? Possibly, I don't know.

Patricia Schillumeit: Patricia Schillumeit again, 3419 Bexley Court. What if I sold my house? Would they be able to keep paying on it if I elected the ten year one?

Joe Harrison, Jr.: It's possible. Typically...

Patricia Schillumeit: Basically, I would be making a lump sum to pay it off when I sold the house, right? Would I be charged a penalty for paying it off early?

Joe Harrison, Jr.: No.

Patricia Schillumeit: No penalty, okay. I'll just be saving the interest. Any chance you're going to widen Oak Hill Road? Oh, please. We'll be out there painting the lines and everything.

President Jerrel: Oak Hill in the city? County side or city side?

Patricia Schillumeit: Anything, just get us up to there and then from there out to Lynch. Lynch north.

President Jerrel: Do you have ground that could be purchased for right-of-way?

Patricia Schillumeit: No, I don't.

President Jerrel: One of the problems that government faces on widening roads that were built for a different era is that you can't just arbitrarily widen it without condemning property and so you try to buy it from people so that once you have enough property to make it reasonable, you can widen a roadway. That doesn't seem like it's feasible right now. That's the same reason the Barrett Law is used sometimes with the development of sewers. The Health Department has become more and more aware—while those of you who don't want on the sewer probably have good septic systems that work, but there are many, many, many more septic systems in this county that do not work properly and they are a hazard to neighbors, water, to anything that you'd least expect. In some areas the septic systems are very, very dangerous. The Barrett Law gives the opportunity for people to put in sewers that they can make work properly because you have now, the City of Evansville and their Sewer Department responsible for making them work correctly. I appreciate those of you, and I remember each and every one of you that did or didn't want this, but you ought to see the people that come before us that have raw sewage in their yards. It's sad and I hope this works the way it's suppose to and I believe it will because it's very bound in legal language on every step of the way and

I hope it can be done successfully so that everyone's property...if you don't want to go on it, you're at least going to be benefitted with that much increase in the value of your property if and when you decide to sell it.

Patricia Schillumeit: I know there are at least four churches that would definitely benefit from a widening of the road along with homes.

President Jerrel: We need to see what the city's going to do on that.

Patricia Schillumeit: What about lights out there?

President Jerrel: Right, right.

Commissioner Mourdock: You have quite a wish list.

Ed Wickman: Ed Wickman again, 3514 Bexley. Just a final comment. Understanding Mr. Mourdock's description of the system and the precedence that have been established, I'd like to propose an exception or at least start a little change. Not to be impractical or not to be—let's just call it impractical, in the next 18 months any home that signs on to that sewer pays a fee of \$5,000 and it's divided among the 83. Period. After 18 months it's on the house.

Commissioner Mourdock: Joe, do you want to answer that one?

Ed Wickman: Just a simple program, simple arithmetic.

Joe Harrison, Jr.: This board would have no jurisdiction over any kind of deal like that. The sewer is owned by the city now, not by the county. The county owned it for about a day and then it was assigned to the City of Evansville. You may want to contact the City of Evansville. I doubt, very seriously, if they'll consider such a proposal but you never know.

Ed Wickman: I want to restrict the proposal to here because you folks are the one's making the decisions. This subdivision being proposed was initiated in 1997, I think. So it's all cooked. It's laying there to be done. I don't mind people getting a free ride, and I don't mind picking up tabs but I think that somewhere along the line we have to be a little bit fair and not pay everything. Not let the subdivision pay everything because that's not the goal. What I'm proposing is just a temporary 18 months. Whatever happens in 18 months. That's very immediate really in the scheme of things because this has been going on for two to three years. That's...

President Jerrel: What your saying is very logical but the problem bodies like this have or some of the others is there's a statute that tells you what you can and can't do. We can't arbitrarily do something that we aren't legally empowered to do. What you're saying could make good sense but we're not legally empowered to do it.

Ed Wickman: How do you change it?

President Jerrel: Usually it's the State Legislature is the one that sets forth these statutes.

Commissioner Mourdock: Understand the purpose of what the State Legislature did when it established Barrett Law funding. It can be used for sewer projects. More rarely it's used for local road projects but the reason they provided that as a statute

for groups of neighbors effectively, like yours, get something done was to help counties better finance. Under state law also there's very strict requirements as to how much money the county can borrow to do projects. By essentially borrowing the money from the homeowners here and providing government expertise and service in getting it connected to the city, in this case although other places it's to municipal or private sewer groups. The whole point is to get it done quickly when the county otherwise wouldn't have the money to do it.

Ed Wickman: I fully appreciate that; I just personally struggle with something that everybody in this room knows is happening.

Commissioner Mourdock: I understand that and let me tell you that I went through, I personally went through the exact same thing in Darmstadt a few years ago. Mr. Easley and some of his people walked through my backyard and they were laying out a new sewer system. My septic was working just great and I didn't want to participate. With somewhat of an engineering background I looked at that system and went through all the reasons it wasn't going to work: it was an injection system, and it was pressurized. I have to tell you folks...what's that been, Andy, ten years probably?

Ed Wickman: Don't misunderstand me; I one hundred percent approve of the sewer. I'm glad we're getting it put in. I'm just having a little problem with this political fix which I know is happening.

Commissioner Mourdock: Do you have a problem not paying for the pump system that is just downstream from you guys that someone else paid to put in?

Ed Wickman: I'd like to see the full arithmetic. I wouldn't mind seeing that. I wouldn't mind seeing how all that together would look. Take the 44 plus the pumping station and divide. I wouldn't mind looking at that arithmetic. Maybe I have a problem now, but maybe I wouldn't then.

Commissioner Mourdock: Obviously when you carry it out you keep going further and further and further downstream and that's the problem.

Ed Wickman: No, you make it fair to everyone.

Commissioner Mourdock: Except you don't know who everyone is, Mr. Wickman. Your situation of let's do it in the next 18 months, first of all, if that happens where does that money go?

Ed Wickman: To us.

Commissioner Mourdock: To you as a property owner?

Ed Wickman: Yes.

Unidentified: We're financing it. It pays off the loan.

Ed Wickman: Now if I recall when this thing first started and maybe I'm wrong because I'm getting older, but I recall the first thing I think I remember is we're all going to participate and those of you who don't it will cost you later. You either do it now and pay at market price or if you come on a little later, you're going to pay approximately 20 percent more. Is that right?

Eric Schwenker: That is not correct, sir. I've been in from day one and that has never been said in any manner, shape or form by me or the folks such as Andy Easley who have been involved. My name is Eric Schwenker and I live on Oak Hill Road.

Ed Wickman: Okay, then I stand corrected. Imagination. So it's a dead issue.

President Jerrel: As far as we don't have any control, it's owned by the City of Evansville. Whoever the person is that's on that plot of land, they will owe that amount of money and that particular...

Ed Wickman: The plot of land, no problem. The 44 is a problem.

President Jerrel: They'll be paying tap in fees to the City of Evansville.

Ed Wickman: I'd like to pay a tap in fee to me.

Unidentified: My husband brought the water up our street and everyone that tapped in, we got the refund. Why can't this thing be like that too?

President Jerrel: Do you want to answer that?

Joe Harrison, Jr.: The only thing I can say is that things change. This thing started in 1998, October 1998. It's been almost two years and things have changed in that two year period. I can tell you this, I believe there have been several other projects that have come before this board and we've had similar comments by people. They've been upset that people down the road would be able to tap in at some point. Any developer who happens to extend a sewer to a development someone else down the road is going to tap in to that sewer as well. The one thing I do want to say though, and I did mention this in the beginning, we thought early on that it might be \$500,000 for this whole project cost and again the amount is \$286,687. When the bids came in, I think the low bid, John you may remember, was at least \$100,000 less than the second bid. By being able to publically bid this out you all saved some money as opposed to someone trying to cut a deal with a private contractor. I know you're upset about some of the aspects of it, but on the flip side there were some benefits in publically bidding this out and taking advantage of the statutes which even got this project in the ground.

President Jerrel: You reminded me of something. Am I not correct that years back you had sewers built by developers who collected their own tap in fees? That doesn't happen anymore. When you referred to your getting water tap in. Years ago that's how it was. A developer would build a sewer and then he owned it. If you wanted on the sewer, you paid him. It was a pretty lucrative business but they did away with that.

Andy Easley: Just two minutes worth of comments. You are correct, years ago the sewers pyramided. Some of them would extend it and get a certain percentage under a recoupment contract. I think early in the Lloyd administration they passed a bond issue to buy all those contracts because it became administratively unwieldily. It took a computer to figure out how much the tap in fee was going to be. If you wanted to appoint a key committee, you could go to the Sewer Utility Board and ask on behalf of the Barrett Law project for a recoupment agreement. Now, they have not given those in a long time, but you could set up something like this. I once was part of a negotiating team for the Daylight sewer area. We negotiated that if

they built that sewer out at Daylight, which it was going to be a pressure sewer like we had at Darmstadt, they negotiated for a period of so many years that whoever paid a tap in fee, it would be a full tap in fee, that sixty percent of it would go to the Daylight Sewer Association. That was ready to be signed. In fact, I think it was signed and then they changed their minds about going with the pressure sewer. They thought they'd be better off with a big gravity extension. Which, I think, you've been involved with, right? Anyway, it could be possible if you twist enough arms on the Utility Board to get a recoupment agreement. Then if the money is mailed to Mr. Schwenker, he will be happy to return it pro rata. That such a thing is possible. Other than that it's not under the Board's jurisdiction. It's now a city sewer. If fifty people would have paid for this instead of 83, how many people can say with all good conscience that they would have sent the 53 people their fair share? It's against human nature. It just usually doesn't work that way. There's one other bare parcel out there that belongs to Moseby. Moseby behind Fehd. Now somebody could go in there and fill that ground and build houses just like they did at Keystone. It was low. They could find enough dirt and they would go on the same sleigh ride. They will pay to extend the sewer and pay \$450 dollars for each house, if they build their own houses.

Ed Wickman: We know that's potential. This is laying in wait as soon as they sell.

Andy Easley: Well, I happen to know that this property...Keystone has sold this property. Somebody else may walk in with the deed. I don't know who owns it. I don't think...it's an exempt ten acre parcel and Moseby's is exempt too. Yes, it probably leaves a bad taste in your mouth. What is the political cartoon the other day showed a picture of the Statue of Liberty with hands on hips saying "So he's going home with his daddy. You'll get over it".

John Claybon: Hi, my name is John Claybon and I'm an interested party. I use to live at 3406 Bexley Court and I just had a couple questions. I'm just trying to understand this whole matter. What is the legal statute for all ten acre and above parcels to be exempt from any type of Barrett Law sewer development?

President Jerrel: Do you have that statute with you?

John Claybon: Why are ten acre tracts and above specifically and above limited from any type of Barrett Law agreement?

Joe Harrison, Jr.: Because of the concerns you all are talking about right now. People don't want one tract of land that contains ten acres to be assessed three thousand four hundred dollars.

John Claybon: But in the particular case these tracts of land are totally exempt from being assessed any tap in fee or any charges.

Joe Harrison, Jr.: They weren't part of the project.

Commissioner Mourdock: And they couldn't be part of the project because it was more than ten acres.

John Claybon: Does that not ...does that seem reasonable to you, Mr. Harrison, that...let me just restate this another way.

Joe Harrison, Jr.: I didn't make the law but...

John Claybon: But you enforce the law and the Commission has the ability to assess the money to develop this project. Does this make sense in a rational fashion that you can buy a parcel next to a sewer development that's ten acres and above and receive no cost of developing this sewer system coming through there, then at a later date, immediately after the announcement or the homeowners in this subdivision agreed to build this sewer, simply develop this property, tap in and you are then not liable for any development charges simply the \$450 dollar tap in fee?

Joe Harrison, Jr.: That's not really the way it works but, but--

John Claybon: Is that not the way it will end though?

Joe Harrison, Jr.: No. The developer is going to have to pay a lot more than \$400 dollars to extend that sewer out to that development. I can't tell you how much it will be, but it will be thousands of dollars and that will be spread out over the lot owners that buy the lots for that property.

Commissioner Mourdock: Let me just add to that. It will be tens of thousands of dollars. The individual landowners or people that buys each of those lots may only see the \$450 dollars or \$460 dollars, but that's not to say that's where the cost ends. There are far, far, far higher costs that the developer will pay that the people who buy the lots are going to pay ultimately. They aren't going to see it as a \$450 check though.

John Claybon: Is it not true that the developer, whoever develops that property, will have benefitted greatly by the fact that the sewer system is now at their doorstep as opposed to being two miles away?

Commissioner Mourdock: Certainly. It's illogical to argue against that, but then let's take the inverse, how far do you go back to the costs that are already established and how do you keep spreading those out?

John Claybon: I understand and I'm not debating that aspect of it. I'm simply saying let's apply some common sense here. Does it not make sense that when you have a ten acre or greater tract that's immediately sitting next to a sewer system that homeowners, many of who are on fixed incomes and are funding the cost of this system and this developer is gonna receive a tremendous benefit for and they pay nothing for the cost of putting in the sewer system. Does that seem logical? And if it were in you own backyard, how would you feel about that?

Commissioner Mourdock: Been there, done that. Okay. That was in fact part of my situation with Darmstadt so I understand the feeling. At the time, I wasn't on this board. At the time, I didn't understand anything. Never heard of the Barrett Law. Since the time that I had all that pithy anger that you all have right now, I've come to understand, number one, the county's limitations on what it can fund and what it can't which causes me to appreciate the Barrett Law because it helps us get things done like this project. I also understand that once that sewer changed hands from being a project the county was constructing to go to the city that all the arguments you're making apply to the city not to this board. Even if we voted yes, unanimous agreement, we agree with you, it would have no bearing what so ever on what the city's going to do or could do. Andy's, Mr. Easley's, suggestion is a very good one. If you want to approach the city, go for it folks. I mean you certainly have the right to do so.

John Claybon: Does that kind of amendment need to be built into your treatment or dealing with...

Commissioner Mourdock: We can't do that because we have to work with the statute.

John Claybon: Let me ask a final question.

Commissioner Mourdock: Sure.

John Claybon: Based on the way the Barrett Law system is set up and the way that I'm hearing this laid out by you, Mr. Mourdock, and you, Mr. Harrison, if I'm a private investor the best thing I can do is look for that 15-20 acre tract that's right next to an ongoing sewer system and benefit from that—those individuals investment in that system.

Commissioner Mourdock: But, you're not going to get the advantage you think you are because the city is still going to charge you to hook up to that. Let me take this example, I don't know if I can say this very well but let's forget Barrett Law for a minute. There's someone that's got a 20 acre parcel with highway frontage and they want to run a frontage road across the front of that, okay? Then someone buys next to them and they to want to put in the frontage road. What obligation does the first party have to tie their road to the second one? If it's not a dedicated road, the answer is none. So this person, the second person is still going to bear the full cost of tying into the highway system that may already be there.

John Claybon: I agree and that makes sense. I would say the main distinction between what you're talking about and laying out is that both of those parties probably knew at the time they were contemplating putting in this road that this is the way it was gonna work. I would argue and we can take a poll in this room and I'd be interested to see how it turns out, that most of the individuals in this room had no idea that after they initiated and pushed for this sewer system to be put in and agreed to front the cost...like I said, for many of these individuals that a very significant amount of money for those on fixed incomes to pay \$3,400 dollars, that there subsequently was going to be an announcement or plans to build 44 homes in an adjacent property which was not going to be liable for any of these costs. It would only seem logical, and I agree this is probably something the legislature would have to take up in a later case or later point, that there would be some ability within the Barrett Law system or the ability in the County Clerk's or County Commissioner's area to use logic and some reasonableness when it comes to the fact that there's now been an announcement that 44 people or 44 properties are going to benefit. That they would be able to be factored in to the cost of this overall project. Their property, there's no denying the property of that ten acres or those 44 lots when you divide it out, is going to benefit by the fact that there is a very near proximity now to that property. There's no arguing that point.

President Jerrel: You know what you're describing? You're describing a statute, and I don't know when it was written. It was probably written with very good intentions. It was written to keep ten acres from getting the advantage of something that four tenths of an acre. It was written to protect the small property from the large when it was written like that.

John Claybon: Would you agree that that's not the situation here? It does not appear to be the case.

President Jerrel: Except that we are not...I mean there are a lot of state statutes that I personally would like to do a little surgery on!

John Claybon: I understand, but it has to start somewhere and you have the ability to, at this Commission, set the assessment that these individuals are going to pay.

Commissioner Mourdock: But we can only set that assessment based on the law.

President Jerrel: That's all we can do.

John Claybon: But you can assess them 1/125th as apposed to 1/84 of the project's cost.

Commissioner Mourdock: No we can't. We can only base it--the assessment on the number of lots. When we originally published the advertisement and notices about this, there was a specific map that showed the lots that showed the area that was included in this Barrett Law filing. Under the statutes, all logic set aside for the moment, under the statues that's the only number we have to divide the total cost by. We cannot change that. That is the statute.

John Claybon: I guess the only other point that goes begging then is, if in this particular case, the statute from a fairness test standpoint simply doesn't make sense, is this something that bothers any of the individuals on this Commission? Is this something going forward you would be interested in taking up as a cause to change? Because of particular circumstances as this. That would be a questions I have as simply a voter more than anything.

President Jerrel: What's the number of the statute? You know what?

Joe Harrison, Jr.: 36-9-36-1 is what starts it. I can tell you this, the City of Evansville has on occasion extended sewers out to areas, not free of charge but--

John Claybon: I think everyone in this room would like that.

Joe Harrison, Jr.: It's happened. It's happened on an number of occasions. They've extended the sewer out to county areas. Then people have had to tap in. They haven't had to pay \$4,000 bucks.

President Jerrel: They may want to annex them.

Joe Harrison, Jr.: That's another way, but Andy Easley is well aware of that and those developers who have paid thousands of dollars to have it extended to a certain point and the city took it upon themselves to extend it out further so the city could make money has been a common occurrence for many years in this county. They would have the same argument those other people who may have extended out to a certain point.

John Claybon: I agree and I can sympathize but I think the key point here is you're dealing with a group of homeowner or property owners. We are not dealing with a developer who can afford and has the ability to hire a group of lawyers to assess the impact of this situation. You're dealing with homeowners who are primarily on fixed incomes trying to pay the cost of this project and that's why I take issue with the fact that you, Mr. Mourdock, brought up this pumping station. I understand that that certainly benefitted these homeowners but by far 95/99 percent plus of the benefit

of that project had to go to the developers of this property because...

Commissioner Mourdock: Developers of which property?

John Claybon: Developers in this area. The Keystone Properties. All the properties.

Commissioner Mourdock: There are many, many properties. Dozens of properties.

John Claybon: Well exactly. Primarily the developers who are looking to sell off these individual properties using inflated prices. I think there is the critical issue and that's why this particular issue is impacting these people at a much greater level.

Commissioner Mourdock: I respect your argument and you've stated it eloquently. I will tell you that every, I want to think before I say this but I believe it's true, Barrett Law issues we have dealt with have been essentially from the same type of neighborhood that we are looking at here. In other words, at one time they were the neighborhoods on the edge of the city but they were still out in the county and the county has slowly grown over them. Now there are a lot of people in those neighborhoods with fixed incomes so, I mean, we have that same situation in other Barrett Law applications. As I said, the argument you made was a good one. The comment Mr. Whitman, or Wickman made about 18 months or some period of time, I have a hunch while that sounds right if we said it's 18 months some developer would wait 18 months and one day. I don't know. The point is we have our hands tied here with what the statute says. We had a group of folks come before us with a petition that had over 75 percent, what is the statutory number? Seventy-five percent of the residents in that area said yes they wanted to do this. We put the thing in place.

Joe Harrison, Jr.: In fact, no one objected to the project during the statutory period time. Not one person.

Commissioner Mourdock: Which was the first time that's ever happened with the Barrett Law thing since I've been on the board.

John Claybon: If truly the Commission has its hands tied, I would simply ask that on behalf of the homeowners the Commission would...if this is in fact approved draft a resolution that the Board of County Works seriously consider the type of recoupment agreement that this gentleman previously discussed. I would think that with some endorsement from the Commission that would carry more weight and I would certainly like to see you, Ms. Jerrel, and you, Mr. Mourdock, throw your weight behind it. I appreciate your time.

President Jerrel: Thank you.

Rose Mary Williams: I'm Rosemary Williams, 3100 Rode Road and there is one issue that has not been approached this evening which certainly should be. Directly across the street, and I wish I had that list that had all the names of people, there's the Gronotte family across from my lot on the other side of the road. There's a great big vacant lot right in front of me. This has never been discussed what's going to be done with that lot if someone builds on it? I hear that nobody is going to build on it. Do you have a list of the names of people?

President Jerrel: I do.

Commissioner Mourdock: The answer to the question is, if it's a lot that's presently included with the Barrett Law project...

Rose Mary Williams: The lot is vacant.

Commissioner Mourdock: That's not what I said. If it was included, whether it's vacant or not doesn't matter. If the lot was included within the region of the Barrett Law, that property owner would pay the assessment. If someday in the future a house is put on it, they would pay the tap in fee at the same rate that all of you would pay it.

Rose Mary Williams: This is the rumor that's going around the neighborhood from very reliable people. There is a ditch next door to the Gronotte family that's going to be moved over to the center of this vacant lot. A big drainage ditch from back there where...

John Stoll: Are you talking about this lot right here?

Rose Mary Williams: Where am I, 3100?

John Stoll: That's part of the ten acres that's not being assessed.

Rose Mary Williams: They're going to put drainage in through there. They've already measured the front part of my lot to see what part of my lot they can take. They have already measured the front part of my lot where my mail box is going to go. My lilacs and so forth. Now how am I going to benefit from that? I already had my drainage ditch covered. Years and years ago when we moved out there in 1961.

Commissioner Mourdock: Let me jump backwards a minute. If you're suggesting, and I understand you're dealing with rumor and I'm trying to answer a rumor so probably both of us are wrong, okay. If there is something they are going to do with that property that requires a new drainage plan then they would have to file a drainage plan to come before the Drainage Board.

Rose Mary Williams: Someone has already been in my yard.

Commissioner Mourdock: That's your right as a property owner to call them trespassing.

President Jerrel: Is it a right-of-way or is it...

Rose Mary Williams: In my front yard?

Commissioner Mourdock: No, the piece you're referring to with Gronotte.

Rose Mary Williams: Across the street?

President Jerrel: No, by you. Is that a right-of-way?

Rose Mary Williams: No, this is across the front of my lawn. Can you help me?

John Stoll: The way I understand, that's where the drainage for this new subdivision will come. Part of what she's talking about is in the street right-of-way. I've seen the preliminary drainage plan that they were routing some drainage towards that but as

far as a final plan, I have not seen that as of yet.

Rose Mary Williams: But they measured my yard off and also the next door neighbors.

John Stoll: For finding out the street right-of-way.

Rose Mary Williams: Am I not paying taxes from the street all the way back to the property line in back?

John Stoll: I couldn't tell you.

President Jerrel: Ms. Williams, where would be the place she would go, to Area Plan or to the Surveyor's Office?

John Stoll: Sitecom is the company working on the drainage plan. One word.

Commissioner Mourdock: Call them and ask for Keith Poff.

Rose Mary Williams: If that's going to take care of water in the neighborhood which we all do and we realize that this sewer is not going to take care of surface water. If this will take care of surface water, there won't be anyone that will object to that. We do feel that the subdivision is going to go through because of these plans. Thank you very much.

President Jerrel: Is there anyone else that would like to speak to this issue? Yes, sir.

Commissioner Mourdock: It must be getting close to the end.

Marlin Beck: I do believe, if we all search our heart, what the real bottom line here is—it's not the dollars, it's a concept, an appearance that certain ones had privileged information that wasn't shared in a timely fashion. It gives the appearance of government is putting it to the individual voter again.

Commissioner Mourdock: Are you implying that we knew something?

Marlin Beck: I don't know who. I know somebody knew something. I believe this gentleman here mentioned in 1998 there was some information about the Keystone Development. Here we are in 2000.

Joe Harrison, Jr.: Sir, what I said in 1998 when this project was started that it was not in the project area because it was more than ten acres.

Marlin Beck: Yes sir, I understand that.

Joe Harrison, Jr.: That's why it wasn't in the project.

Marlin Beck: But what I'm saying...I'm saying this for the Board's benefit for what might be changed in the future because this is what it appears like here.

President Jerrel: Marlin, this is just me, my perspective, but I've been here three and a half years and there have been three Barrett projects that have come before us and we were never asked for...we didn't go out and seek people to come here with

a Barrett project. They came to us wanting a solution to a problem they had and that's how the Barrett Law...we don't go out and solicit neighborhoods and then set somebody up for some gain. I couldn't tell you who surrounds that area or the ones we did out on the west side--the road and the other sewer, Old State. People came here and asked.

Marlin Beck: Yes Bettye, I understand. However--

President Jerrel: I wish you'd take my white German Shepherd home with you.

Marlin Beck: I'm sorry?

President Jerrel: I said, I wish you'd take my white German Shepherd home with you. He never figured out what that clicker was for.

Marlin Beck: Oh, okay. I understand and I'm not pointing a finger at anybody but I'm just sharing what I do believe is a concept here. That this is what, in your hearts, you feel. The dollars will come and go but this feeling that somebody had it and they're getting over on you. I don't know if that's the case or not, but I'm just saying what you feel in here.

Commissioner Mourdock: Yeah, and I appreciate that. The passion this group feels, I'll state it again, you've stated it very eloquently. I would strongly suggest the group of you go to the Sewer Board and see if, in fact, there is some recourse there. It's totally out of our hands based on what the statute is. As the County Attorney said, when this thing came through...I remember Joe and I even spoke about this one night after one of the early meetings about two years ago, we couldn't believe that no one had come in as a remonstrator against this. There was no one. We thought, well great we're doing what everyone wants and believe me we had no idea that there was a ten acre plus lot out there. It wouldn't have mattered if we did because we're still restricted by the law.

Marlin Beck: I'm just saying that if information is available I wished it would be conveyed. Okay. Thank you very much.

President Jerrel: Before you sit down. When you decide, if you decide, to go down and seek any recourse, let me know and I'll go down and be happy to relay any information I can relay about the way this project came into being and what happened. I'll be happy to do that. It's a fairness issue because we aren't trying to do anything to anybody. We don't go out and solicit Barrett projects, they come and solicit us. If you need someone sitting there that's been in this seat and you choose to do what he says, I'll be happy to go down there just let me know when.

Commissioner Mourdock: The only thing I'd disagree with that statement is, Bettye Lou, is yeah there is something we are trying to do for people when she said there isn't. What we're trying to do is help all of you get better sewers and improve your property values and that's the course we've been on since day one. Before you say anything, Andy, Ms. Claybon...

Jean Claybon: Why were we not advised that we could protest this? We put in three times as much field bed as we ever needed. I don't have a problem at all.

Commissioner Mourdock: When the Barrett Law--Joe I should let you speak to that, but there's a series of letters that went out to all the property owners.

Joe Harrison, Jr.: Yeah, when the project started there was a public hearing and a resolution that was adopted to start the project along. The date of the hearing was December 17, 1998 and you all had notice of that. The people that lived there at that time had notice plus it was advertised in the newspaper.

Jean Claybon: I think I came, but they didn't say whoever wants to protest can at this point if you get enough signatures or anything.

Joe Harrison, Jr.: Well, that's the law and you could have.

Jean Claybon: Now it's too late.

Joe Harrison, Jr.: Now it's too late except there is one thing. There is a statute that indicates that you can file a lawsuit but there's no objection period but there is a statute that states lawsuits can be filed regarding the assessments, not stopping the project or anything like that. The project is done.

President Jerrel: The assessment before us this evening is the total amount, the \$286 or whatever the final number was and divided by 83 properties. Yes, sir?

Ed Wickman: I don't need to come back up.

Commissioner Mourdock: No, you do.

Ed Wickman: Okay. I wanted to qualify what you just said. Just for my own understanding. Ed Wickman, 3514 Bexley.

Commissioner Mourdock: This is Mr. Wickman.

Ed Wickman: Wickman, yes. Just so I understand, your authority here is to take the total project and divide it by the amount—participants. Again, so I understand, does your authority allow you to raise or lessen?

President Jerrel: It has to be divided by the total amount. It's just math.

Joe Harrison, Jr.: A math equation.

Commissioner Mourdock: Number of total dollars of the project divided by number of lots.

Ed Wickman: Does your authority permit you...where I'm going with this is in good conscience, good faith just because you know the situation and you know the feelings here, could you, do you have the authority to say \$2,900 dollars?

Commissioner Mourdock: No. We have to pay the bill.

Ed Wickman: Pass the rest to the city and let them collect...okay.

President Jerrel: No. We're not allowed to do that.

Jane Laib: I need to change the tape.

Commissioner Mourdock: Okay. Time out, we need to change the tape.

Tape Change

Commissioner Mourdock: Is it working?

Jane Laib: Yes.

Commissioner Mourdock: Okay, (inaudible) perfectly.

Andy Easley: Shortly after the project design work was started the ten acre parcel was on the market being sold by the Rode Estate and several people looked at it. I had a client that came in. I made a study. It was quite expensive to develop it. He volunteered and said if he bought the property he would pay, was it like \$20,000, to the project which I thought was very fair. That would be about \$500 a lot that he would of paid. He did not purchase the property. Someone else...Keystone, I think, bought it and I understand it has since been sold. So it, you know, it is exempt. It's just as if when I said a while ago when Keystone designed and built the pumping station they were told they had to allow enough capacity for 130 houses and 83 of those parcels are in the project. You're not contributing any money to that now, so everybody is getting a little bit of a free ride. It just depends on how and when they come along. There may not be a subdivision on that property for five years. Something could happen. Somebody could buy it. They could have an illness in the family. It could sit there, so we don't know when it is going to be developed.

Eric Schwenker: The sewer goes right along their north boundary. It crosses their 40 foot right-of-way. They had to give us an easement.

President Jerrel: Uh-huh.

Commissioner Mourdock: Okay.

Eric Schwenker: So, yeah, it's right next door. Anybody who wants this map at any time, that's where it is at.

President Jerrel: Uh-huh.

Eric Schwenker: If that helps to orient you.

President Jerrel: Yes, right.

Eric Schwenker: Plug in Oak Hill Road right here.

Commissioner Mourdock: Thank you.

President Jerrel: Alright, the purpose we have to have a resolution. It's a legal document.

Commissioner Mourdock: Okay, as we have explained we've tried to do the right thing from day one here. If you need to speak with the city we encourage you to do that. Bettye Lou has offered to join with you and I would certainly be willing to do that to make sure that everyone there understands...everyone in the city understands what that is about. Having said that, by the statute and in compliance with the statute I would move approval of the final resolution of the Board of Commissioners of Vanderburgh County modifying the Oak Hill Road sanitary sewer Barrett Law project assessment roll as presented this evening.

President Jerrel: And that is what you have in your possession, and I'll second and say so ordered. You please call me.

Unidentified: When can we get a copy of that?

President Jerrel: You may have...you want...yeah, you can have this one. Okay, well there is an extra one up here also.

Joe Harrison, Jr.: And again, a letter will be coming out within the next week.

Unidentified: Is there any way when we get the letter that they would state on there that at no point...no matter what time this will be able to tap in that we...can't it just be stated in the paperwork that we won't pay anymore than the amount as the tap in fee that is now?

President Jerrel: How did you say they should—

Joe Harrison, Jr.: Well, we can't say that because we have nothing to do with the tap in fee.

President Jerrel: But isn't...somebody has said you can—

Andy Easley: You can pay the tap in fee now and not hire a plumber to tap you in. You don't have to.

Commissioner Mourdock: Right, but that is not what she is asking for. She is asking for a longer term commitment that the \$495 would still apply.

Unidentified: Those who can't afford to do it right now, but my...if say a person did find the funding and they pay the tap in fee, but they have not tapped in are we going to be assessed a fee for sewer availability?

Joe Harrison, Jr.: Well, that is something that you're going to have to address with the city.

President Jerrel: Not if you don't tap...not if you don't really tap in.

Joe Harrison, Jr.: The only thing we're concerned with is the project cost assessment.

Unidentified: Right, yeah. I was just curious because I would like to know that it was going to be guaranteed for a fee because I realize it can go up and I just was kind of—

President Jerrel: Yeah, hold it.

Unidentified: Hold it so that I can manage to get...because my income is getting ready to drop \$1,700 a month. That's net, not taxable.

President Jerrel: Right. I would find out about that.

Unidentified: Yeah.

Any group or individual wishing to address the Commission
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President Jerrel: Okay, at this time we have an item on our agenda for any group or individual wishing to address this body. Is there anyone here that has any issue, anything that you would like to discuss that hasn't already been discussed?

Erik Bentle - Superintendent of County Highway

President Jerrel: Okay, the next item on the agenda is the County Engineer. You want to wait a minute until everybody leaves?

John Stoll: Sure.

President Jerrel: John.

Commissioner Mourdock: John Stoll. Who is next?

President Jerrel: How about Erik.

Commissioner Mourdock: Erik.

Erik Bentle: Erik Bentle, County Highway. You have my work reports for this week. The other thing that I have is we have a 1983 Chevy van out at the garage and I would like for your permission to surplus. It's no longer safe to drive.

Commissioner Mourdock: So moved.

President Jerrel: And I'll second and say so ordered.

Erik Bentle: The other thing that I have is I have contacted Tony and Bettye on this, the Health Department has a '91 Chevy Caprice station wagon that they are no longer using and they wish to get rid of and I would like your permission to take it out to the garage and use it in place of the van.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

Erik Bentle: That's all I have.

President Jerrel: That's alright. Thank you very much. Are we paving?

Erik Bentle: Yes, ma'am. We're moving right along.

Commissioner Mourdock: We better be paving.

Erik Bentle: I gave Tony the pie chart you requested this week.

Commissioner Mourdock: Okay, thank you.

President Jerrel: Good, thank you very much.

John Stoll - County Engineer

President Jerrel: County Engineer.

John Stoll: The first item I've got is a change order on the repair and repaving of various roads contract. This is for the Melody Hills' work that has been going on. This is for an increase of \$39,432.95 due to significant overruns and asphalt

patching required. Basically, once the streets were milled off...the asphalt was milled off the streets the streets were in much worse condition than we anticipated which in turn caused overruns. It's recommended that this change order be approved.

Commissioner Mourdock: As a percentage, John, do you know what it was?

President Jerrel: These are those ones that we...yeah.

John Stoll: The original contract was around \$225,000.

Commissioner Mourdock: 20 percent.

John Stoll: Yeah, give or take and we'll have more, too, because what we're finding out in West Haven Subdivision it's even worse than Melody Hills. There are large voids that were not visible prior to milling the asphalt off and I forgot to bring the pictures. I can bring those next week, but we'll have additional overruns above and beyond that because of the poor conditions of the roads.

Commissioner Mourdock: Too bad we didn't do those roads by Barrett Law like we did out at the other side. I'll move approval of the change order.

President Jerrel: Second and so ordered.

John Stoll: The second item I've got is a request for making offers on additional right-of-way parcels on Burkhardt Road. This is for parcel 8, parcel 11, parcel 14, 15, 16, and 17. The grand total amount on these parcels...on the offers is \$113,350. The appraisals have not been reviewed by Joe as of yet, but if you could approve this subject to Joe's review and approval then we could get the offers out on the table without having to wait until next Monday's meeting.

Commissioner Mourdock: I'll so move.

President Jerrel: And I'll second and say so ordered.

John Stoll: And the final item I've got is an encroachment agreement request. This is for Four S Properties which is for the Basden RV out at Baseline Road and Boyle Lane. The way Boyle Lane drains right now there is some surface drainage going across Boyle which is in turn causing an erosion problem adjacent to the Basden RV property and what they're requesting is an encroachment agreement which would allow them to do some paving within the right-of-way to fix that erosion problem and direct the water on properly towards their property. I've had Joe review this agreement and I've got copies of everything, where they want to put the encroachments. What they propose to do is remove some of the fence that they previously got an encroachment permit on and then do some additional paving along this side of the road where in turn in conjunction with some additional development they're doing on their site they can get it all taken care of all at one time.

Commissioner Mourdock: Okay. Obviously you are supportive, so I'll move approval for the encroachment agreement as requested.

President Jerrel: I'll second and say so ordered.

John Stoll: That's all I have unless you've got any questions.

Joe Harrison, Jr. - County Attorney

President Jerrel: County Attorney.

Joe Harrison, Jr.: I don't have anything.

Tony Greubel - Superintendent of County Buildings

President Jerrel: Superintendent of County Buildings.

Tony Greubel: Two or three items. The first one, let's see, permission to approve paying the Building Authority \$101,948.20 for final change orders and utility costs during renovation at The Centre from Food & Beverage Fund.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

Tony Greubel: Then Chief Deputy Eric Williams dropped off bids for doing drywall work at the SAFE House. Three bids were received. One bid was from Danco Construction for \$6,230. Magnum Construction submitted a bid for \$11,968. Robinson Painting & Acoustical Company submitted a bid for \$16,147. Chief Williams recommends that the award go to the low bidder, Danco Construction, for \$6,230.

Commissioner Mourdock: And just to clarify, that was for the emergency work that was needed out there because of the beam falling, so they couldn't go through the normal bid process.

Tony Greubel: And they were planning on paying this through user fees.

Commissioner Mourdock: Okay, I'll move approval of the award as recommended.

President Jerrel: Second and so ordered.

Tony Greubel: That's it.

Steve Craig - Burdette Park

President Jerrel: Okay, Burdette Park. I know we've been swimming.

Commissioner Mourdock: Yeah, the pool is getting use.

President Jerrel: It has been perfect weather.

Steve Craig: Yeah, we've had large crowds at the aquatic center and everything was running great as of when I left at 5:00. I won't vouch for the last two hours. I think it is still doing good. The Day Camp is full for the summer except for the August session and Joyce said it will be sold out before the end of the week because there is only a few of them...a few spots left in that.

Commissioner Mourdock: How many total slots did you have, Steve?

Steve Craig: It was supposed to be 200, but she stretches it over and goes into 220, but she don't allow the classes to get over a certain size, but we've turned down quite a few people, you know, kids which I said is good that we're sold out, but it's bad that there is so many kids that don't get to go to it. We're back to needing to build our lodge and I think that is progressing well, too. Other than that just pray for heat.

President Jerrel: Well, we got it.

Commissioner Mourdock: Don't hear that said much.

Steve Craig: I'm probably the only person in the county that prays for a 95 degree day every day.

President Jerrel: With the sun shining.

Steve Craig: With the sun shining, yeah. Ninety-five and cloudy would be a killer.

Commissioner Mourdock: There are some of us who are coal producers who go with that, too.

Steve Craig: Oh, yeah. Did you get my worksheets?

President Jerrel: Yes, yes.

Steve Craig: Other than that that's all I have.

President Jerrel: Thank you very much.

Steve Craig: Thank you.

President Jerrel: Is there a motion?

Weekly Reports

Commissioner Mourdock: Yeah, I'll move approval of the County Highway report, the Burdette Park, Soil & Water Conservation District and the Ozone Officer report.

President Jerrel: And I'll second and say so ordered.

Consent Items

Commissioner Mourdock: For the consent items there was one item to add which was just a one hour charge from Jerry Schmits for his consulting work with that billing that Tony mentioned a minute ago, so I would move that be added to the consent items and with that addition move approval of those as filed.

President Jerrel: And I'll second and say so ordered. ¹

¹See page 37 for a listing of consent items

Old Business

Joe Harrison, Jr.: You have jail reports.

Commissioner Mourdock: Yeah.

President Jerrel: Yeah.

Commissioner Mourdock: I was going to do that under old business.

President Jerrel: Okay.

Commissioner Mourdock: Just under old business the new numbers for the jail were below 300 at 299 last week with the average stay down to 64 days and the number of available electronic bracelets is now down to ten so they are finally getting good use out of those.

President Jerrel: Good, good. Is there any additional old business? We're working on budgets that will be ready to turn in at the end of the week, so maybe next Monday we can look at them if we've got them.

New Business

President Jerrel: Any new business?

Commissioner Mourdock: Going, well...this is going back to old. Here is a copy, I don't know, did you get Bill Sheppler's report from PMSI? Do you routinely get those?

President Jerrel: I can't pull them down off of my—

Tony Greubel: There is one in your in box, Bettye Lou.

President Jerrel: Okay, but he gets...usually Tony runs them off. Alright, if there is no further business, is there a motion to adjourn?

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

The meeting was adjourned at 7:15 p.m.

CONSENT ITEMS:

Employment changes:

Clerk's Office	Health	Prosecutor
Sheriff's Office	Assessor	
Superior Court	Burdette Park	
Knight Assessor	Circuit Court	

Travel requests:

Legal Aid	Health	Engineering
Assessor		

Auditor:

Submit monthly financial, cash and expenditure reports.
Submit accounts payable vouchers.

Treasurer:

Submit monthly report

Engineer:

Declare 1990 Chevy Caprice surplus

Sheriff:

Submit weekly confinement and inmate general information reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Joe Harrison, Jr.
Suzanne M. Crouch	Jane Laib	Tony Greubel
Jerry Bryan	Cheryl Musgrave	Bill Cottun
Ed Wickman	Mary Beck	Rose Mary Williams
Patricia Schillumeit	Jean Claybon	Andy Easley
Marlin Beck	Dr. Michelle Blake	Eric Schwenker
John Claybon	John Stoll	Erik Bentle
Steve Craig	Others Unidentified	Members of the media

APPROVAL:

VANDEBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

**Vanderburgh County
Board of Commissioners
June 19, 2000**

The Board of Commissioners of Vanderburgh County met in session this 19th day of June at 5:50 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Commissioner's meeting to order and apologize for being late. I'll be honest with you, during our Executive Session, we spent the first 20 minutes talking about Pat Tuley's leg. I made him show me his elbow, and I got to see where the scar...he wouldn't drop his—I mean, we didn't see anything else but he had to tell us all...it was an interesting--not a good event for him, but it was interesting. At this time, I would like to introduce to you...we have some new people in front of you. On my far right is Becky Pike. Becky is working this summer with us, and Tony is out of the country. She is being Superintendent of County Buildings and everybody, in general, for the office. Next to her is Joe Harrison, Jr., our County Attorney. We welcome back Commissioner Pat Tuley. We are glad to have him. It's more fun when he is here.

Commissioner Tuley: Thank you. I'm glad to be back.

President Jerrel: On my far left we have Jane Laib. Jane is here for her second meeting. I guess she likes us all right. We told her the last meeting was going to last about 30 minutes and it lasted a couple of hours. So we didn't know for sure if she would be willing to come back. Bill Fluty, the Deputy Auditor. Next to me is Commissioner Richard Mourdock, and my name is Bettye Lou Jerrel. If you'll join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: The first action item is the approval of the minutes of the June 12th meeting.

Commissioner Mourdock: I'll move approval of the minutes as submitted.

President Jerrel: I'll second and so ordered.

Certification of the Executive Session

President Jerrel: The next item is the certification of the Executive Session.

Commissioner Mourdock: I'll move approval of the summary minutes of tonight's Executive Session that began at 4:45 p.m. and ended at 5:45 p.m. In addition to talking about broken femurs, we spoke of pending litigation with the county.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Reappointment of Bob Ossenberg

President Jerrel: Item C on your agenda is the appointment for the Evansville-Vanderburgh Airport Authority Board.

Commissioner Mourdock: I will move reappointment of Mr. Bob Ossenberg to the Evansville-Vanderburgh Airport Authority Board. I know he has been an active member there as he is on many boards in town. I think he is a great asset to that group.

Commissioner Tuley: I'll second.

President Jerrel: So ordered.

Pigeon Creek Greenway

President Jerrel: The next item on the agenda concerns the Pigeon Creek Greenway. I would like to take just a minute, Erik, to explain this because they have a new office out off First Avenue on, what's the name?

Commissioner Mourdock: Uhlhorn.

President Jerrel: Uhlhorn. Anyway, they have still been getting water in that little new building, and the building trades went out and fixed it all up. Bill Jeffers went out and they have to build a couple of swales and they don't have a gradall.

Erik Bentle: Okay.

President Jerrel: They can get rid of the dirt. They will provide the truck, but if we could work out something, sometime when it's convenient to give them a call. This is just a request to utilize a county highway gradall operator. I thought you might prefer to have your own operator on there?

Erik Bentle: Yes. Do you have a number?

Commissioner Mourdock: Becky can get you Shirley James' number, I'm sure.

President Jerrel: Yes, okay.

Erik Bentle: I can call her on Tuesday.

Commissioner Mourdock: That building is actually on the property of the Levee Authority?

Erik Bentle: It's right there by the old dog pound, right?

Commissioner Mourdock: Right, that's it. I see Bill Jeffers is in the audience. Bill, do you have any idea how much yardage is going to be moved? Is it just a little bit around the footers?

Bill Jeffers: It wasn't I.

President Jerrel: You didn't go out there? Do you know who did it?

Bill Jeffers: Someone from that committee went out there. The Corps of Engineers use to use it and water runs through the lab area. It's not going to take a lot of work.

Commissioner Mourdock: I hate to ask the question, but Joe, is there anything we need to do as far as working with the Levee Authority to allow our folks to go out there?

Joe Harrison, Jr.: I would just make...they are a governmental entity so I'd make sure to clear everything with them before anyone goes out there with any equipment. They may not want anyone going out there. I don't know.

Commissioner Mourdock: Erik, if you would give them a call and let them know. Let them know that this board acted to do this at their request. I think that would be helpful.

Erik Bentle: Okay.

Commissioner Mourdock: Having said that, and I hope this doesn't open the flood gates for other requests from the Greenway Belt for gradall work, I'll move that we direct the Highway Garage to work with the Greenway office to do that little bit of grading at their new site.

Commissioner Tuley: I'm like you, especially this time of year with everything else they have going, but I think we can make an exception, but I'm like you and don't want to open a pandora's box with these kinds of requests. Given the fact that we contributed money, city has contributed money, trying to get this thing off the ground and keep it going, I'll second the motion.

Commissioner Mourdock: I'll add just one other thing to that. Having been out at the facility and as Betty Lou commented, the building trades dedicated a bunch of time and materials and labor out there and did a nice job. We've put money in the till before on this one, so I think it's reasonable.

President Jerrel: So ordered.

Jeff Korb - Drainage Easement Encroachment Request

President Jerrel: The next item on the agenda is Jeff Korb.

Jeff Korb: Thank you, Bettye Lou. Good evening everybody. We are trying to put a swimming pool in and thought we might ask Pat to come out and teach us how to (inaudible).

Commissioner Mourdock: Some diving.

Commissioner Tuley: You should have waited until after I voted to make a comment like that.

Jeff Korb: I've talked to...I've got copies, do you all have copies?

President Jerrel: Yes, we all have copies.

Jeff Korb: I've talked to Bill Jeffers and on the record I have to say that he and his office have been enormously helpful for a guy like me who never does this. We've gotten all the proper easement letters, and they are here, if you need to see those. I've given everything else to Jane, over there. We are just looking for permission to go ahead and get the permit to put the pool in.

President Jerrel: Did you work this up?

(Inaudible.)

Bill Jeffers: Pat, I want to remind you that Lyndon Johnson once showed his appendix scar on tv, and aside from picking his dog up by the ears, he never lived that one down either. There is a camera running over here.

Commissioner Tuley: Believe you me, I have no intention of showing my scar to anybody.

Bill Jeffers: Here's a picture...oh, you don't want to see that one, do you? That picture is Mr. Korb's backyard, and I've roughly outlined the easement along his back fence. It is a drainage easement and a public utility easement. There are no drainage ditches, as you can see. There are no underground pipes there. In fact, I have another picture alongside his driveway where there is a 15-foot easement that carries the water out to the street inlet. We have no reason to reserve that, but rather than vacate it, he is just asking to encroach it. I helped him prepare the encroachment easement and, in fact, drew exhibits A, B, and C for him in our office. We recommend that you allow him to encroach the easement with whatever portion of the swimming pool is necessary.

Commissioner Mourdock: Just for the record, the only thing that would be encroaching on the easement, I presume, would be the deck area of the pool?

Jeff Korb: Possibly some of the deck and, if Area Plan Commission requires fencing of a certain height around it, most likely the fencing.

Joe Harrison, Jr.: It's my understanding that the Drainage Board should also approve this at the meeting next week, next Monday. If you could put that on the agenda if it passes.

President Jerrel: Is there a motion?

Commissioner Mourdock: With the recommendation of the Deputy County Surveyor, I would move approval of the drainage easement encroach agreement for 300 Key West Drive.

Commissioner Tuley: Even though he said what he said, I'll second your motion, but I won't help you open your pool.

President Jerrel: And I'll say so ordered.

Jeff Korb: Okay, great. Thank you. Now my next step is to just go get the permit

tomorrow morning? We can go ahead and start digging?

Joe Harrison, Jr.: They can probably get the work going. The thing is, it technically should be passed by the Drainage Board which meets next Monday.

Bill Jeffers: I don't think the excavation is going to get into the easement until he pours the deck. According to the work schedule that we were looking at, he won't be into the easement until a week or so from now. He's, again, just trying to get his workmen started under the schedule they had arranged.

Commissioner Mourdock: And understand, Jeff, the Drainage Board is made up of these same three people.

Jeff Korb: I understand that. Okay.

President Jerrel: So get your permit and get going and stay out of the easement until a week from Monday night.

Jeff Korb: I'll do the best I can. Gets me in a lot of trouble with my wife. Thank you everybody.

Any Group or Individual Wishing to Address the Commission
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President Jerrel: The next item on the agenda is that item reserved for anyone that wishes to address the board. Seeing no one, County Engineer.

John Stoll - County Engineer

John Stoll: First, I've got a Notice to Bidders for contract VC00-07-01. This will be repair and repaving of various roads. This will be for Meadowview Drive, Greenbriar Drive, and Greenbriar Court in Evergreen Heights Subdivision. That's up near Old State and Evergreen. It's similar to the work we've been doing in West Haven and Melody Hills, just milling, patching, and resurfacing. It's recommended that Notice to Bidders be approved for advertising.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Second item I've got is a request for authorization to pay for another septic evaluation on the University Parkway project. This is for parcel number 35. There again, it looks like the right-of-way I can take will impact the septic system, and we need to have another evaluation done for the amount of two hundred dollars.

Commissioner Mourdock: How much?

John Stoll: Two hundred dollars.

Commissioner Mourdock: What was it last week, nine hundred?

John Stoll: I'm not sure what the numbers were off the top of my head. One was for the Jehovah Witness Church which I know that one was more than the residential parcels so it may have been nine hundred.

Commissioner Mourdock: Which makes this sound inexpensive whatever it was. I'll move approval.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: In a final item I've got, I wanted to let you know that we received a complaint from the city regarding some debris that was obstructing the upstream end of the box culvert bridge on First Avenue. We've notified contractors that we will be soliciting price quotes on the removal of that debris, and the price quotes will be submitted for opening for next Monday's meeting.

Commissioner Mourdock: That's on the new one we just put in a couple years ago?

John Stoll: No, this has been in for 20 years. It's the four six foot by four foot box culverts that routinely builds its own dam. It will be an ongoing maintenance problem until it's replaced some year in the future.

President Jerrel: If we'd have some real heavy rain, it would—

John Stoll: Right, it always washes the debris downstream, and once the logs start piling up, it builds a dam pretty quickly. Anyway, we will be getting those price quotes next week and then we will proceed once we get the low quote on that, we'll get a purchase order and get the debris removed.

Commissioner Mourdock: Do you need formal permission to advertise?

John Stoll: No, this was done on a price quote basis so we just had to notify a minimum of three contractors and let them know they had to submit their quotes for next Monday's meeting. That's all I have.

Commissioner Mourdock: Anything new on the--any other comments from the public or otherwise on the rumble strips on Darmstadt Road?

John Stoll: I checked with EUTS about that, and they said they didn't have access to before and after accident data to see if rumble strips had helped the accident situation. They said they did have some speed data that they gathered on Petersburg Road before the rumble strips, and they were going to get some after data as well so we'll be able to see whether or not it really has any impact on lowering speed, since that's the original intent of putting the things in.

Commissioner Mourdock: Okay.

John Stoll: I'm not sure when they will get that data to me, but I'll check with them again and let you know.

Commissioner Tuley: I've got two things for you, John. One, I haven't seen anyone

working around West Haven/Caren and that for several days, and I don't know if it is just because of the rain or what, but we've not seen any construction activity for some time out there now, so I don't know if it's—

John Stoll: Today it would have been weather related, I'm going to guess, but—

Commissioner Tuley: Prior days may have been as well. Is Tom still assigned to that job?

John Stoll: Yes.

Commissioner Tuley: Have him pay particular attention, I hate to say this, in front of my house. The other day, I couldn't see where surface water would...uphill was coming, but all of a sudden there's water running in front of our house. I don't know where it's coming from because before he got into my property line there was no surface water. I don't know if we still got a problem with undermining underneath. So just have him, kind of, watch that to see where that may be coming from.

John Stoll: Okay.

Commissioner Tuley: My next comment, John has no idea this is coming and he and I have not discussed this...how long have you been without an assistant?

John Stoll: Oh, about a little over a year. I think it was March of last year when he quit.

Commissioner Tuley: Okay. What I'd like to do is move that because of the season it is, and the workload he is trying to do, is that we grant him through request of the council, a temporary increase in salary annualized at \$10,000 dollars until we get him some help. I know he is working his, you know what off trying to keep up with everything and doesn't have an assistant to help him.

President Jerrel: Well, I don't know—

Commissioner Tuley: or we get him an assistant or something. He has no idea I'm doing this.

President Jerrel: We don't...

Commissioner Mourdock: It sounds like a good idea to John.

President Jerrel: It sounds like a good idea, but they control the salaries.

Commissioner Tuley: I understand that. Then we need to find him an assistant. Because that part, we do control. That's a long time to go. You're (John) not even in this discussion. This is between the three commissioners.

John Stoll: I just wanted to tell you that periodically, over the past year, we've received some resumes from some people—

Commissioner Tuley: I understand, let me backup for a second. I'm not saying that we are at fault. I know right now it's hard because there is so much work out there and with what we can afford to pay somebody, we're not going to find them. I'm sorry, there's too many places in the private sector they can go. So don't

misunderstand, I'm not picking on us either, but I do think it's difficult to continue to ask this guy to continue put in the hours and workload he is doing without either help or additional compensation. That's where I'm coming from. He had no idea I was going to do this. We've not ever talked about this. I know I've talked to him, and I know he spends a lot of extra hours out there. Every other department has an assistant to help out. I don't know why we can't go to the council. I mean, a year without an assistant, they have saved a ton of money.

President Jerrel: We can go to council during council budget time. We missed the process. They had their last salary ordinance job study...but we can go directly to council bypassing the salary—

Commissioner Tuley: This is June, and we can't do anything until January?

President Jerrel: No, we can go directly to council.

Commissioner Tuley: Okay, that's what I'm saying. Whoever...if it's directly to the council...and I'm not talking about permanently. Either until we find him somebody else or whatever. You can annualize it, and if its ten thousand annualized, it won't be that much until we finally find somebody. Again, I don't want John in hot water because John and I have not had this discussion. This is just me talking.

John Stoll: When you started off, "we haven't had that discussion", I didn't know where you were coming from. I thought, am I getting fired or something?

President Jerrel: No. The issue of finding somebody...I mean, we've looked at them.

Commissioner Tuley: The salary we can afford to pay, right now given the construction boom and everything going on, we're not going to find somebody unless, we find someone right out of college who doesn't know which ways up.

President Jerrel: They do have another engineer in that office which most people don't have two engineers.

Commissioner Tuley: I'll put it on the floor as a motion, and we can either vote to do it or not do it. I'll move at this time that we approach the council an adjust his salary by ten thousand dollars on a temporary basis, until we find him an assistant. Of course, you guys didn't know this was coming either.

Commissioner Mourdock: That's right and I don't recall, that in the six years I've been on the board, that we've ever had something die for lack of a second here. I fear if I do that, it will be misread as being in opposition to what your suggesting, Pat. I'm not, necessarily, in opposition but I am hearing this for the first time as well. I guess I have several responses to it which having this discussion out in the open...my concern is, if we do this with one appointed position that we open the door, as we were talking a moment ago with the Greenway group, of having other people coming in with a special circumstance where they then want something for an interim period or whatever. I'm a little uncomfortable with that. I'm not uncomfortable in agreeing that in the time that John has gone through this, I think he's gone above and beyond. Certainly every time I've asked John for anything, to meet me anytime, anywhere, including well after normal working hours, John is always there to do it. So I'm not against it. I would say to give me seven days to

think about the procedure of it, and I might be willing to come back with a second to that. At this point, I just want to think it over since I'm hearing all this for the first time. I hate to do something that might open the door to others, and I certainly am not going to stand in the way of A) getting John an assistant or B) doing something else to rectify what otherwise has been a long period for him.

Commissioner Tuley: I'll tell you what I'm going to do then; I'm going to rescind my motion for one week so that everybody can have...I don't want this to be seen as a political move in an election year to put somebody in a bad spot. I'm willing to do that for one week, and we can have discussion about it anytime you want to. Again, I don't want John to be on the receiving end of any adverse—because of this.

Commissioner Mourdock: No, no, no.

Commissioner Tuley: I just want everybody to fully understand that this is...just like you, anytime I've called John, day or night it makes no difference, whenever I've needed him to meet with me or go at my schedule, when I could do it, he's changed his schedule to fit mine. I think a year without an assistant is a long time to go without any additional compensation.

Commissioner Mourdock: And clearly, I think of our other departments. Obviously, the garage and the park have assistants ready to step into the breach at any time, and that's a good point. I just want to be sure we think it through.

President Jerrel: Tony isn't here, but he has no assistant. He has me working most of the time, but we are one short up here by choice.

Commissioner Tuley: That's fine.

President Jerrel: By choice.

Commissioner Tuley: That was choice.

President Jerrel: So I'm saying that there are a lot of unusual circumstances. John, you know—

Commissioner Mourdock: Pat rescinded the motion so we have a week to think about it.

Commissioner Tuley: You have a week to figure out what you want to do.

President Jerrel: The main thing I'm going to do is call council and ask them how they want this issue dealt with.

Commissioner Tuley: I don't think we want to open up pandora's box because I don't think, if we run into a similar situation, it will be a year trying to find an assistant.

Commissioner Mourdock: That's probably right just given the nature of what John does and the general business climate right now. You're absolutely right, just this morning we had two engineers hired on out at our place, and I know they had been advertising for them for more than six months.

Commissioner Tuley: And you can probably pay better than we can in the private sector.

Commissioner Mourdock: We are an ESOP company and that's certainly a benefit that's not a small one.

Erik Bentle - Superintendent of County Highway

President Jerrel: Okay, next week. Thank you. County Highway.

Commissioner Mourdock: Sorry to drag you through that, John. Watch what you say now, Erik.

Erik Bentle: I thought about that walking up here. Now, I've got to think.

Commissioner Tuley: I hope that's not the first time today you've had to think.

Erik Bentle: No, you just caught me in the middle there. You have got my progress report for last week and my work schedule for this week. Other than that, I really don't have anything other than we are moving right along with paving.

President Jerrel: I noticed you did just the Frontage Road. I don't see on the paving report any new ones starting.

Erik Bentle: We've got Barton, Schroeder, and Frontage completed. We've got Nisbet Station, Baehl Road, Armstrong, and Baseline all base and they started on surface today.

President Jerrel: Okay, so we've got three more then.

Erik Bentle: There just not down as completed until we get the surface down.

Commissioner Mourdock: One to make a note of, Erik. Yesterday while I was doing my little jog, I noticed along Boonville-New Harmony about ½ mile east of Darmstadt, there's been some new pavement put down and the shoulder is badly eroded, almost to the point where the new pavement has been put down. Definitely need to do some shoulder work there.

Erik Bentle: Okay.

Commissioner Mourdock: Get some grading work in there before you do any more paving. It looks like you just put in a base coat.

President Jerrel: Going back to the request that John made related to additional work for those streets out there. I can't think of the name of them. You know, I called you about the one, and they found that underneath the concrete they were—

Commissioner Mourdock: Out in Evergreen.

President Jerrel: Yes. No.

Commissioner Tuley: That was out there at Westhaven/Caren.

President Jerrel: Did they get finished with that yet?

Erik Bentle: Well, they've got them patched, but I don't think they are anywhere near finished, no. That's what Pat was just talking about.

President Jerrel: But they are pumping concrete, or whatever it takes, down in those holes?

Erik Bentle: They've been filling them with rock and asphalt over the top of them trying to get a base in. Some of them are still dropping.

Commissioner Tuley: I don't know where the water is coming from. There just seems to be an awful lot of water under that base.

Erik Bentle: I have a feeling, it's just not undermined where they've dug at. It's elsewhere too.

Commissioner Tuley: It just hasn't been as visible as some of the spots they are fixing.

President Jerrel: Anyway, I had called you and we've had a couple of calls from people that wanted to make sure that we dug those holes out right.

Erik Bentle: It's going to be hard to find unless you dig the entire road up.

Commissioner Tuley: I think it's a lot worse off than any of us believed it was.

John Stoll: Right, yes. Once the surface asphalt was peeled off, then it revealed a whole lot more voids than anybody anticipated. Basically, what they've been doing is ripping out the old concrete, filling the voids with rock, then like Erik said, filling with asphalt. Eventually, all will be overlaid. Because of all the voids that have been found, we will have some significant overruns on that portion of the contract as well.

Erik Bentle: I think there's more than actually meets the eye there. I don't think they have even touched the surface of what the road is actually doing underneath.

Commissioner Tuley: I think what it's doing on the ones they've caught, like you say, now the other ones—

Erik Bentle: They were just very visible, you know, there's just more to it than that. Hopefully, they will catch it before they go and put the new that new surface over it.

President Jerrel: Do we have someone...I mean, that's a contractual job so is Tom watching that to?

Commissioner Tuley: Is he back to work? I know he twisted his knee or something.

Erik Bentle: Yes, he came back.

President Jerrel: Okay. Thank you.

President Jerrel: County Attorney.

Joe Harrison, Jr.: I don't have anything this evening.

Becky Pike - For County Buildings
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President Jerrel: Becky, do you have anything for us?

Becky Pike: No.

Commissioner Mourdock: (Inaudible.)

President Jerrel: It must be in the consents. Burdette.

Gary Hohman - Burdette Park

Gary Hohman: Gary Hohman with Burdette Park. You have our work report there. If there are any questions, I'd be glad to answer any that you have. I'm sure all of you are aware that this is one of Evansville's busiest weeks, as far as activities going on, with Thunder on the Ohio. In addition to that, I'd like to make you aware that Burdette and the BMX track will be hosting the Nationals this weekend. We are anticipating anywhere from two to four thousand people at this one particular event. At the present time, we are having to schedule hotel/motel reservations as far away as Owensboro.

President Jerrel: Is that right?

Gary Hohman: Our campground is totally filled, Mt. Vernon, everything in Evansville is totally booked with both events. It's a big weekend.

President Jerrel: I hope the weather is good too.

Commissioner Tuley: How are you keeping up with the grass, Gary, with all this rain?

Gary Hohman: Mowing twice a week.

President Jerrel: We've been having good attendance at the pool.

Gary Hohman: When the weather's permitting.

President Jerrel: Yes, thank you very much. We have the two reports from Soil and Water. Is there a motion?

Commissioner Mourdock: I move approval of the Highway Department, Burdette Park, Soil and Water Conservation District, and the Ozone Officer's report.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: Under the consent items, are there any–

Commissioner Mourdock: First thing I would do, is just formally move that the PMSI claim that's referred to under Superintendent of County Buildings be added to the consent items. I would so move.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Second point in our consent items, of course, under item E, the various budgets. I made this comment last year and just want to make the comment again. I know that this seems like a minor issue on the big scale of things, but as we go forward with the full budget package going to the council, I know some of the folks in county government are occasionally called upon to drive their own vehicles to places. At this point, we are continuing to pay less than what the IRS standard is. It's not a big deal, but to those people who are otherwise feeling like they are having to pay to use their vehicles for government business, I think we ought to make sure that council understands that it would be the feeling of this board to increase that rate up to the IRS rate, which I believe is thirty-one/thirty-two cents?

Commissioner Tuley: Thirty-two cents.

Commissioner Mourdock: And we are paying twenty-five cents.

President Jerrel: No, I think we are paying twenty-eight. Aren't we paying twenty-eight now?

Commissioner Tuley: Maybe twenty-eight.

Commissioner Mourdock: Even so, IRS standard...with gasoline prices at \$1.43.

President Jerrel: I paid, Friday in Indianapolis, \$1.82 for regular.

Commissioner Mourdock: In Denver this past week, I saw for the first time, \$2.29 gasoline. So if ever there was a time to make sure we are at IRS standards, this is it.

Commissioner Tuley: So, is that a motion?

Commissioner Mourdock: That is a motion.

Commissioner Tuley: Second.

President Jerrel: So ordered.¹

Commissioner Mourdock: Then I would move approval of the consent items as filed.

¹See page15 for a listing of consent items

Commissioner Tuley: I will second that as well.

President Jerrel: So ordered.

Old Business

President Jerrel: Is there any old business to come before this board?

Commissioner Mourdock: Just an update on the continuing saga on the jail. As of this past week, we had 323 people in the jail, and our average time in the facility is down to 62 days. I think we are making some progress there. Also, I would add, as you are aware, we were due a report from PMSI on May 31st and I've been in contact with those folks today to make sure they summarize an interim report and get that to us pronto. It's my error that I didn't remind them of that. I wish they had reminded themselves, but for whatever reason, they didn't. That was something I insisted on when we did the contract so I should have remembered that the report was due but didn't. I've also asked them to present whatever summary they have for that interim report next week at this meeting. We'll see if they do that. I bet they will.

President Jerrel: Any other comments about the—

Commissioner Tuley: I noticed too that in addition to phone calls or e-mail that you just made, I understand that Tony must have sent them a letter as well, probably at your request. Okay, no reason why we shouldn't get that then.

President Jerrel: Any other business to come before this court? Motion to adjourn.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Meeting was adjourned at 6:21 p.m.

CONSENT ITEMS:

Employment Changes:

Health Dept	Circuit Court
Burdette Park	Sheriff's Office

Travel Requests:

Health	Veteran Services
Commission	

Health Department:

Request to Transfer Funds

Weights and Measures:

Submit Monthly Report and 2001 Budget Proposal

County Buildings:

Submit PMSI claim

Commissioner Mourdock:

Raise County Vehicle Reimbursement to Meet IRS Standards

Submit Commission, Drainage Board, Centre Operating Fund, Central Dispatch, Centre, Superintendent of County Buildings, CCD and Riverboat Proposed 2001 Budgets

Sheriff:

Submit Weekly Confinement and Inmate General Information Reports
Permission to Surplus X-ray Screening Machine

THOSE IN ATTENDANCE:

Betty Lou Jerrel
Joe Harrison, Jr.
Becky Pike
Bill Jeffers
Gary Hohman

Richard E. Mourdock
Bill Fluty
Barbara Cunningham
Jeff Korb

Patrick Tuley
Jane Laib
Erik Bentle
John Stoll

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
June 26, 2000**

The Board of Commissioners of Vanderburgh County met in session this 26th day of June at 5:37 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners meeting to order. At this time, I'd like to introduce to you the individuals that you see before you. Becky Pike is working in our office this summer and she is taking Tony Greubel's place. Tony will be back from Japan today. Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley; Jane Laib, our new recording secretary; Suzanne Crouch, County Auditor; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. I'd like you to join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: Thank you very much. The first action item on the agenda is the approval of the minutes of the June 19th meeting.

Commissioner Mourdock: I'll move approval of the minutes of June 19th as submitted.

Commissioner Tuley: I'll second.

Certification of the Executive Session

President Jerrel: So ordered. The next item on the agenda is the Certification of the Executive Session.

Commissioner Mourdock: I move approval of the summary minutes of that session that began at 4:45 p.m. today and ended at 5:30 p.m. In attendance were Commissioners Jerrel, Tuley, myself, the County Attorney and County Auditor. That session dealt entirely with pending litigation and county personnel issues.

Commissioner Tuley: Second.

President Jerrel: So ordered. The next item on the agenda, and I don't know if Roger is here or not, is the Building Commissioner and it's a request to raze a house at 5930 Mesker Park Drive. The house burned and needs to be removed. He recommended that we advertise that for the 10th.

Commissioner Mourdock: Is there anyone here to speak on that issue? Seeing none, I would move that we advertise the razing of the house at 5930 Mesker Park Drive as recommended by the Building Commissioner. Advertise on the 10th of July?

President Jerrel: Yes, I think that's what Roger thought we could do.

Joe Harrison, Jr.: Is he's saying he wants the bids open on that day...or does he want it advertised on that day?

President Jerrel: Advertised. It has to be advertised.

Commissioner Tuley: That would be awfully short notice on the 10th.

President Jerrel: Yes. It has to be advertised.

Commissioner Mourdock: So my motion is to advertise on July 10th or by July 10th for the razing of the house at 5930 Mesker Park Drive.

Commissioner Tuley: I will second.

Cid McNeilly - PMSI Summary Update

President Jerrel: So ordered. The next item on the agenda, we have with us not Julie Van Arx, but Cid McNeilly another consultant with PMSI. I'd like to ask Cid to come forward, please. She is one of our lead people who has been down here so many times now that she feels like she lives in Vanderburgh County.

Cid McNeilly: I might say that it's a lovely place. President Jerrel, thank you for having us; Members of the Commission. We appreciate the opportunity to be here. There are a number of activities that we committed to completing prior to May 31st. I am here representing the PMSI team this evening with a summary update regarding those activities. I have provided you with copies. I will not be reading you what is in there. Some items are better expressed that way and more accurately represented. There are a number of things that I would like to highlight. Impressions and experiences that we've had since working here. Initially, when we learned of the opportunity to work for you and serve this county, we found out about your level of commitment and cooperation and the efforts you had already made to solve your jail over crowding issues. We were very impressed. Often times counties do not end up making these kinds of efforts until they are forced into those situations, and we were intrigued by the level of commitment we had observed at the onset. Prior to arriving, we came in with some preconceived ideas and some respect for individuals in this county. As part of our way of introducing ourselves, or the initial thing that PMSI did is, we sent out letters of commitment to everyone. I'm afraid that...we had an individual suggest that it was a rather awkward way for us to introduce ourselves because as they received this letter, for some of them, it was their first opportunity to meet us. It was suggested that maybe that wasn't the best way to meet us. I think what happened for some is that their question was "who are these people, or who do they think they are?". In spite of our awkward introduction, we have been well received and welcomed into these peoples lives. We want to thank them for that. I think what we do want to do, and I think it's appropriate to do it publically, is highlight some special thanks and credit so far. Although we've had contact with many individuals and have found it a very rewarding experience and everyone has been helpful and cooperative, there are some that, I do think, deserve special credit. The rest of the team and I wanted to make sure that happened publically. Sheriff's Department, the Sheriff has generously availed us of his staff, particularly Chief Williams, and given us liberal access to his time. I know that the Chief is probably one of those individuals who at times when we call says, "Oh no, what do they want now?", but has been very gracious and providing us many things. Even changing the ways they have done things and certainly the type of data and the way the data is collected. I also want to identify the fine efforts and reception we've received from the Judges. I think often Judges are very protective of their turf. They are also elected officials and have a job that is very important. It is not uncommon for them to not necessarily just invite us into their lives. The Judges of

Vanderburgh County have been very receptive and have provided us many opportunities, have been very cooperative, have participated in looking at changes that may be necessary, and have been very helpful in responding to the things we've requested. In the last several months we have spent a great deal of time and have a great deal of information that we have gathered. We've gathered historical data on the county. We've gathered information about the community's attitudes regarding their jail and community corrections. We are currently in the process of gathering more information in regards to juvenile. We have gathered demographic data and history; we've made projections of the future; we've taken information from the Auditor's office; we've gathered financial data; we've taken court data, jail data and that's not all listed there because I really didn't want to take a chance of forgetting it in this opportunity to explain it to you. I can tell you that it's volumes. We have created a plan for looking at the changes necessary in your court system and the way your sheriff's department, your police department, your courts all operate together. Those things are expressed there. There are a couple of pages that will give you a summary of things that we've identified, some recommendations we've already made, some changes that are currently being made, and we anticipate there will be others. Again, I want to reflect on the people that have participated with us in identifying those issues. The Blue Ribbon Committee had done a lot of identifying, but I believe that it's important to note that we are changing processes now. We are changing what is happening and not just identifying problems. Although, that information was helpful in giving us direction in where to go. One of the biggest issues, probably, with your systematic issues and the changes that may need occur, is the ability to sustain the change. As we make changes, you've not solved your problems unless you can institutionalize the changes you make. We will be working on that, as well, as we go forward making sure that those kind of changes that are necessary are changed in a way—or the changes are made in such a way that in the future, you can continue to implement those things as far as better practices or related issues. We are beginning to look at the juvenile needs in this county. We think you have a unique opportunity, being that the Judge is retiring, to establish for the county some direction and an opportunity to take this window of time to bring people together to discuss what people think the needs are. We live in a world that's changing where juveniles are concerned, and I think it's appropriate to always look at that, but I think you have a unique window here to establish direction and make plans for the future. I think you're fortunate. Coming from Marion County where our system is so much larger in regards to juvenile, we have ten school districts represented in Marion County that you have one school corporation and enough people that you can bring together to significantly impact what happens. I think that's very exciting. I sense that you have a community that really does care about the children here even when they have issues. There are communities that would just as soon put them some place else, and I applaud you for that. There is information in there regarding an analysis of your jail and SAFE House facility. This is not new to you. We provided it before and thought it was appropriate to include it in this report. We are not, in any way, prepared to make recommendations at this point regarding those issues but wanted you to have an awareness of where we were at this point. You'll also see a discussion about providing additional beds was requested in our contract. We have explored that issue and for a number of reasons, at this time, we don't recommend that you proceed along those lines for the reasons given. I can certainly discuss that further at another time. This is just a summary. It's in summary form and not meant to be a concise piece. It's not half of a report, and it's not half of the work we are doing. Your final report will be closer to volumes than a little pamphlet because it will include additional data that we've collected. One of the things we'd like to suggest is a possibility of presenting that report to you over the course of a number of weeks,

if that would be something you would consider. There will be so much information, and I think that's one way we could draw out and have an opportunity to present significant portions and give you an opportunity for asking questions and interacting as opposed to dropping something large that we can't respond to. I have along with me what I wanted to make available to you as currently we have a draft of the Table of Contents on the final report. I'll leave that with you to give you some idea of what will be included. I wanted you to have some idea of what we were thinking as far as what the final report will include. Again, I would propose, if possible, that we would break it down into sections to be able to give each piece it's due time. If I could answer any questions. Again, I want to thank you for the opportunity to be here. We have been impressed with the people in this community and believe with the level of commitment we've witnessed, you can make significant changes. You can do those things that others sometimes don't even bother to try.

Commissioner Mourdock: Just to pick up on what you were saying, Cid, regarding presenting this in sections and you were tying it back to this, which parts of this do you see as sections over maybe a four week period?

Cid McNeilly: I guess what I would suggest is the first part would probably be...we've kind of been mulling this over ourselves. The first part would be more of an introduction kind of process and our observations as well as some of the data collection. Probably those first three sections.

Commissioner Mourdock: Okay. Roman numeral one through three.

Cid McNeilly: Right, and then the next would be court processes and intermediate sanctions. We were thinking, or hoping if it was appropriate, that we would take one week just for juvenile and that the final week then might deal with facility recommendations.

Commissioner Mourdock: Okay. The final report is due October 1st or 31st?

Cid McNeilly: September 1st.

Commissioner Mourdock: Oh, so is it..and I guess this is a question for our board, in doing this on a weekly basis it would be most reasonable to incorporate it right in with our regular meetings rather than having four special meetings so could we commence that the week after Labor Day?

Cid McNeilly: Is that appropriate?

Commissioner Tuley: I think that's...breaking it down like this will be a whole lot better.

Cid McNeilly: I don't think that anyone wants to sit for hours so I would suggest that maybe we have a 30 minute presentation, if that would fit with the other things you have going on, and it might be appropriate for you to let me know whatever. We'll just gear it to whatever time frame works best for the Commissioners.

President Jerrel: I think it's important that this is a community effort and the community needs to be brought into this. By you being able to explain it in sections,

perhaps that would give an opportunity for better coverage for the media to be able to give the community, and we can invite people from the community.

Cid McNeilly: They may have an interest in particular sections. It is an opportunity, and we would anticipate that all of us would be here for each of those meetings.

Commissioner Mourdock: That's not to preclude, in any way, the September 1st date. The final report would still be coming out on September 1st?

Cid McNeilly: Correct.

Commissioner Mourdock: I like that idea very much because this is such a complex set of issues that they deserve appropriate discussion.

President Jerrel: Well, I see two people that are very much involved in this, do I see a head shake yeah or nay?

Commissioner Mourdock: I see one heading ducking behind—

President Jerrel: I mean, you all have met with them more than any of us have so does that seem reasonable?

Sheriff Ellsworth: Very much so.

Commissioner Mourdock: One quick question as far as part of...and I guess this is partly recommendation and partly an initial finding. You used the comment, "We want to sure we can sustain the change". Clearly, we've seen some things change and, I'm curious, is that almost something that might be under your bullet of things that are unique to Vanderburgh County? These changes have bee put in place—

Cid McNeilly: Yes, I would say so. I think the willingness to change some things as quickly as they have changed is significant as well. The groups that are working through with those changes need to be...will also decide and take responsibility for continuing those outcomes.

Commissioner Mourdock: Having just skimmed this, having just gotten this when we sat down, I'm pleased with what you've done and very pleased that you took the time to salute the work that everyone has done to get you information, especially saluted what the Judges have done. On the blackboard, back there on the wall, we keep track of what our average stay in jail is and also the number of folks we have incarcerated. As you can see there, there's been a pretty steady decrease over time and I think, Joe, that's almost an introduction to the comments you need to make tonight regarding your letter. Now would be a good time to talk about that.

Cid McNeilly: Are you done with me, or do you want me to stay here?

President Jerrel: You may just want to stay there.

Cid McNeilly: That's fine.

Joe Harrison, Jr.: At this time, I've had some discussions with representatives of PMSI regarding a voluntary agreement with the Indiana Civil Liberties Union with respect to a voluntary population cap on the jail. We've come to...in discussions with council for ICLU, Mr. Falk, we've been talking about a Memorandum of Understanding that he and I would sign for a five or six month duration. This would

permit a population cap on the jail of 329 persons. That number came from the State Jail Inspector in his review of the facility. I guess that number was pulled out and again determined to be a number that we could agree on at this point. This was not a court order, simply an agreement between Counsel, which would be myself for the County, and Mr. Falk on behalf of the Indiana Civil Liberties Union. He represents prisoners who are in the facility with respect to the 1979 DeGroote Case. It's not a document that would be filed with the court. It's not a court order, but it's certainly sort of a benchmark where all parties would know that we were going to try to keep the number below 329. The Sheriff's Department will certainly keep us advised of that number, and I will have contact with them on a daily basis on that number. I've been essentially asking them daily on the numbers in the jail up to this point. I've had some discussions with representatives of PMSI, and we seem to think that is something the County may want to allow me to sign. As you may recall, the State Jail Inspector in the last report given to the county, strongly recommended that we put a voluntary cap on the amount of prisoners that would be in the jail. This kind of goes along with this recommendation. As soon as that document is formalized, I will present it to you all and anyone else that wants to see it.

President Jerrel: Could I ask a question? Did you say earlier today, I had not had an opportunity to look through each of the jail reports, did you not say that we had ...how many did you say that we had that have been tried, convicted and are waiting just to be sentenced?

Joe Harrison, Jr.: Right now, at least as of June 22nd, there were 103 people that are still in jail who have been convicted on felony charges that are awaiting sentences. That number, to my knowledge, has never been so high.

Commissioner Mourdock: That's a good thing.

Joe Harrison, Jr.: That's good because within the next 30 days they will no longer be in the jail. They will be sentenced and either be out or somewhere else so that number will be going down within the next several weeks—dramatically, but we still have people that get arrested everyday, obviously.

Commissioner Mourdock: Just to make one other point, the discussions you've had with the attorney for the plaintiff on all that is something that's been encouraged by the federal judge in the case. Is that not correct?

Joe Harrison, Jr.: That's correct. The Memorandum of Understanding that I would sign, if you give the authority to, is something that Federal Judge Young has encouraged the parties to enter into if at all possible.

Commissioner Mourdock: So there, yet again, is a sign of some progress. That's not to say, by any stretch of the imagination, that we think 329 ought to be the permanent number. Obviously, the place was designed for 256 and yet it's still a sign of progress that the whole system that PMSI is involved with is working. We are getting change; the key question is, can we sustain that kind of change and make the system even better.

Cid McNeilly: I would remind you, respectfully, that we are just bringing the issues to light and helping people know other information that they may not be aware of. It really is Vanderburgh County and the individuals here making the ultimate difference.

Commissioner Mourdock: I can't see him behind the podium, but I know Judge Bowers is back there somewhere. Again, I appreciate all that the Judges have done. The kind of numbers that Joe was just mentioning—to have the 100 folks that have been convicted but not yet sentenced, that is evidence that the process is moving forward. All on the bench are to be thanked.

Cid McNeilly: There are some specific things that are helping that sentencing process speed up as well which I think you'll notice in there.

Commissioner Tuley: A lot of positives it sounds like, from what I'm gathering and hearing in terms of cooperation and getting the information and the data. You're right, you guys will take that information back and come in and make recommendations for us. All the bodies involved here will make the final decisions on how we need to address our problems. That's all positive, and I'm glad to hear that. Now to put a little cloud in the sky. I have a question though because subject to an editorial Sunday was a question of a meeting that took place here not too long ago in which two of the Commissioners were involved. Were you at that meeting, Cid?

Cid McNeilly: I was. We had been at a committee meeting prior to that which Mr. Mourdock was at.

Commissioner Tuley: The only thing...I wasn't there so only you guys that were there know what took place, no one else knows. Everybody else can speculate or perceive what ever they want to as to what happened. The only thing I would caution is that I don't know if there was a violation of the open door policy there, I really don't. That would be between the newspaper's lawyers and Joe and what have you. If there really was...the only thing I would see is perception. Right now, this thing has been totally, what I can tell, above board and everything done just the way we set it out to be where everyone was informed. We kept politics out of it and it's looked as we are governing. We want to keep it that way, so lets just be very cautious in the future. Whatever it was, for the future, lets just keep this thing on the positive side and keep it working like we had been doing.

Cid McNeilly: Certainly, to the extent we can control that, I agree. I am an elected official and understand open door law and respect it a great deal, and there is a reason for it.

President Jerrel: It is an opportunity. Judge Bowers invited me to the meeting that day at noon and I declined because of the fact that I knew you were going to be there.

Commissioner Mourdock: Yeah, the very same issue. So we made sure we weren't there together.

Cid McNeilly: We had followed Mr. Mourdock back upstairs.

President Jerrel: Regardless, I appreciate this and think it's important that we begin the next step. I'm going to enjoy working on that because I've been with the schools long enough to know that we can identify many of the juvenile delinquents, sometimes in kindergarten and first grade.

Cid McNeilly: I was pleased with the interest of the School Corporation and Mr. Summers who senses a need. When you have those kinds of opportunities to work

together, it's really the best situation for everybody.

Commissioner Tuley: Did you say it was a little too early, I was thinking about several things, in terms of numbers and what have you?

Cid McNeilly, Yes, and I think part of the reason for that is that there are general standards out there, but those standards apply when people aren't making the efforts you're making. I think it's up to the people we are working with here to help participate in establishing what kind of numbers are most appropriate. Does that answer—

Commissioner Tuley: Yeah, because we've had these discussions. We've all talked about until we have everything internally going well oiled and most efficient way, there's no way to make that determination. I think all you're doing is substantiating our beliefs on that already.

Cid McNeilly: I think you will have some general ideas about what may be appropriate. I think the information then may help you discover something that people can agree on.

President Jerrel: That's why it's important that we include the public in this discussion.

Cid McNeilly: Right.

President Jerrel: Thank you very much. Is there a motion?

Commissioner Mourdock: Yes, two motions. First, just officially, I move that we accept the report from PMSI into the record.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: And secondly, I move that we direct the County Attorney to continue discussions with the intent of signing the Memorandum of Understanding with the Indiana Civil Liberties Union on the DeGroote Case.

Commissioner Tuley: I'm glad you did that because I forgot about needing to do that. Second.

President Jerrel: So ordered.

Cid McNeilly: If I could, do you have a start date then? Would it be the week after Labor Day so that we could establish our calendar?

President Jerrel: Lets look and see. Is Labor Day the first Monday in September? We could hold a meeting on the fourth just to begin the recording or we could begin the tenth. What's your preference?

Commissioner Mourdock: Eleventh.

President Jerrel: Eleventh. No. Oh, that's 2001. Okay, the eleventh. What's your

pleasure. To begin the day after Labor Day or to begin the first Monday that we have a meeting?

Commissioner Mourdock: I would say the first Monday we have a meeting scheduled. The eleventh.

Cid McNeilly: Okay. Then for four consecutive weeks?

President Jerrel: Sure

Commissioner Mourdock: Thanks, Cid.

President Jerrel: Do you want to distribute to the media? If you're a TV person would you...Becky, give them to the people doing the announcing. They're the ones who ought to get it.

Joe Harrison, Jr.: She's going to make some more copies.

Request to Open Bids VC00-06-01 & VC00-06-02
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President Jerrel: Keep one copy so you can go back and make some more copies. Okay. At this time, we have a request from the County Engineer's office to open bids for the Broadway Avenue Bridge. Is there a motion so the bids can begin to be opened?

Commissioner Mourdock: I'll move approval that we open the bids for VC00-06-01 for the Broadway Avenue Bridge.

Commissioner Tuley: Second.

President Jerrel: So ordered. At this time--

Joe Harrison, Jr.: There is also a request for VC00-06-02 and that's the First Avenue Bridge Removal. Is that correct, John?

President Jerrel: That's what it is.

John Stoll: Yeah, that's the one we are doing on a price quote basis that wasn't advertised, but we had the contractors submit the bids.

President Jerrel: That's the only one I see here.

Commissioner Mourdock: The only one I have on the agenda is the Broadway Avenue Bridge.

Joe Harrison, Jr.: Yeah, but we are talking about another one.

John Stoll: There is another one. We did that on the basis of requesting a price quote so it wasn't advertised, and it didn't go through the same procedure through the Auditor's office.

Commissioner Mourdock: So we need to open that bid?

Joe Harrison, Jr.: Yes, it would be VC00-06-02 First Avenue Bridge #611 Debris Removal.

President Jerrel: That's that one.

Commissioner Mourdock: I'll move the opening for the bid reference for the County Attorney.

Commissioner Tuley: Second.

Weekly Reports

President Jerrel: So ordered. Beginning now with our regular reports.

Commissioner Mourdock: Any group or individual?

President Jerrel: I did. I asked that anyone who wished to address the board?

Commissioner Mourdock: You did?

President Jerrel: Um-huh.

John Stoll - County Engineer

John Stoll: First, I would like to request approval for making an offer for the Durchholz right-of-way parcel on Burkhardt Road. This is parcel number 22 and the amount is \$20,800 dollars.

President Jerrel: How much?

John Stoll: \$2,800 dollars.

Commissioner Mourdock: I'll move approval of the offer.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The other item I've got is a request for approval of a right-of-way encroachment agreement for Christian Fellowship Church. This is on Millersburg Road and they have a sign that encroaches in the Millersburg Road right-of-way that we found out about through their expansion plans. Joe has reviewed this and I've reviewed this and it's recommended that the encroachment agreement be approved.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: That's all I have.

Erik Bentle - County Highway

Erik Bentle: You have my progress report from last week and my work schedule for this week. The other thing I have, is on the back of your report we have our quarterly report with the pie on the back.

Commissioner Mourdock: I noticed, and I don't have it in front of me here, we were at 16 percent? Is that close to where we were last year?

Erik Bentle: Yes, I think that's what it was.

President Jerrel: Have they been able to turn it?

Erik Bentle: Yes, they are turning it regularly.

President Jerrel: Okay, because this hot sun will help as much as anything.

Erik Bentle: I believe that's what it was.

Commissioner Mourdock: It's 16 percent. I found it here.

Erik Bentle: Another thing I have, along with my report comes a bill.

President Jerrel: Well, hand it over.

Erik Bentle: You have a copy of it.

President Jerrel: Okay.

Erik Bentle: The last thing I have is, we went through and gave you June's amount of asphalt that went down on all the roads. I thought you might be interested in that.

Commissioner Mourdock: I'm not sure that I do have the bill. Is that in our consent items? I just want to be sure we don't skip it.

President Jerrel: I'll have to ask Becky. Put it in here.

Commissioner Mourdock: Be sure we get it.

Erik Bentle: I just thought you might be interested in how much they've been putting down. You have a copy of this too.

Commissioner Mourdock: Very good. Thank you.

President Jerrel: John, Pat has a question.

Commissioner Tuley: John, right before I came here tonight, I forget the gentleman's address, Mr. Tillman. We just patched some in front of his house with this on-going resurfacing. There is already some collapsing. You can look down into some holes underneath that area.

John Stoll: That's where the water line broke, isn't it?

Commissioner Tuley: Exactly. We have an ungodly amount of mud coming down and collecting around my house and across the street from me. I don't know where it's coming from. There not out there because of the weather, but I don't want us to get this done and turn around and find out we've still got a bunch of stuff underneath the surface that's just going to cause us problems later. We really need you or Valerie--somebody really needs to go out there and take a look and see what's going on. I know you've explained that we are going to have that, but--

John Stoll: They can go out there and drag a chain across it and see if it sounds like they missed some voids higher up in areas that weren't patched. If the slabs haven't broken, typically we haven't gone out and broken the concrete out just looking for the holes. We assume if it hasn't broken off and fallen in that it's in pretty good shape, but that's not always the case. There may be some other voids under the concrete slabs that have been missed.

Commissioner Tuley: I guess it's going to cost us a lot more now, but it may save us money in the future, if we make sure we catch all that.

John Stoll: Okay.

President Jerrel: We didn't have time to talk about it this evening, but Mr. Batteiger called me, and I think I indicated to him that we really hadn't had a chance to address the pipe sizing out there so I'm going to go out there. You've been and I'm going.

John Stoll: If any of you want to go out, I'll go along.

President Jerrel: I'll call you. Okay, County Attorney want us to come back to you?

Joe Harrison, Jr.: Yes, if that's okay. Becky isn't here.

Commissioner Mourdock: She just stepped out.

President Jerrel: Well, she's got a bill to give us.

Steve Craig - Burdette Park

Steve Craig: Steve Craig, Burdette Park. Everything at the park is going fine. Weather has not been cooperating a lot. On the O'Day Discovery Lodge, by July 10th after John reviews the final site plans we got from Morley today, John and I are going to go over it and by July 10, we should be ready for Notice to Bidders.

President Jerrel: Did you talk to that lady up on...

Steve Craig: Yes, I went out and talked to her.

President Jerrel: Did she understand after you talked to her?

Steve Craig: She didn't understand a 10 foot concrete wall in her front yard. We never had the intention to do that. I don't know, there was some miscommunication between me and her, but she thought there was going to be a prison wall in there.

President Jerrel: I know, she told me that and I didn't want to say there wasn't going to be, but I didn't think we were going to set up a wall. Anyway, thank you for doing that.

Steve Craig: Yes, we went out and talked to her that day and took care of it. Okay, thank you.

Commissioner Tuley: Is it back to normal now that your BMXers are out of there?

Steve Craig: That is kind of normal for us. Every Wednesday night they have practice and on Saturday night they have meets. The meets this year have been phenomenal.

Commissioner Tuley: I was amazed when I saw the picture in the paper of a kid from California participating.

Steve Craig: I talked to a father and son from Australia. They came for four races: the Nashville, Evansville, Louisville, and Indianapolis races. They were here from Australia. We had them from Hawaii, Australia and everybody in between there.

Commissioner Tuley: That must be one fine track we've got out there to draw that kind of national attention.

Steve Craig: Several world records are held there on the 3/8 dirt track. The professional riders want to have to opportunity to set a world record because they get paid for doing what they do. All the Schwinn teams, and names that I don't even know, all the teams and factory representatives were there. They had a semi down there with all the newest equipment trying to sell it. Very big and getting bigger.

Commissioner Tuley: Even today, when I was out and about, I saw trailers with plates from everywhere. They all had BMX stickers and different things.

Steve Craig: They had a busy weekend in the hotel/motel industry.

Commissioner Tuley: Gary said last week that you couldn't get a hotel in Evansville.

Steve Craig: Owensboro was the closest one because of Thunder and BMX being held on the same weekend plus we had a 32 team baseball tournament held here with teams from nine different states.

Commissioner Tuley: In Evansville or at Burdette?

Steve Craig: At Burdette and two other fields. They were on three fields. They had games from Friday morning through Sunday night for the Championship. We had a busy weekend, if it just wouldn't have rained so hard.

Becky Pike - County Buildings

President Jerrel: Thank you. Becky, did you put the claim in here? Do you have it in here?

Becky Pike: No, that was for last week and it wasn't taken off the agenda.

Any Group or Individual Wishing to Address the Board

President Jerrel: So it shouldn't be on there? Are you all here to speak to the Commissioners?

Billy Joe Corley: I have never done anything like this so I missed you while ago.

President Jerrel: I'm sorry, you want to give us your name?

Billy Joe Corley: Billy Joe Corley. I have this gentleman over here...I'm not asking for any monetary help, I'm asking for...I don't know really what I want. He is a 12 year veteran during the Vietnam War, and he came to Evansville in '78. During that time he has held two jobs; first one at George Koch & Sons and second at Alfab Metals in Daylight. I have not had any luck in trying to get any help out of the township trustee to help him out. He's down and disabled now. He's been over a year now working with social security trying to get disability. The only thing I was going to ask...I have documentation and proof of his injuries, his military record. He's been in my apartment building for six years. I mean, we aren't talking about a deadbeat here, we are talking about a man who is not looking for a handout but looking for a helping hand, temporarily. I can't get this guy to even give a meeting.

President Jerrel: What township is this?

Billy Joe Corley: Scott. All I'm wanting is for you to call the man and talk to him.

President Jerrel: Could you, Becky, take their names and telephone numbers, both of them, and put it down there then I'll call you. I'll talk to them.

Billy Joe Corley: I don't own the building, I manage it. I have all the documentation and everything here.

President Jerrel: If you would allow her to make copies for us. She can do that for us.

Billy Joe Corley: I have military records and work history.

Commissioner Tuley: Have you applied and been denied, or you just haven't had a chance to sit down with the trustee?

Billy Joe Corley: Every time I call, I talk to the secretary. I talked to the trustee one time. He did give two checks, one back in September of last year and one in January of this year. When Mr. Adams went out and got the papers, we encouraged him to go out and get some help. We furnish the utilities and basically, we were trying to get enough to help out with some expenses. He's been out of work for over a year now. We aren't going to put him out on the street, we're just asking for a little help. I talked to Mr. Adam's in January and saw the papers that said they would give \$350 dollars a year in a one shot deal thing. They also had a thing that said if you were permanently injured that there would be some kind of permanent help until they got on something to help. When I talked to him the one time, he just kind of blew me off. I said, "Can't you help this guy out some more?". He said that he had done all he could do.

Commissioner Tuley: The only thing I was going to suggest is that whatever aid you're trying to get, before you come back before this body for a hearing, they have got to deny you assistance. At that time, you can appeal to this board and the Attorney will conduct a hearing and make sure that they are operating within the guidelines that have been adopted by the board. I would strongly suggest that you start by getting the paperwork you need and get that applied.

Billy Joe Corley: I got all my paperwork right here.

Commissioner Tuley: What he's going to give you to fill out and ask for assistance. If that's denied, then you can come back to this board and we will set a hearing for you.

Billy Joe Corley: I didn't know what to do. He's been off for over a year. For the first couple of months, they put him on voluntary layoff and he was drawing unemployment. Then when they called him back and he couldn't return, he lost his unemployment and everything. We've been helping him every way we can, but it's just stretching it.

Commissioner Tuley: Right, the only thing I was trying to do is give you the information you need.

Billy Joe Corley: I understand what you're saying. I just didn't know what to do. I had a friend that told me to come down here and talk to you guys and see where it goes. Like I said, I missed you earlier.

Commissioner Tuley: That's okay. It just looked like you needed to say something but you weren't sure when you were suppose to.

President Jerrel: Becky, do you mind making copies of the papers to go with that? I'll call you. Okay, going on to the consent items.

Commissioner Mourdock: We need to approve department head reports, and Joe, are you still...okay, minus the County Attorney's report, I move acceptance of the department head reports.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: What about the consent items?

Commissioner Mourdock: I move approval of the consent items as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.¹

¹See page 20 for a listing of consent items

Old Business

President Jerrel: Is there any old business to come before this group?

Commissioner Tuley: Just to follow up to last week. Basically, what I was trying to do was just bring attention to the fact that we either need to fill a vacancy that we have in the County Engineer's office or compensate the Engineer. After talking with the County Engineers, today as a matter of fact, and getting some information from Commissioner Jerrel, what I would like to do is gather some additional information and come back with a recommendation to this board that may include some realignment or reassignment of duties within the Engineer's office and/or maybe some adjustments in salary. Bring that back to this body and, hopefully, get a positive recommendation to take to the job study because, no matter how I feel about how that works, we do have to go through the job study. I'd like to come back either next week or the following week with a written proposal and recommendation that we could take to the job study with a positive letter of recommendation from this board.

President Jerrel: Is that a motion?

Commissioner Tuley: That would be a motion.

Commissioner Mourdock: I'll second.

President Jerrel: I'll say so ordered. Is there any other old business?

Commissioner Mourdock: I'm not sure if this is under old business or new, but I think it's more old. As the board is aware, we signed a contract sometime back with Ogden Management to take over management of The Centre. Recently, Ogden was purchased by Aramark, and Aramark has started spinning off some of the other parts of Ogden's, or what was previously Ogden's, company. Just for the record, because of the crafty wording done by our attorney, at the time, we certainly do not have any obligation to stay with Ogden because that contract could not be assigned to Aramark once Ogden was purchased by Aramark. So with that being the case, I would note for the record, the County Attorney has sent off a letter to Aramark notifying them that the clause is in place and ,therefore, this board has the right to consider other options for the management of the facility and we intend on doing that.

President Jerrel: Thank you. Any other old business?

Joe Harrison, Jr. - County Attorney

Joe Harrison, Jr.: Technically, the contract is with Ogden Entertainment, Inc. between the county. Are you ready for my report?

President Jerrel: Yes.

Joe Harrison, Jr.: The only thing I have are the two bids. The first of which is the Broadway Avenue Bridge #273, VC00-06-01. There were six bids that were submitted to the county. There are as follows:

VC00-06-01 Broadway Avenue Bridge	Project #273
CCC of Evansville Evansville, IN	Bid 108,987.39 Alt. Bid 108,220.45
Deig Bros. Lumber & Construction Evansville, IN	Bid 231,848.80
Southwest Engineering, Inc. Evansville, IN	Bid 215,283.10 Alt. Bid 72,157.10
Phoenix Construction Company Evansville, IN	Bid 188,613.50 Alt Bid 168,613.50
Blankenberger Brothers, Inc. Cynthiana, IN	Bid 186,509.50 Alt Bid 153,509.50
TD & O, LLC Evansville, IN	Bid 179,676.00 Alt Bid 164,000.00

Joe Harrison, Jr.: I would ask that you take these bids under advisement and review them for there responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: The next bach of bids relates to the First Avenue Bridge #611 Debris Removal. Again, these were solicited on a quote basis by the County Engineering office but requested to be submitted to the County Commissioners for opening today. There were four bids submitted. They are as follows:

VC00-06-02 First Avenue Bridge #611	Debris Removal
Deig Bros. Lumber & Const. Co., Inc. Evansville, IN	\$3,245.00
Koberstein Trucking Inc. Princeton, IN	\$3,500.00
Southwest Engineering, Inc. Evansville, IN	\$4,750.00
CCC of Evansville, Inc. Evansville, IN	\$4,750.00

Joe Harrison, Jr.: I would ask that you take these bids under advisement, unless Mr. Stoll wants to do anything this evening with these?

John Stoll: The ones for Broadway Avenue need to be taken under advisement, but with your okay, I'll just get a purchase order and proceed with the 611 with the low bidder.

Joe Harrison, Jr.: Which was Deig Bros. Lumber and Construction for \$3,245 dollars.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: That's all I have.

New Business

President Jerrel: Any other old business? How about new business?

Commissioner Mourdock: I would just like us to schedule a special Executive Session for 4:00 p.m. on July 10th regarding a county personnel matter so we need to both advertise that and schedule it.

Commissioner Tuley: Second.

President Jerrel: So ordered. Jane?

Joe Harrison, Jr.: Tony will do that.

President Jerrel: Okay.

Commissioner Mourdock: I did say the correct date, right?

President Jerrel: The 10th. Okay, any other business? Motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Meeting Adjourned at 6:31 p.m.

CONSENT ITEMS:

Employment Changes:

County Auditor	County Assessor	Perry Assessor
Prosecutor	Weights & Measures	County Clerk
Center Assessor	Burdette Park	

Travel Requests:

German Assessor Knight Assessor

Auditor:

Permission to Surplus one Xerox Fax Machine

Burdette:

Permission to Surplus a 1977 International Bus

Sheriff:

Submit Weekly Confinement and Inmate General Information Reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Becky Pike	Erik Bentle	John Stoll
Steve Craig	Billy Joe Corley	Cid McNeilly
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
July 10, 2000**

The Board of Commissioners of Vanderburgh County met in session this 10th day of July at 5:31 p.m. in Room 307 of the Civic Center Complex with Vice President Richard Mourdock presiding.

Introductions and Pledge of Allegiance

Commissioner Mourdock: Good evening. We will call the July 10, 2000 meeting of the Vanderburgh County Commission to order. I appreciate all of you joining us tonight. If you have not picked up an agenda, they are over on the table. By way of introduction, to the far right is Superintendent of County Buildings, Tony Greubel; next to Tony our County Attorney, Joe Harrison, Jr.; Commissioner Pat Tuley; at the far left, our Recording Secretary, Jane Laib; County Auditor, Suzanne Crouch; and despite the name plaque there, I'm not Betty Lou Jerrel. Betty Lou is in Indianapolis tonight. She co-chairs the meeting on Southwest Indiana Regional Coalition for Highway Development. She is there with Mayor Goffinet of Tell City. She will get back this evening but probably not in time for our meeting. By way of procedures, if you wish to address the Commission tonight, please come to the microphone. All of our meeting notes are taken verbatim so let's begin by stating your name and address. If you would, please, join us for the Pledge of Allegiance.

Certification of the Executive Session

Commissioner Mourdock: First item on our agenda tonight, actually isn't printed on our agenda, but we did have an abbreviated Executive Session today that began at 4:10 p.m. and ended at 4:30 p.m. regarding personnel issues. I would ask that we submit the summary minutes for that meeting. Present were the County Attorney, Commissioner Tuley, Ms. Crouch, and myself.

Commissioner Tuley: I will so move.

Commissioner Mourdock: I will say second and so ordered. Tony or Jane, I'm not sure if we have that form with us, but would one of you make sure that we get the summary minutes?

Approval of Minutes

Commissioner Mourdock: Okay, for our action items then, first item is the approval of minutes from the June 26th meeting.

Commissioner Tuley: I'll move approval of the minutes as submitted.

Commissioner Mourdock: I will say second and so ordered.

Open Bids VC00-07-01 & VC00-07-02

Commissioner Mourdock: We have some bids to open tonight on the repair and repaving of various roads. Jerry, do you have any comments on those?

Jerry Bryan: That's not mine.

Tony Greubel: That was John Stoll. Actually, we have...only one was listed on the agenda but we have two bid openings. The other was for Kings Road Bridge #1120.

Commissioner Mourdock: Is there a motion to open bids for VC00-07-01 and—

Tony Greubel: VC00-07-02.

Commissioner Tuley: I will so move at this time.

Commissioner Mourdock: And I will say second and so ordered. If the County Attorney would begin processing those.

Jerry Bryan - Purchasing

Commissioner Mourdock: Purchasing, Jerry Bryan?

Jerry Bryan: Good evening. I have before you in your packets, a request permission to advertise, bid, and award for 2000/2001 the annual winter salt requirements for Vanderburgh County. I propose to advertise them on July 12th and the 19th and we would open the bids on August the 14th.

Commissioner Tuley: I would move approval of his request at this time.

Commissioner Mourdock: I will say second and so ordered. It's hard to imagine when it's 90 degrees ordering road salt.

Jerry Bryan: I know. Last year we ordered so much and only used a small portion of it. I understand from Erik that we still have some left over. We will watch our inventories very carefully. If I could take one minute, the gasoline prices have come down. I know the council has been very tolerant of me coming before you with formulas, etc. to give our vendors relief, and I'm happy to announce, for example Gabe's which supplies 100,000 gallons to the city and county, their price was \$1.31 and is now down to \$1.00 dollar. It's a significant decrease so I'm watching these indexes very, very carefully. We rode with them on the way up, but we also get to ride them on the way down.

GIS Committee

Commissioner Mourdock: That's exactly right. Very good. Okay, the GIS committee is looking for permission...there you are, Roger.

Roger Lehman: Roger Lehman, Chairman of the GIS Technical Sub-Committee. The sub-committee has received RFP's and interviewed vendors for the parcel line digitalization project. We would like permission to go forward with 3DI, a limited liability corporation out of Indianapolis and Wilmington, North Carolina, to negotiate a contract. All the contract amounts were above the budgeted amounts. Our intent is to negotiate to the budgeted amount and/or combine that with the budget request for next year to complete the project.

Commissioner Mourdock: The second stated option being the fall back?

Roger Lehman: Yes.

Commissioner Mourdock: Now that you've publically fated it as the fall back, why do you think you will get them there?

Roger Lehman: Pardon?

Commissioner Mourdock: Maybe I ought not to make a bigger deal of this than I already have. I'll withdraw that question.

Roger Lehman: Thank you.

Commissioner Mourdock: But it's a good question.

Roger Lehman: I owe you one.

Commissioner Tuley: I'll move approval of the request.

Commissioner Mourdock: The permission to negotiate with 3DI being the motion, I will say second and so ordered. Please report back.

Roger Lehman: We will do that.

Morley & Associates - Final Approval for Discovery Lodge Plans

Commissioner Mourdock: Is there someone here from Morley & Associates?

Commissioner Tuley: He just walked in. Matt Wallace.

Matt Wallace: My name is Matt Wallace. I'm a Staff Engineer with Morley & Associates. We've completed the detailed design phase for the O'Day Discovery Lodge. We are here to ask permission to go to bid and file for site review.

Commissioner Mourdock: Steve Craig, any comments since this is obviously a Burdette Park item?

Steve Craig: Right now, I'm going to go over them with John Stoll. There is a couple minor questions I have, but other than that, I have no problems with them.

Commissioner Tuley: Is the money in place, is the question to take it to bid?

Commissioner Mourdock: Is the money in place to take it to bid, Tony? Do you know off the top of your head?

Tony Greubel: Steve, we do have the CCD funds, about \$480,000 dollars. Is that enough for the bid? That's what I know of off hand.

Steve Craig: (Inaudible.) was given to us and the Build Indiana funds. We were wanting a cost estimate when we got the plans to see if we had enough money.

Tony Greubel: Then our proposed budget for next year has another half million in CCD funds. That's almost a million dollars.

Commissioner Mourdock: Can't hear what your saying, so if you're modifying what your doing, you need to speak up.

Steve Craig: He was saying that wasn't in their original bid, to do this work. They didn't have a cost estimate included in that bid. I said that would probably have to be added on to it then as an extra.

Commissioner Mourdock: Okay. That being somewhat of a separate item from where we are right now, I guess, let's just deal with one at a time. Matt, you are saying you are ready to put this to advertise this to go out to bid, correct?

Matt Wallace: We are in the process of preparing the technical portion of the specs. We are getting with John Stoll to put together bid documents. We need to get with him on the timing on when to advertise.

Commissioner Mourdock: So in effect, this is more informational than requiring a motion from us at this point. Unless there is some reason not to proceed with that, I think you have the consensus of the Board to go ahead and proceed with those discussions. Let's keep moving the project forward.

Joe Harrison, Jr.: As far as the additional, you might come back to this Board with a proposal of what additional cost it would be for a cost estimate.

Commissioner Mourdock: Work with John Stoll on that too. Thank you.

Bill Cottun, SCT - County Recorder Internet Applications

Commissioner Mourdock: SCT, Bill Cottun approval of contracts related to the County Recorder's internet applications and Betty Hermann.

Betty Hermann: Betty Hermann, County Recorder. We are here asking approval for an agreement, I think Mr. Harrison has gone over it, I hope. It's an agreement for our office to go on the internet. We are real excited about it, as many other people are. The lending institutions are very excited and it's something we hope to, possibly, be on by September 1st.

Joe Harrison, Jr.: I've had a chance to review the document and I've had a couple of conversations with Bill Cottun. The agreement looks fine with me and can be considered by the Board. I don't know if Bill has any other comments regarding the agreement.

Bill Cottun: I'm Bill Cottun, Account Executive, with SCT who manages the city/county computer network. For several months now, we have been working with the Recorder's office and with Fidler & Chambers, who is the vendor that is going to supply this product, to fully understand what their product will do and also understand what the Recorder needs to put on line. She will be putting her DocuTrak data on. Those are digital documents that have been brought in. On some documents you can go back through to 1985. So there's a significant database that she has available digitally. That is what's going to be made available on the internet.

Commissioner Mourdock: You mentioned another firm in there. I'm sorry, I didn't get

the name.

Bill Cottun: Fidlar & Chambers. That is the current vendor developer of DocuTrak. They are also—

Betty Hermann: Our computer people.

Commissioner Mourdock: Right. So what they are putting out there is basically going to tie into the Recorder's web site? You go to the Recorder's web site, use that software and do whatever you want to do?

Bill Cottun: That is exactly right, sir.

Joe Harrison, Jr.: As far as the funding for this, it's my understanding that it's coming from your own perpetuation fund?

Betty Hermann: Yes it is. My funding is all in place as when I computerized the office in 1994. It has cost tax payers zero money. I'm very proud that you said that. Also, this money is called "saving your user fees", and that's exactly what we've done. We've saved it. We've been a very, very busy office. Last year we took in almost \$700,000 dollars in an office that usually took in \$350,000 dollars so we are very pleased that we have our money in place. It will cost the tax payers zero money. Don't have to go to Council.

Joe Harrison, Jr.: The 750, 000 is that documents or dollars?

Betty Hermann: No, we took in almost \$700,000 dollars last year.

Joe Harrison, Jr.: How much of that went in to the perpetuation fund?

Betty Hermann: It's a dollar, Joe, off of every copy.

Commissioner Tuley: This agreement is for how much money?

Bill Cottun: There are actually three components to this. There is the application itself with Fidlar & Chambers which is the first agreement you will be signing. That is for the application for software server, some other hardware drives, installation, and also training. That total is \$142,713.00 dollars. The second part of the service is for the internet T-1 line that is the traffic line to the internet. That is a three year contract with Network WCS for \$46,073.20. The third component is hardware and software which we are calling internet security which is a total of \$53,864.22. This is a total of \$242,635.42. We also included a list in there for the maintenance cost for the next four years since the T-1 line is in there for the first (Inaudible.), there won't be a cost there. It showed the cost out through the next four years on maintenance.

Commissioner Tuley: When I had asked the question, I didn't realize I had this information.

Bill Cottun: That's quite all right, sir. Glad to give the information.

Commissioner Mourdock: The process of getting Vanderburgh County government on-line continues.

Bill Cottun: It's quite a challenge.

Commissioner Tuley: I bet. I'll move approval, at this time, for the contract agreement to be signed between Fidler & Chambers Co. and Vanderburgh County as outlined.

Commissioner Mourdock: I will say second and say ordered. Very good.

Bill Cottun: You also have the Network WCS?

Commissioner Mourdock: Yes, it's actually two parts.

Commissioner Tuley: I'll move approval of parts two and three as outlined.

Commissioner Mourdock: Second and so ordered. Thank you.

Any Group or Individual Wishing to Address the Board

Commissioner Mourdock: At this point in our agenda, anyone wishing to address the Board who's not on the agenda has a chance to do so. Don't all rush forward at once. Mr. Helzerman.

Richard Helzerman: My name is Richard Helzerman. I am here to speak to you about the problem of overcrowding in the Vanderburgh County Jail. In the paper, June 28, there was an article stating that there was agreement between the county and the Indiana Civil Liberties Union to place a cap of 320 inmates in the jail. I would recommend that you authorize the Sheriff to release inmates from the jail when the population of the jail exceeds 150 instead of 320. The total number of people in the jail is misleading because the inmates are supposed to be separated according to classes. There are four general categories: 1) male or female; 2) adult or juvenile; 3) felony or misdemeanor; and 4) violent or non-violent. There are at least two additional divisions of maximum security and isolation. There also should be for medical—people with medical problems in for new people coming in that haven't been charged. For the purposes of explaining the problem, these numbers are not exact this is just rough numbers so you can understand the problem. I'll be happy to get the exact numbers, if you want. This should explain what the problem is. Let's assume the jail consists of 16 cells designed to hold 16 people for a total of 256 which that's what the capacity was before they remodeled one of the closets. If we take the four divisions, there are 16 different categories of prisoners that need to be kept apart. If you have 16 prisoners, one in each category and then 16 more in any one category, the jail's capacity would be exceeded with just 32 prisoners. The Sheriff should be authorized to release prisoners on there own recognizance any time any cell exceeds its capacity, not the jail as a whole, but the individual cells that are designated for a category. The article states that Vanderburgh Superior Court Chief Judge Scott Bowers said he supports a population cap on the inmates in jail. It's probably good to have a specific number at this time as a benchmark while we can work towards a permanent solution. So what I'm talking about today is a temporary thing until you come up with a permanent solution. I'm willing to write a program that would integrate the information needed by the Judges so that they could be active participants in the implementation of a cap. This program would show for each cell in the county jail, its capacity, its designation as a holder of which category of prisoner, the number of current occupants, and the date, if any, on which

it first exceeded its capacity. This program would show the inmates name, category, highest charge, bail bond amount, date incarcerated, attorney, and prosecutor. The Judge could then select an inmate to release and the program would print the legal paperwork required with copies for the court, the clerk, the defendant's attorney, the defendant, the sheriff, the prosecuting attorney, and any victims. To illustrate how this program could help judges implement a cap that would eliminate overcrowding, look at the third page on my handout. The top table, there are two tables there, the top table shows the 16 cells with the jail overcrowded with only 32 inmates. The lower table shows that by releasing one inmate classified as female, juvenile, misdemeanor and non-violent, a whole cell is freed up for another 16 male, adult, felony, violent inmates. You could implement the cap without releasing the violent criminals though. You could release the less dangerous ones. This allows the jail to hold 46 inmates with no overcrowding. This is a 48 percent increase in the practical capacity of the jail. Because very few of the inmates are in many of these classes, in other words there's 16 classes but there's very few in a lot of the cases, the practical capacity of the jail is really only about 150 and not the 256 or 268 that is the theoretical capacity. I shown before, in one of my appearances before you, that out of the 328 inmates on one of the lists that I had, only 150 would be in jail if the constitutional right to a reasonable bail would be implemented. So this 150 limit that I'm recommending is something that you would meet automatically, if you were fulfilling the constitutional requirement to give a reasonable bail. My company, Dictionary Data, is offering to write and implement the above described program in less than six months for \$3,000 dollars a month for six months and \$500 dollars a month for maintaining it as long as the county uses it. Since the Chief Judge has indicated a willingness to implement this program, and this program could eliminate overcrowding in the Vanderburgh County jail, You, the County Commissioners, could save the taxpayers the cost of building a new jail by accepting my proposal. Even if you end up building a new jail, by accepting my proposal now you could at least provide the means by which your guests in the county jail could be treated in a humane manner until your consultants tell you how big a jail to build and you get around to building it. Thank you very much.

Commissioner Mourdock: Thank you Mr. Helzerman. Just to clarify one thing, in the last paragraph it says, "Since the Chief Judge has indicated a willingness to implement this program", do you mean this program meaning what you are presenting here, or do you mean the quote from the newspaper, the program the County Attorney and the ICLU have signed off on?

Richard Helzerman: I'm indicating that he, according to the paper, is willing to implement some kind of a cap program. Now, he didn't say which particular cap program and this would be a proposal. Even if he only keeps the limit of the jail down to 300, you're better than if it's 420. What I'm presenting is the idea. There should be no overcrowding in the jail whatsoever. The problem is how do they do that? How can the judges know? Here's a guy before him, he's got to make a decision. Am I going to make his bail so high that he goes to jail, or am I going to set his bail reasonably so he can go out? When it gets high and you meet this cap, whatever it is, you want to release the least objectionable prisoners and not the real ones. By mixing the violent and non-violent, one guy got beat up, got in jail and got his eye knocked out, and you got a lawsuit. You're having to deal with the Indiana Civil Liberties Union and they are telling you, leading you around by the neck, telling you how to manage your jail. Yet, you expect us to say, "I pledge allegiance under God" and they are atheist. I'm giving you a very inexpensive means of achieving the cap and achieving your goals.

Weekly Reports

Commissioner Mourdock: Okay, thank you. Anyone else wishing to address the Commission this evening? Seeing none. Department head reports. John Stoll, County Engineer?

John Stoll - County Engineer

John Stoll: First, I've got a change order on the Vanderburgh Industrial Park project. This is the amount of \$2,500 dollars. This is needed to pour a concrete slab across the Ashland Pipeline that exists out there in that subdivision. This wasn't originally called for in the original agreement that was developed between the industrial foundation and Ashland, but Ashland informed us last week that they did a stress analysis and they are requiring this slab.

Commissioner Mourdock: Is that just temporary crossing or is that permanent?

John Stoll: No, this will be underneath the road so it will be permanent.

Commissioner Tuley: I'll move approval of the request.

Commissioner Mourdock: Second and so ordered.

John Stoll: Second item I've got is a supplemental agreement with Morley & Associates for the Mt. Pleasant Road project. This is for an additional \$109,385.00 dollars. This will cover some design changes that were made in order to lessen the impacts due some of the complaints of property owners abutting the road. We had a slight shift in the alignment that significantly reduced the impacts to the south side of the road in the area of Copperfield Subdivision. This also covers all right-of-way engineering and right-of-way acquisition fees.

Commissioner Tuley: Move approval.

Commissioner Mourdock: Second and so ordered.

John Stoll: The last item I've got is in response to a petition that was presented on the June 5th meeting. This was for the residents of Knollview Subdivision. They had requested that the speed limits in that subdivision be lowered to 20 miles an hour. EUTS has completed a speed study and 20 miles an hour is an appropriate speed limit so we will proceed in making revisions to the ordinance. We will bring that back in the next couple of weeks. That's all I have unless you've got any questions.

Commissioner Tuley: You're going to get a question every week until the project is done. What's the status in that subdivision? It looked like they pulled out all the equipment for the patching. Do you know if there are done?

John Stoll: Yes, the patching is pretty well done. Right now, they are getting ready to start pouring the curbs that need to be replaced. Then once that's done, they will lay all the streets.

Commissioner Tuley: Okay, then that intersection at Red Bank and 62, Lloyd

Expressway, they've got all the lines designated now for left turn only and all that stuff, is that signal going in fairly soon?

John Stoll: The status I got on it last week was that the next thing would be the construction of the double left turn lanes in the median then the signal work would follow after that. I didn't get specific dates or anything.

Commissioner Tuley: That's okay. At least it's still moving forward.

John Stoll: Right.

Commissioner Tuley: That's all I've got.

Erik Bentle - County Highway

Commissioner Mourdock: Next up, County Highway department?

Erik Bentle: Erik Bentle, County Highway. You have my progress reports from last week and my work schedule for this week. Other than that, that's all I have.

Commissioner Mourdock: I understand that you have some concerns regarding funding for future paving, and you want to talk about doing the Council call?

Erik Bentle: Yes, I'd like to go in front of Council and request more money to do additional roads.

Commissioner Mourdock: That's a result of the increase in prices—

Erik Bentle: Increase in the price of oil, yes.

Commissioner Mourdock: You need to state a specific amount if we are going back to the well.

Erik Bentle: \$300,000 dollars.

Commissioner Tuley: I'll move approval.

Commissioner Mourdock: For the Council call at \$300,000, I will say second and so ordered. The bright side is, you heard Jerry say before that now the price has gone the other way. Hopefully, it will catch up fast. Any other questions?

Commissioner Tuley: Not for Erik.

Joe Harrison, Jr. - County Attorney
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Commissioner Mourdock: Thank you Erik. Joe, are you ready? County Attorney?

Joe Harrison, Jr.: I will read off the bid responses for the two projects. First is VC00-07-01 for repair and repavement of various county roads.

E & B Paving, Inc. Evansville, IN	\$158,790.00
Gohmann Asphalt & Construction, Inc. Clarksville, IN	\$167,258.00
J.H. Rudolph & Co, Inc. Evansville, IN	\$164,815.00

I would ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Tuley: So moved.

Commissioner Mourdock: Second and so ordered.

Joe Harrison, Jr.: The next set of bids is on VC00-07-02, I believe. It's for Kings Road Bridge beam removal and replacement. I think the bridge is number 1120. There were three bids submitted:

Southwest Engineering, Inc. Evansville, IN	\$13,750.00
CCC of Evansville, Inc. Evansville, IN	\$11,501.45
Deig Bros. Lumber & Const. Co., Inc. Evansville, IN	\$12,459.00

I'd ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Tuley: So moved.

Commissioner Mourdock: Second and so ordered. John?

John Stoll: Kings Road project is based on a price quote basis so with your approval, I'll just get a purchase order with the low bidder on that project.

Commissioner Tuley: So moved.

Commissioner Mourdock: Second and so ordered.

Joe Harrison, Jr.: That was CCC of Evansville for \$11,501.45. You want both of these? The next item I have is the Memorandum of Understanding regarding the jail population cap. I have a copy of the agreement that I signed today from Indiana Civil Liberties Union. Their attorney, Ken Falk, also signed the same. I'll give you copies of the same and you can pass them down. I think the Auditor's office probably wants a copy. It's my understanding today that the population in the jail was 283 at one point, but I think it's 285 as we are here right now.

Commissioner Mourdock: Have you provided copies for circuit court, superior court,

prosecutor and such with this as well?

Joe Harrison, Jr.: No, but I will. I've got a couple extra copies and I'll provide them to whomever needs copies. I gave the Sheriff's office several copies and they will be posting the agreement and notice to the class of this agreement. They will post it on the second and third floor in the appropriate places.

Commissioner Mourdock: I presume that federal court will get a copy of this as well, since they were very interested?

Joe Harrison, Jr.: I will be providing them with a copy tomorrow. Although it's not an order of the court, the judge would like to see a copy of it. That's all I have.

Tony Greubel - Superintendent County Buildings

Commissioner Mourdock: Superintendent of County Highways?

Tony Greubel: I have a few small issues. One of them is in the signature file, I have two claims. One from Ogden for reimbursement of expenses at the Centre. The other from PMSI for the jail study. I want approval to submit those claims. The third one is, over the weekend Commissioner Jerrel decided to go to Indianapolis for the Southwest Indiana. I have a travel request for that in the signature file. This one is a little bit unusual. Today, this is my fault, the prosecutor's office brought up a late pink slip just for a part time person. It was for \$7.00 or \$8.00 dollars an hour and I don't remember the name of the person. I gave it to Sandie for approval, and we really didn't communicate the rest of the afternoon. By the time I remembered, she was gone at 5:00 so I didn't get that back from her. I was wondering if we have permission to approve that without signing it? We would sign it next week. That person is to start tomorrow. It's kind of a different one.

Commissioner Mourdock: Let me break those down into several points first. The Ogden reimbursement, is that relative back to construction?

Tony Greubel: No, that's just for management expenses—operating expenses.

Commissioner Mourdock: And the PMSI one was just pursuant to the contract, nothing beyond what the contract was?

Tony Greubel: Right.

Commissioner Mourdock: Okay, on the pink slip for the prosecutor's office.

Tony Greubel: If it was a full-time person, I wouldn't ask because that's more complicated. It's just an hourly, part-time person, no benefits. They are wanting them to start tomorrow.

Commissioner Tuley: If the pink slip has been reviewed, there's nothing wrong with it, and the money is in place, to me it's just a formality to sign the pink slip anyway. As far as I'm concerned, we can give approval tonight and they can start and we will sign it next week.

Commissioner Mourdock: Formally then, is there a motion that all those items be

included with consent?

Commissioner Tuley: I will so move.

Commissioner Mourdock: I will say second and so ordered.

Tony Greubel: Is that okay, Suzanne, if they come in?

Commissioner Mourdock: Is that all, Tony?

Tony Greubel: Thank you.

Steve Craig - Burdette Park

Commissioner Mourdock: Steve Craig, Burdette Park? I bet you have a full swimming pool today.

Steve Craig: Yes, it's our first good weekend of the summer, actually. John and I are going to review those plans because they didn't give me my set until today. I have some questions that I've talked to him about. We will go over them and get with them on a cost estimate. Apparently, some kind of misunderstanding there because we had thought all along that there would be a cost estimate. They had told me they would submit one with my plans. That's what kind of threw me off. We will get with them tomorrow and go over the couple things we have. We'll have them for you next week. Other than that, all I have is our work sheets.

Commissioner Tuley: You said it was the first good weekend you've had so I imagine that you've had a pretty full pool all weekend.

Steve Craig: Yes. It's the first weekend that it hasn't rained. Memorial Day weekend it rained two of the three days and was cloudy the third.

Commissioner Tuley: We need more sun.

Steve Craig: More sun and more heat. Thank you.

Commissioner Mourdock: Submitted in the packet were the Soil & Water Conservation District's report and the report from the Ozone Officer.

Commissioner Tuley: I'll move acceptance of those reports.

Commissioner Mourdock: I'll say second and so ordered.

Consent Items

Commissioner Mourdock: We have the consent items with the additions that were done a moment ago.

Commissioner Tuley: I'll move approval of the consent items with the three items added.

Old Business

Commissioner Mourdock: I'll say second and so ordered. Scheduled meetings are included. Is there any old business before us this evening? John Stoll?¹

John Stoll: The one item I've got is the letter that INDOT had requested in regard to the Nurrenbern Road railroad crossing where CSX had filed a petition requesting closure of that crossing. They had requested a response from the county why the county was opposed to having the crossing closed permanently. There is a letter in your file stating the reasons why the Commissioners would not want that road permanently closed off. Once the response is submitted to INDOT, they can make their final ruling on the petition.

Joe Harrison, Jr.: You may recall that we objected to the petition originally, but they were wanting some follow-up information. I think they want it pretty quickly.

Commissioner Mourdock: Is this letter--was this drafted by you, John, or Joe?

John Stoll: By me. I forwarded it to Joe and then Cedric over in Joe's office added some additional information on there.

Commissioner Mourdock: Threatening legalese.

Joe Harrison, Jr.: That's the last paragraph.

Commissioner Mourdock: It's good to have that in a letter sometimes. Is there a motion then that we approve the letter as prepared?

Commissioner Tuley: By all means.

Commissioner Mourdock: I will second and so order. Any other old business to come before us this evening?

Commissioner Tuley: None.

New Business

Commissioner Mourdock: Any new business?

Commissioner Tuley: I have no new business. Actually, the only old business...I had hoped to have something here tonight to present in reference to John, but I'm not quite prepared. I'm still gathering information.

Commissioner Mourdock: Okay. Very good. New business?

Commissioner Tuley: Not from me.

¹See page 15 for a listing of consent items

Commissioner Mourdock: Just one item from me. The County Attorney and I have swapped correspondence. John, you will probably get pulled into this at some point. At Area Plan Commission, we've had several discussions with developers recently about whether or not the subdivision plats, when submitted, should show where fill is place on the property. We hear it frequently at Drainage Board, and I think I've been wearing my Drainage Board hat more at that meeting than my Commissioner hat of late, but we hear at the Drainage Board meetings how the only property we have to develop in this county anymore are those low lying properties. We've certainly had several people come forward who built in areas, caveat vendor applying here, that they didn't know that the fill was there. It would seem to me that it would be something we want to consider doing. I bring it up at this point just to say that Joe and I have had some discussions and will continue those probably at Drainage Board as well, I guess. We'll get Mr. Jeffers feedback and Roger Lehman. I just feel pretty strongly that people that are buying those lots, if there has been fill, it's not implying that building on fill is inherently bad, in fact it can be better than building on virgin soil, but I think people have a right to know where that flood plain is and if there has been fill. I know the developers aren't necessarily fired up about that, but I think we need to start the process, maybe, of amending with ordinance to put on the plat. Is that what it would take?

Joe Harrison, Jr.: We can talk further. I think there may be some...I think the ordinance we have now might be sufficient. You and I can talk further about that.

Commissioner Mourdock: I did get your letter and read through it.

Joe Harrison, Jr.: We can take a look at it.

Commissioner Mourdock: That's something that will be coming up as old business probably in a few weeks. Any other new business?

Commissioner Tuley: Motion to adjourn.

Commissioner Mourdock: So moved and seconded. We are adjourned.

Meeting adjourned at 6:09 p.m.

CONSENT ITEMS:

Employment Changes:

Health	WIC	Center Assessor
Sheriff's Dept.	Circuit Court	Burdette Park
Knight Assessor	Pigeon Trustee	Prosecutor

Travel Requests:

County Assessor	Perry Assessor	Health
Voters Registration	County Clerk	Treasurer
DAD's	Commissioners	

Auditor:

Submit monthly financial, cash & expenditure reports
Submit Barrett Law Assessment form for signature
Submit accounts payable vouchers

County Clerk:

Submit monthly report

County Treasurer:

Submit monthly report

Sheriff:

Submit Weekly Confinement and Inmate General Information Reports

County Buildings:

Submit Ogden claim for operating expenses
Submit PMSI claim for the jail study per contract
Pink slip from the prosecutor's office approved - to be signed 7/17/00

THOSE IN ATTENDANCE:

Richard E. Mourdock	Patrick Tuley	John Stoll
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Erik Bentle	Matt Wallace
Steve Craig	Richard Helzerman	Roger Lehman
Bill Cottun	Betty Hermann	
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
July 17, 2000**

The Board of Commissioners of Vanderburgh County met in session this 17th day of July at 5:39 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the meeting to order. At this time, I'd like to introduce to you those before you. On my far right, Becky Pike is sitting in for Tony Greubel who is at the airport at a Board meeting; Next to Becky is Joe Harrison, Jr., our County Attorney; Commissioner Pat Tuley; on my far left, Jane Laib, our Recording Secretary; Auditor, Suzanne Crouch; Commissioner Richard Mourdock; and my name is Betty Lou Jerrel. If you'll join me in the Pledge of Allegiance.

Approval of Minutes

President Jerrel: The first item under action is the approval of the minutes of the July 10th meeting.

Commissioner Mourdock: I'll need to do that, Betty Lou, since you were not present.

Commissioner Tuley: I'll move approval and you'll second?

Commissioner Mourdock: Right.

Commissioner Tuley: I'll move approval of the minutes from the July 10th meeting as submitted.

Commissioner Mourdock: I will second and, as Vice President, say so ordered.

Certification of the Executive Session

President Jerrel: The next item on the agenda is certification of the Executive Session.

Commissioner Mourdock: I would move approval of the summary minutes of tonight's Executive Session that began at 4:45 and ended at 5:30. Dealt with a county personnel issue and also pending litigation against the county.

Commissioner Tuley: Second.

President Jerrel: So ordered.

County Assessor - Agreement with Network WCS

President Jerrel: The next item is the County Assessor's approval of an agreement with Network WCS.

Commissioner Mourdock: I don't see anyone present to discuss it, but it is in the packet so, Joe, did you have any comments regarding this?

President Jerrel: This is a database that comes from the Building Commissioner's office that's going to be included.

Commissioner Mourdock: I would move approval of the project agreement between Network WCS and the County.

Commissioner Tuley: For the record, that fee is \$4,000 dollars and I'll second.

President Jerrel: So ordered.

Eagle Plaza Subdivision - Permission to Advertise
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President Jerrel: The next item on the agenda is the Auditor, and it's to request permission to advertise petition for vacation of public way.

Commissioner Mourdock: I'll move approval of the request for permission to advertise for a petition for Lot 16 Eagle Plaza Subdivision.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Superintendent of County Buildings - Surplus Vehicle Auction

President Jerrel: The next item on the agenda is the Superintendent of County Buildings and this is approval to hold a county surplus vehicle auction. You have that request on your agenda.

Commissioner Mourdock: I would move permission to set the Vanderburgh County surplus auction on October 12th at Wolfe's Auto Auction. Do we need a separate motion to advertise for that?

Joe Harrison, Jr.: For the auction? No.

Commissioner Mourdock: I guess we really don't, since it's done through them. I'll move then to advertise.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Any Group or Individual Wishing to Address the Board

President Jerrel: Any group or individual that wishes to address the Board at this time?

Richard Helzerman: My name is Richard Helzerman, and I would like to speak to you about the problem of overcrowding in the County jail. The local paper published an article on the front page, July 7, 2000, titled "Public Defender Proposal Chosen," by Dave Hosick. In the article, Circuit Court Judge Carl Heldt is quoted as saying, "Right now the paupers get excellent representation". I would like to ask each one

of you to go and visit the jail and talk to ten of the paupers and ask them their opinion of the quality of their representation before you accept his opinion. According to that article, the county spends \$823,000 dollars on public defenders. The state of Indiana has offered to pay 40 percent of the cost of public defenders, but the county will have to obey new regulations in order to qualify. After making the changes, the county will receive \$700,000 dollars from the state, but the changes...the county's 60 percent share of the cost will be \$830,000 dollars. That's \$7,000 more than you were paying before. This is an example of a concept called "unfunded liability." The state or federal government passes a law but the county or city government has to pay for carrying out the provisions. One reason the Vanderburgh County Jail has the problem of overcrowding is because of unfunded liabilities. The Constitution gives each citizen the right to a reasonable bail and a speedy trial, but the state legislature passes laws that allow judges to set unreasonable bails and that allow a year to pass before an accused person can be brought to trial. I have shown before that if a reasonable bail were set, the population of the jail would be 150 or less. You wouldn't have an overcrowded jail. The net result of these two unconstitutional laws, for the bail and for the extending the trial, is that the jail is full of people who cannot raise bail while they are waiting trial. This is an unfunded liability directly caused by the legislature passing laws and not providing the funding to implement them. The county jail was built in 1969, and everyone that I talked to agreed that the system worked fine until about 1978. The first federal lawsuit was filed in 1979, and it still has not been settled. What happened between 1969 and 1979 to upset the adequate jail the county built? Attached to the packet is a copy of Rule 4 as of 1976. It specified that an accused person must be released from prison if he was not brought to trial in six months. The current law, Rule 4, specifies that a person may be kept in prison for a full year before he must be brought to trial. Now, by holding prisoners for twice as long, from six months to a year, you increase the need for jail beds by at least twice. The Vanderburgh County jail that had 256 beds was fully adequate for holding prisoners a maximum of six months, but after the state allowed the courts to hold a person for 12 months, it was not large enough. A prison of at least 512 beds would be required to hold the prisoners twice as long. This change in the law was an example of an unfunded liability. The state did not offer to pay to build new jails twice as large as the existing ones when they passed this law. This problem could be solved quickly and easily by asking your State Representative and Senator to modify Indiana Code IC33-5-43-10 to include a local court rule for this county only that requires a person held in jail to receive his trial within 60 days.

Your consultant company, Project Management Services, Inc., in its report titled, "The Progress Summary Update" of May 31, 2000 states: "The Sheriff's system does not speak with either the Courts system (court view) or the Evansville Police Department's system. SCT has developed a budget proposal that could provide ability for the players to be able to communicate. This should definitely be a priority as it could decrease jail bed days, if agencies could effectively communicate. Another example would be that the sentencing abstract could be electronically generated by the Court Reporter to the Clerk to the Sheriff. An inmate could be moved on to IDOC much more quickly, if we were not manually passing paper back and forth between several agencies." My company, Dictionary Data, Inc. is offering to provide this ability for the players to be able to communicate between the three systems for \$10,000 dollars a month for six months.

On the next page, I have underlined "The current public defenders system operates on a budget of more than \$823,000 thousand". On the right hand side, it says "Right now paupers get excellent representation". On the next page underlined "The new

system would operate on a budge of \$830,000 thousand after the reimbursement". In the middle of the page, "The reimbursement, which will amount to about \$700,000 thousand a year". The next page is a copy of the Court Rule 4 as it was in 1976. I got this from the U of E library. In 1976 they switched their manual paper system to computer system so it's an older version. Rule 4 (A) Defendant in jail. No defendant shall be detained in jail on a charge, without a trial, for a period in aggregate embracing more than six months from the date and so forth. Now, the current law, if you look that up says a year. I believe that the changes made in 1977...1978 the jail became crowded. In 1979 you got the lawsuit. Before that, the system worked fine. Finally, on the last page I have a copy of IC33-5-43-10. The whole section 43 is exclusively used for the Vanderburgh County Court System. You can put whatever you want there and none of the other Representatives should care what you put here because it's not going to affect them. I know that you have good relations between your Representative and Senator because they've been here, and I've seen you interact with them. If you ask them to put this in, they could slip it in very easily and no one would be the wiser. Then you would have a speedy trial of 60 days guaranteed by the law. Thank you very much.

John Stoll - County Engineer

President Jerrel: Thank you. At this time, we are going to move to the department heads. First is John Stoll, our County Engineer.

John Stoll: First item I have is a request for storm sewer acceptance in St. Charles Cove Subdivision. This subdivision is located on Petersburg Road just south of Boonville-New Harmony Road. We've received the \$76.00 dollar check for their \$2.00 dollar per foot fee for the pipes. The pipes have all been inspected, and it's recommended that they be accepted.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I'd like to recommend that we reject all the bids we received for contract VC00-07-01 repair and repaving of various roads. This is due to the fact that not all of the contractors received the addendum that we faxed out. Because of that, we need to reject and rebid.

Commissioner Mourdock: How did it happen that they did not all get the addendum or did they not respond that they had the addendum?

John Stoll: They left us the wrong fax number. We didn't receive any notification from them that they had not received it.

Commissioner Mourdock: Of course, if they didn't get it, they didn't know to call you to say that they didn't get it.

John Stoll: Right. Why they left us the wrong fax number, I'm not really sure either. In the future, we are going to call as soon as we fax them out and let everybody

know that we sent it so please respond with an acknowledgment form. In this case, we didn't receive it, and we did not call them.

Commissioner Mourdock: The bad new is, there's a delay. The good news is, it will probably be a little bit lower prices just because when people bid a second time, they get a little more aggressive, and also the asphalt price is down a little bit.

President Jerrel: On the asphalt price, I wanted to ask you this question. The formula that adjusted for the increase was, I don't know if it was 240 for the additional increase and then 280 on the base repair? There were two numbers.

Commissioner Mourdock: Yes, there were two numbers because they were based, I think, based on the percentage...the two different types of material have a different percentage of liquid asphalt going in them. So the one would make up a greater percentage than the other so the price would affect it.

President Jerrel: The reason I asked that...Erik? There you are. You need to take a look at those costs that we are getting. I went through the invoices and I noticed the amount was increased. I talked to a couple of them and Becky went down to purchasing...I'm wondering if some of those don't have both of those numbers added to the base price. Like the base price was 22.50, then there was another 280 and 240 added to them. Just check those just to be sure. They may be okay, but I want to make sure because it's the first time around for those formulas to be used.

Commissioner Mourdock: You might get Jerry Bryan to take a look at them since he negotiated the formula.

President Jerrel: You could fax him a copy of that. It seemed to me that I was seeing the two numbers added, and I didn't know if they should be that way.

Commissioner Mourdock: I would move that we accept the County Engineer's recommendation to reject all bids.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jane Laib: Do we have to re-advertise that?

Commissioner Mourdock: Yes.

John Stoll: That's the next item I've got. Notice to bidders.

Commissioner Mourdock: You learn fast, Jane.

John Stoll: To advertise and put it out for bid again. This time we've numbered it contract VC00-08-02.

Commissioner Mourdock: I'll move the advertisement of the bid.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I would like to recommend that we reject all bids for contract

number VC00-06-01 Broadway Avenue Bridge #273 removal and replacement. This is due to the fact that...two reasons: One, we speced out alternate bids as a possibility on this contract which the intent was to receive cast in place concrete structures. Instead, we've got a wide variety of structures so our alternate bid spec needs to be clarified. Second, on the base bid we received, the low bidders did not provide the information required on form 96 like the list of subcontractors and their work plan on how they were going to install the project. On that basis, after talking to Joe, I felt the best thing to do was to rebid that one as well.

Commissioner Mourdock: I'll move rejection of the bids.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: I'll bring that Notice to Bidders back in another week or two, whenever we get that all straightened out.

President Jerrel: Can we approve the advertising now?

John Stoll: We are going to make a couple of changes to the drawings and specs so I don't have that one ready yet. We'll get it turned around, probably not next week, probably the following week. The next item I've got is a request from the YMCA to use county roads to do a 15k walk and run on October 7, 2000. They've provided us with a certificate of insurance. They will take care of all media notification for the race. They are proposing to start and finish this at Burdette Park. In doing so, they've planned to go on Graff Road, Bayou Creek Road, Seminary Road, Duesner Road, Happe Road and Cypress Dale. They are requesting the county's approval to do that. Here again, I've talked to Joe and he said everything looked okay.

Commissioner Mourdock: I did that one last spring. I remember those roads well. I'll move approval of the request from the YMCA.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The last item I've got is a notice to bidders for the Burdette Park O'Day Discovery Lodge site grading project. This is a project that Steve will elaborate on probably in a few minutes, but I'm requesting approval to get this out for advertisement as well.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: That's all I have unless you have any questions.

Commissioner Tuley: Just a comment. We have left turn signals at Red Bank and Lloyd Expressway. I appreciate that.

John Stoll: It's taken awhile.

Commissioner Tuley: Boy, it makes it a little easier to move that traffic through there.

Erik Bentle - County Highway

President Jerrel: It sure does, thank you. County Highway?

Erik Bentle: Erik Bentle, County Highway. You have my progress report from last week and my work schedule for this week. As far as paving, we should be done on St. George Road on Wednesday at the latest. Then we are going down to Rode, where we widened that intersection, taper that intersection in and then we should be on Resurrection Monday. Then we'll see how the money goes from there.

Commissioner Tuley: You have the shoulders filled back over there already on Resurrection?

Erik Bentle: Yes, we've already done some side of the road work, yes.

President Jerrel: Check on that for me and call me because I spoke to Carol about ...since the costs are higher because of the oil prices, we are going to need some additional funding. I told her that I would make arrangements going through different line items to find the appropriate account to use. So I just need to...I want to make sure that's right.

Erik Bentle: All right. That's all I have.

Joe Harrison, Jr. - County Attorney
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President Jerrel: County Attorney?

Joe Harrison, Jr.: The only item I have is a contract for consideration by the Board with Simplex Time Recorder. It has to do with the providing of smoke detector services, fire alarm and security system testing and inspection for the Vanderburgh County Community Corrections Safe House facility. Eric Williams is here to speak with respect to this. It's a one time annual sum amount of \$1,913 dollars. He may have—

Eric Williams: I don't have anything to add. It's pretty plain and simple. Eric Williams, Sheriff's Office. It's the annual agreement for testing all the equipment out there.

Commissioner Mourdock: I'll move approval of the annual agreement with Simplex for the smoke detector services at the Community Corrections.

Commissioner Tuley: Second.

President Jerrel: So ordered. Anything else?

Joe Harrison, Jr.: That's all I have.

Commissioner Mourdock: I have one thing, Joe, if you would since it's under your

jurisdiction here, I know Betty Lou met this week with some people from Ogden, obviously the company that had acquired—

President Jerrel: Aramark.

Commissioner Mourdock: Aramark, the company that had acquired Ogden and provided her with some draft language here. If you would look that over and prepare a written response for us. We will go ahead and enter this into the record.

Joe Harrison, Jr.: That's fine.

President Jerrel: Is that a motion?

Commissioner Mourdock: Yes, that's a motion to add the draft language into the record.

Commissioner Tuley: Second.

Becky Pike - County Buildings

President Jerrel: So ordered. Becky, did you have anything that you wanted to?

Becky Pike: The only thing that I have is a late travel request from Kathy James in Child Support Department.

Commissioner Mourdock: I'll move we add the travel request into the consent items.

Commissioner Tuley: Second.

Steve Craig - Burdette Park

President Jerrel: So ordered. Burdette Park?

Steve Craig: Steve Craig, Manager of Burdette Park. First thing I wanted to go over —did you all get your summary or breakdown of the yearly receipts? Kind of explains themselves. It looks pretty good for right now with the weather.

President Jerrel: Sure does.

Commissioner Mourdock: 17 percent increase for general funds and 13 percent for concessions. Not bad.

President Jerrel: Very good.

Steve Craig: The other thing I have is, I guess, we are looking forward to breaking dirt on this project. We have a cost estimate from Morley and Associates. It was \$492,827.69 dollars. We have that much money in place to do the job and look forward to getting started.

Commissioner Mourdock: What was the number again? \$492 what?

Steve Craig: \$492,827.69.

President Jerrel: This will be a good time of year to do it.

Steve Craig: There is a 10 percent contingency for any problems. Which that makes it \$542,110.00 dollars.

Joe Harrison, Jr.: You have that much money?

Steve Craig: Pardon me?

Joe Harrison, Jr.: You have that much money?

Steve Craig: Yes.

President Jerrel: Okay, we've already acted upon this before.

Commissioner Mourdock: Glad to hear it came in within the level of available funds.

President Jerrel: We are ready to go. Thank you very much and thanks for the breakdown on the costs, I mean fees, at this point. School starts in how many days?

Commissioner Tuley: It's five weeks from today.

Commissioner Mourdock: August 14th?

President Jerrel: That's why these numbers are so important because we are already 17 percent over, and we have four weeks to go. If the weather holds, it will be a very good year. Thank you.

Steve Craig: Do you have my worksheets?

President Jerrel: Got everything.

Commissioner Mourdock: I'll move approval of the entry into the record of the County Highway report, Superintendent of County Buildings reports, Burdette's, Soil and Water Conservation, and the Ozone Officer.

Commissioner Tuley: I will second.

Consent Items

President Jerrel: So ordered. Under consent, are there any questions? Is there a motion?

Commissioner Mourdock: I'll move approval of the consent items as filed with the one addition.

Commissioner Tuley: Second.

Old Business

President Jerrel: So ordered.¹ Is there any old business to come before this group?

Commissioner Tuley: Nothing here.

New Business

President Jerrel: Any new business?

Commissioner Mourdock: Nope.

President Jerrel: Okay, is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Meeting was adjourned at 6:04 p.m.

CONSENT ITEMS:

Employment Changes:		
Commissioners	Knight Assessor	Coroner
County Council	Treasurer	Health Dept.
Burdette Park	Assessor	
Travel Requests:		
Child Support	Health	Environmental
SWCD		

¹See page 11 for a complete listing of consent items

Auditor:
Submit Barrett Law Assessment Forms
Submit Accounts Payable Vouchers

Sheriff:
Submit Weekly Jail Information Reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Becky Pike	Erik Bentle	John Stoll
Steve Craig	Richard Helzerman	Eric Williams
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
July 24, 2000**

The Board of Commissioners of Vanderburgh County met in session this 24th day of July at 6:38 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners meeting to order. At this time, I'd like to introduce to you the people before you. My far right is Tony Greubel, Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley; Jane Laib, our Recording Secretary; Suzanne Crouch, County Auditor; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. Would you join me in the Pledge of Allegiance?

Approval of Minutes

President Jerrel: Thank you very much. The action items on our agenda begin with the approval of the minutes of the July 17th meeting. Is there a motion?

Commissioner Mourdock: I'll move approval of those minutes as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Certification of Executive Session

President Jerrel: The next item is the certification of our Executive Session.

Commissioner Mourdock: I'll move approval of the summary minutes of this evenings Executive Session that began at 4:45 p.m. and ended at 5:20 p.m. That session involved personnel issues. In attendance were the County Attorney, County Commissioners, and the County Auditor.

Commissioner Tuley: Second.

President Jerrel: So ordered.

West Side Nut Club Appreciation Plaque

President Jerrel: The next item on our agenda is a special one. We have with us some guests. I hope I can read everyone's writing. I'm going to call your names, and I would like to ask you to come up front behind the microphone. D.G. Fehrenbacher, Glenn Modesitt, Tim Bishop, Bill McCullough, Jeff Schneider, Dick Barchet, and Les Shively.

Les Shively: I'm just a peon.

Commissioner Tuley: Shively, you're a part of that group? Do they know where your

heritage is? Apparently not.

Les Shively: Tuley knows me too well.

President Jerrel: I'd also like to ask Steve to come forward. I'm going to ask him to do the presenting for the three Commissioners because it's kind of hard for all three of us to hand something to somebody. Steve is certainly the main recipient. We've asked you here tonight because we want to honor you. Steve is going to present you with a plaque from the three of us stating how much we appreciate what you've done. I know Pat and Richard both will have comments, but we are most appreciative of your volunteer efforts, and they mean a lot to everyone. What you did out there was wonderful. We want you to know that we care about you.

Steve Craig: I'm going to read the plaque so everybody knows what it says. It says, "In appreciation to the West Side Nut Club. Thank you for your generosity, time, and materials to the improvement of Burdette Park. From the Vanderburgh County Board of Commissioners, July 2000." I want to present this to you guys, and I know everybody wasn't there--or everybody here wasn't there, but the workers did an amazing job. They came out and in one day did something that would have taken normal crews weeks to do. They donated their time and the material mat, and they also had fun doing it. If people could see how much work you can get done and still have fun, these guys would show you how to do it. If you know anything about the West Side Nut Club, there are mostly for kids. The stuff they do, the donations they make. They've made donations to the park for years and years. A lot of our landscaping out there is due to the fact that they've donated money to us to do it. I just want to say thanks to you guys, and everybody in Evansville owes you a round of applause for this.

D.G. Fehrenbacher: Thank you very much. On behalf of myself and the other 383 Nut Club Members, we're very proud of that facility out there. We're proud to be part of the community, and we'll display this very proudly. Thank you very much. Anyone else have anything to say?

Commissioner Tuley: The only thing I want to add to this is, you guys have a great group and wonderful organization, and you do wonders for this community. I hope people recognize how much you do give this community of your time, effort, and money. We really do appreciate it.

Commissioner Mourdock: I will ditto that, and from a unique perspective, being the only person on this whole table, as a matter of fact, who is not a native Evansvillian or a native Hoosier for that matter. I get asked a lot, when I get back to the area I'm from, what's unique about Evansville? I can always say, "First and foremost, that it is the sense of volunteerism that's involved with all the different projects." I always site with a little question, "Hey, aside from New Orleans, where is the world's largest street festival?" People do not realize that is the 2nd largest street festival next to Mardi Gras. It's because of what you guys do, and as Steve said, all the contributions you make, they are very much appreciated. Thank you very much.

North Green River Road Transportation Policy

President Jerrel: Thank you very much, we appreciate it. The next item on the

agenda is the public hearing for the North Green River Road Transportation Policy. I believe Ms. Cunningham is going to begin.

Barbara Cunningham: I'm just going to do a little bit. I've got maps here for anybody that's here that hasn't received one. We will try tonight, Rose and John and Blaine and I, to walk you through it. We have made some suggested changes and that's the map you have on your desk tonight that's dated the 24th. I think, Blaine, do you want to come and say some of the changes. When we got into it a little more and looked at it, we thought there were a few changes. We have talked to both John and Rose about this, and they concur with these changes. Mrs. Jerrel asked if we would bring a flood plain map. I think this is superimposed. I think it's real interesting to see the flood area. We will turn it around so those in the audience can see who's in the flood area. Why don't I bring it up here so you all can see a little better. Are we going to start at the top? Let me hold this for you.

President Jerrel: We have a smaller map right here so we can follow you.

Blaine Oliver: I'll start at the north end. Most of these changes are very minor. We made a change here at the Keystone project. We had two accesses onto Green River Road, and as you know, this far eastern section of Keystone has just gotten primary approval from the Plan Commission not too long ago. On that plat, as it was approved by the Plan Commission, it only showed one access onto Green River so we made that change to be in conformance with what was approved on the plat at Keystone.

Barbara Cunningham: This does show that there is an access to Heckel Road, it does show that. The plan is submitted on that one. Rose and John know this is going to be commercial, at this corner. It will probably be through an access easement more than it would be a road extension, I believe. Haven't they submitted some plans? Where's John? Haven't they submitted some plans on the corner of Keystone that possibly could change some? We've been in contact with them on this development.

Blaine Oliver: So that was one of the changes we made. As we move south, just south of the Timbers apartment complex on the west side of Green River, the northern most access to Green River Road, that also has been incorporated into Quail Hollow Subdivision.

Barbara Cunningham: So we just moved it down.

Blaine Oliver: Was approved by the Plan Commission a few months ago.

Barbara Cunningham: And by the technical committee. Where they put the road in was acceptable and then they did an interconnect to the south on that.

Blaine Oliver: So that road will not connect in with the Timbers. It's a little bit south, actually, of what's shown here. We will make that correction on the final map. Moving back up to the Burkhardt/Lynch Road area, the northeast corner of that intersection. We had a cul-de-sac that was sort of a frontage road cul-de-sac down Lynch Road further. We've reduced the length of that, basically, to keep that cul-de-sac within the area we have proposed in the Comprehensive Plan for commercial. We had it extending a little bit more than twice as long as it is right now along Lynch Road, and that area is low and would take quite a bit of fill to develop that. Also, John Stoll...John, do you want to say a few words on what that might do with the

Burkhardt Road project, if a lot of that area went to commercial? I don't know if that was factored in.

John Stoll: As it stands now, the Burkhardt Road widening only goes to Lynch Road. We were never planning on doing anything north of Lynch Road so, if and when that parcel develops, the developer of that parcel will most likely have to do some improvements to that intersection to make sure that the Burkhardt/Lynch intersection can handle all the traffic that would be generated by that site. We've taken care of everything on the south side. As part of the project, the new intersection will have northbound double lefts, a single through lane, and a right turn only lane. Southbound, we are pretty much leaving that untouched.

Commissioner Mourdock: I guess, I'm intrigued. I am looking at that large block of land there. I heard you say, and I see on the map here, it shows the ditch running through there and the drainage way. Have we been consistent in looking at areas with that much open space and saying that we do or do not want to put in the road plan, a road across there?

Barbara Cunningham: I can't speak for water, but that's is really—that's a lot of water.

Blaine Oliver: We don't have much up in this area, Richard, in the northern part. That's all very low so to answer your question, I think we have been consistent where we don't think the property is going to be economically feasible to develop. The amount of fill you'd have to put in to develop it, we more or less just kept that—

Commissioner Mourdock: What about the ½ miles south of Kansas Road and, basically, the ½ mile going north of Kansas?

Barbara Cunningham: In the Comp Plan, that is still proposed to be residential. We wouldn't want to run it through that area. We are thinking that a lot of this area can be built up for residential development. We expect it to be. I would think as the subdivisions come in, then the access..it depends on the size of the subdivision how the access points will be given.

Blaine Oliver: We've concentrated more on the areas that we think are going to be commercial or industrial. The access to those areas is obviously going to be more critical.

John Stoll: As a part of the residential development, we want to limit access to all internal streets and minimize the number of new street access points that would come out on Green River. So even though it's hard to forecast what kind of layout the streets would need to be, we want to minimize how often they do come out onto Green River.

Barbara Cunningham: That's part of the Comp Plan, you know. It's throughout the whole thing. What else?

Blaine Oliver: We've got a couple more changes. We were at Lynch Road and Green River or Lynch Road and Burkhardt, just south of that intersection. These red lines running north and south paralleling Burkhardt those proposed roads were to go all the way to Peacock Lane. That's the way we showed in on the last plan. We are not showing that now. We are cul-de-sacing those streets before they get to the Fitzgerald, I believe is the name of that street, just to the north of the cul-de-sac's on

the new plan. The reason we are doing that is if this area, at least the frontage along Burkhardt we think may go commercial, we don't want commercial traffic accessing residential streets so we're not showing those connecting. If that area was to develop all in a residential fashion, those roads could very well connect and probably should. We're anticipating that at least the frontage along Burkhardt will probably go commercial at some point.

Barbara Cunningham: By looking at the audience, we can almost call out the areas where people are most interested in. The Lant property, we can call it that, I think, we are doing what has been proposed on that. That's at Green River and Lynch, south of Lynch. There's another access point onto Green River according to this. We've got some questions on that because it hooks up to the Spurling property. Mr. Spurling has not, with the plan he presented, does not access the proposed Cullen Avenue. His apartments are going in there...so I'm not sure what you have here is right. See this? I don't think...I'm not sure if we have the right-of-way for this area. He doesn't hook up here. It stops in this next phase here. I'm not sure about that. Those have all ready been zoned so those aren't things we can go back on to do. Cullen Avenue and that area, we don't have the right-of-way for Cullen Avenue. Not yet. He did leave 30 foot of right-of-way across the back of the property, but that was to be put in by, I guess, the county. It was not part of his commitment.

Blaine Oliver: I've got one more change to discuss.

Barbara Cunningham: Mr. Buck is here, so we know he is interested in Boonville-New Harmony Road.

President Jerrel: We will wait until we get through and if they have questions.

Barbara Cunningham: Boonville-New Harmony—We had talked about a cul-de-sac there and that's still up in the air. We talked about not going out to Boonville-New Harmony.

Dan Buck: I don't know what I'm going to do with that property yet. That's the reason I'm out here.

Barbara Cunningham: That's what you can discuss.

Keith Poff: Keith Poff, Sitecon, Inc. My clients are the Johnston family. They own the northwest corner Heckel/Green River. On the plan, they show that they have a commercial strip, effectively a simple box along their frontage along Green River. They rezoned that in 1996 for C-4 anticipating they would have drive access out into Green River Road. This plan shows a frontage road which comes in off of Green River on the north end of their property and comes down through what would be the commercial strip. The commercial strip is approximately 350 feet deep from, if you will, the section line which is not quite center of Green River. What they are mostly interested in hearing tonight, or providing comments on, is to have that roadway connect to Heckel further west than through that commercial strip. Clearly, in the middle of that wouldn't leave large enough lots on either side.

Commissioner Mourdock: West meaning their west line 350 feet of Green River Road.

Keith Poff: That's we are anticipating at this time. There's a couple of things that are resulting from that. Because they anticipated having the access to Green River for

that area, whenever they are asked to bear the cost of that frontage road, we would like it further west. They anticipate they'd like to request a zoning strip along the other side of that road in order to help create some revenue in order to build that street.

Commissioner Mourdock: What do you mean by zoning strip?

Keith Poff: Currently they are abutting their C-4 up against an R-3. Yes. They were anticipating that was a backyard situation. The backyard of the commercial would be abutting the backyard of the multiple family. Since the street, I don't think, would be a wise thing to put a connecting road 175 feet off of Green River. The place to put it would be further west.

Commissioner Mourdock: So you are saying, it would be your suggestion to use the road as a buffer between the C-4 and R-3?

Keith Poff: No, actually, they would rather have C-4 on both sides of a roadway rather than have the backyard of a residential up against a street.

Commissioner Mourdock: The 350 feet you described before, was that the full strip of what was rezoned?

Keith Poff: Currently, yes.

Commissioner Mourdock: So you don't want it 350 feet over? I asked you a minute ago if you wanted the road to be on the west line of the zoned property, and you said yes.

Keith Poff: That's a location that we would encourage. It also lines up with approximately the middle—

Commissioner Mourdock: Between the C-4 and R-3.

Keith Poff: It's currently R-3. I think, what we are looking for is—

Commissioner Tuley: He is going to come in and ask for a change in the zoning of the R-3, I believe.

President Jerrel: To C-4.

Keith Poff: The access we anticipated in 1996 is no longer available, therefore, we have a different place for that access. If it were on the west side, we could propose a zoning strip of C-4 up against that and utilize both sides of that roadway and still have a backyard area from the commercial to the residential. That location would also, nearly, line up with the middle of the Keystone commercial lot. That's south of us. They come out, possibly, somewhere in here. We're not sure of that. The other issue that they are interested in discussing is there is only one entrance shown on the map to come into this property that's on the north end of the property. There's not any zoning area up there, that's non-commercial. We would--they would like to have the access closer to the intersection with Heckel Road. We have provided, on this map, additional right-of-way that's been acquired for the intersection improvement that stops approximately 400 feet up from that intersection. They'd like to have that access to come in here.

Unidentified: (Inaudible.)

Keith Poff: I don't have a scale with me.

Barbara Cunningham: That's what we were talking about. This is a guide...the lines on your paper are a guide, and we certainly would take into consideration when a plan comes in. If you recall, this property was given with no commitments for accel decel or anything at the time. It was a straight rezoning of the corner for commercial and then towards the west for residential for condominiums, I think they were talking about. So what you have is a parcel that's zoned for two different things, right now. Of course, you have to look at that, but I don't think this is the place to ask if they are going to get the rest of it rezoned or whatever.

Commissioner Mourdock: Right. The really important point there is, what we're looking at as a proposal here.

Keith Poff: Accesses to Green River.

Commissioner Mourdock: Yes. Whether it's 250 feet or 350 feet from Heckel isn't necessarily our point here this evening.

Keith Poff: I understand. I expected that response because it's usually the first real project that kind of sets that location for that roadway. We would just like to put in our comments that farther west would be desirable by us, and we would like to have an access closer to Heckel rather than just at the north end of our property.

Commissioner Tuley: You're requesting two?

Keith Poff: We would prefer two.

Barbara Cunningham: No, I don't think that we've ever done that.

Keith Poff: Those two accesses are very similar to what was proposed south of there for the Keystone. Those are existing roadways that they were connecting, Bassett Avenue and Irene Avenue, but there were, on the previous plan, two access along that frontage as well. We have a quarter mile of frontage on Green River Road.

Commissioner Mourdock: I'll offer my personal opinion on that one, Keith. One of the things this body as a whole, and I don't just mean the three people here now but even in the past few years have learned as the east side has developed is, we do one thing and then we're asked to do it again because we did it somewhere else, and then we do it again because we did it two other places. Pretty soon you have a whole lot of road cuts and you have all that traffic congestion and the whole point of doing this kind of corridor plan is so that we can put a general map in front of us to prevent that kind of thing from happening again. So speaking here from one person's point of view, for that small a piece of property, I'd have to swallow real hard to consider more than one access point.

Keith Poff: We didn't anticipate that this was the place to get things resolved. However, this was the place for comments and this is what my clients are interested in...what they would like to see in order to utilize the land. They took a simple strip prior to this plan being proposed. They are seeing some variations in what they would do in response to this plan.

Commissioner Mourdock: Appreciate your comments.

Blaine Oliver: I have one more change that I'd like to describe to you that we made on this map. That is off of Burkhardt in the same area. Colonial Garden Drive goes up the west side of Country Trace Subdivision here on the west side of Burkhardt. We did show a connection between this road and Colonial Garden Drive, and we aren't showing that connection now for the same reason that we cul-de-saced the streets. Basically, Colonial Garden is a residential in nature and very narrow, almost like an alley, so the way it is now it couldn't handle much traffic—increase in traffic anyway. It was just pointed out to us that, for some reason, the extension of Cullen Avenue is not shown on this map connecting into Lynch Road. That is a mistake, and we will have to correct that. It should show it connecting into Lynch Road. Exactly where that will be is maybe not nailed down in stone yet, right? It will be in that area somewhere.

Commissioner Mourdock: Will that be a right turn only onto Lynch?

Blaine Oliver: I defer to John on that.

John Stoll: I don't recall any restrictions on how it was set up. If it's not set up as right turn only, it should be set up with conditions that if a signal warrant is ever met then it would become right turn only. The last thing we need is a traffic signal just east of Green River and Lynch.

President Jerrel: Is there anyone else that would like to offer any suggestions right now? This is conceptual, but we are trying to work ahead. For those of you who are out there and would like to see this one, and you didn't get a chance to look at it, the blue is the flood plain. You can kind of look at your maps and see—

Commissioner Mourdock: I will make one comment about that map because it makes a point that's come up, and I understand or think that Dan Buck is in the audience here so he many want to comment. We spoken of it a couple of times at Area Plan at the monthly meetings, and I've spoken of it here, I think, twice and Joe, you and I have had a little communication. I can see your face turn red at the thought of it. We have a number of residential areas that show up, planned residential areas. A few actual ones show up in the flood plain area under the FEMA shaded area, not technically the flood plain. In looking at those and thinking what that area is going to look like 20 or 30 years down the road, I really do have the concern that we have people building on a lot of filled areas and not being aware of it. That's not to say that fill in itself is inherently bad and can, in fact, be better than what virgin soils are to build on. I just feel like we need to keep moving on something to define on the plats that there has been fill placed. If we can do it in a positive way, to say that it's been placed to meet certain engineering standards, I would certainly be agreeable to that. I just feel like with that much blue area out there and with that much destined for residential, we need to deal with that in some way.

President Jerrel: Anybody else want to make a comment?

Commissioner Mourdock: Do we need a motion to accept the changes and recommendations?

President Jerrel: Yes, we do.

Commissioner Mourdock: I would move then that we accept the changes made by the Area Plan Commission as recommendations for the general Green River Road Corridor Plan.

Commissioner Tuley: Second.

President Jerrel: I'll say so ordered and because it is a second reading of the final plan. I'll just call for the Commissioner's voice vote. Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes. Thank you all very much. Thank you owners.

Resolution of Support for Grant Application
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President Jerrel: The next item on the agenda is a resolution. This resolution is on behalf of a number of counties who will also be providing resolutions so that we can apply for another grant. Rose is helping to develop this grant. If you would read it into the record. Commissioner Mourdock?

Commissioner Mourdock: Okay. This resolution of the Board of Commissioners of Vanderburgh County. Whereas State Roads 66 and 62 directly connect Mt. Vernon and Tell City while running through Evansville, Newburgh, Yankeetown, Rockport and other cities and towns in southwest Indiana; and whereas this corridor is located in the heart of the booming industrial activity of this region; and whereas this corridor will funnel tremendous trade activity into the International Trade Route encompassing the proposed extension of Interstate 69 from Indianapolis through southwestern Indiana and on to the Texas-Mexico border; and whereas the National Corridors Planning Development Grant (NCPD) recently directed nearly \$2 million to initiate planning studies to determine a preferred corridor location and Ohio River Crossing; and the Borders and Corridors program of I-69 was designed for a corridor such as this to justify the public expense for such a huge public project; and whereas the State Roads 62/66 New Terrain Industrial Corridor Committee of Southwestern Indiana will apply for a NCDP grant to study and evaluate the connector location/modification, improvement and environmental impact for such said corridor; Now, therefore, be it resolved that the Board of Commissioners of Vanderburgh County hereby supports the Grant Application of the State Roads 62/66 New Terrain Industrial Corridor Committee on this 24th day of July, 2000. And I would make it a motion that we approve that resolution, and you may want to add more comments, Bettye Lou, as far as how it's originated or whatever. Having made the motion.

Commissioner Tuley: I'll second at this time before the comments.

President Jerrel: And I'll say so ordered. I really don't have any now other than that a lot of people from Southwestern Indiana met on July 10th with Kristine Klika and this is what we would like to see reviewed. Hopefully, we can get this grant money and it will be one more opportunity to expand this area for all of us. Southern Indiana sometimes feels like they are left out, but sometimes that's because we don't ask.

Commissioner Mourdock: And sometimes it's because we don't act as a group of counties and that's a good reason, even if we don't get the grant, this is yet another chance at trying to get some good regional development. I think that's to be applauded.

President Jerrel: I do want to thank Rose for helping us because people all came down again, and we worked with her. We've gotten two grants, one for \$600,000 dollars and one for \$500,000 dollars, so maybe we can up the ante a little bit and get the third one.

Commissioner Tuley: I just happen to agree. As Richard pointed out, it's important that we continue to try to work with our surrounding neighbors and erase those boundaries that we have drawn on a map and work together for the betterment of Southwest Indiana.

President Jerrel: Well part of this grant would include taking a look at the Lloyd and finding ways to get rid of those stop lights.

Commissioner Mourdock: Just as long as we don't have to work on the bridge.

Auditor - Submit Year 2001 144's

President Jerrel: Okay. Did I say so ordered? I did. Moving on to the Auditor submitting the 144 statements.

Suzanne M. Crouch: They were brought up last Friday.

President Jerrel: You got them?

Tony Greubel: Yes.

Commissioner Mourdock: They are in the packet, but I will say we move approval of the submitted form 144's which are statement of salaries and wages for year 2001.

Commissioner Tuley: And on the agenda request it does say proposed so I guess we are making it subject to Council approval at budget hearing, correct? Okay. Second.

Community Corrections Union Contract

President Jerrel: So ordered. The next item on the agenda is the Community Corrections Union Contract.

Joe Harrison, Jr.: I have, I believe, five copies of the Agreement between the Local Union 215 Teamsters and the county regarding the Union workers at the Community Corrections Complex. It's a three year agreement retro back to January 1st through December 31, 2002. The reason for the...The reason it took so long to get this Agreement for consideration, as you may recall, there was a lot of reclassification of positions, and those reclassifications have been approved and the Agreement encumbers those changes. Hopefully, the changes that have been made will make things a little easier as far as streamlining the operations out there. I think if Chief

Deputy Williams has any comments, he may want to give them. Hopefully, everything will be fine. I've got, again, five copies. They've been signed by Chuck Whobrey, and I'll be providing him with two of those copies back after they are signed by the Commissioners.

President Jerrel: Is there a motion?

Commissioner Mourdock: I would move approval of the Collective Bargaining Agreement between the Board of Commissioners of Vanderburgh County and the Chauffeurs Teamsters and Helpers Local Union 215 for the Community Corrections Complex.

Commissioner Tuley: Second.

President Jerrel: I'll say so ordered and call for a roll call vote. Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

Any Group or Individual Wishing to Address the Board

President Jerrel: And I vote yes. Okay, any group or individual wishing to address the Board?

Richard Helzerman: My name is Richard Helzerman. I'd like to speak to you about the problem of overcrowding in the jail. Today is July 24, 2000, and on January 24, 2000, was the first time I appeared before you. At that time, I offered to eliminate the problem of jail overcrowding in six months. Today, the six months is up, and you still have the problem of jail overcrowding. Today, I'd like to make a proposal relating to the public defenders. Now, as I've made clear, the public defenders are not the cause of the problem, but the public defenders could alleviate the problem, if they were properly motivated. What I would like to propose is setting up a computer program that would keep track of the assignments of the public defenders. As you know, the state and federal guidelines say they can only have so many cases per year, and you are exceeding that. The issue is not how many cases they have a year, the issue how many cases they have at any one time. Many of these cases are very routine things and there's not a whole lot of question about it. His only role is to negotiate a good plea agreement with the prosecutor. Those things can be taken care of very simply. It's only when you get into a murder case or some of these big cases where there's a problem. What I would like to do is when a public defender is assigned a case, he himself calculates how much time that's going to take, how many witnesses he is going to call, and various measurable things about that. Every week we would keep track of that, and every week you and the judges would get reports of the estimated load that they have estimated themselves. Then we can do a number rating of who is the busiest and who is the least burdened. Then when a new case comes, they can refer to that list or the computer can assign somebody. Right now, the judge is assigning the cases. This would make it more objective or random. That's one of the criticisms is the judges have too much power by assigning the public defender to a case that the defender is reluctant to cross the judge when he gets it. With this information, I could then offer an incentive program.

What I would like to propose is that you allocate \$400,000 dollars. With that \$400,000 dollars, we would say that if a public defender gets one of his clients out of jail quicker than the average number of days that they would be in jail...you have that average that's going along. if he gets them out quicker, he gets half the cost of keeping them in the jail. Up to \$400,000 dollars, and we could put a limit on it doubling their salary. I think \$400,000 would essentially double their salary. So, if they get the guy out of jail by getting a reasonable bond or by having a speedy trial or by negotiating a good plea agreement, it doesn't matter to us. He's out of the jail and his client is not putting a burden on you. This is something I could do very easily. It would administer itself. I would charge you probably like \$4,000 a month for six months to develop it, but it probably could be functioning in 30 days. I think it would solve your problem. Now, it's not the best solution, but it would work. Thank you very much.

President Jerrel: I'll just respond so that you'll know that we're not sitting still. Friday at 9:00, the Public Defender Board, who now has this issue...It's not out of our hands in the sense that we're not interested in it, but in order for this to proceed where there is accountability and adequate number of public defenders, the Public Defender Board made up of Ross Rudolph, Pat Shoulders and Jack VanStone, the President, have a budget prepared and a plan ready to submit for acceptance to the State Public Defender Commission. This would bring about many of the things you are suggesting. That is going to be at 9:00 this Friday. That Board will meet to pass or not pass that proposal. You might want to make a note of that. I think it's room 305 or 307. I don't know, they publish their own. It will be up here. At any rate, they are meeting and have met with the judges. Two of them are judges appointments and one of them is our appointment. They are moving forward to have this come into place with next year's budget.

Richard Helzerman: Okay. The issue that I'm adding to it, if you want to leave those things, is the incentive for the public defender, if he gets the guy out of jail and gets the case settled, that he gets—

President Jerrel: Well, we have to follow some state tax rules on the use of taxpayers money. We have to follow some of those rules, so we aren't at liberty to make proposals or give rewards and incentives with money from the general public. That's not how we can use it. That would take a lot of investigating and a lot of review before we could ever do that.

Commissioner Mourdock: And that's true, not unique to this area of the courts, to everything we have. I regret that it's not as easily done as what your suggesting because it's been an amazing thing, you can take four and five year olds and give them a quarter a week for four weeks and at the end of four weeks, they totally understand the whole concept of money. It never has to be explained again. It isn't something that's as easily implemented under our current state regulations.

Richard Helzerman: Well, if I can show to you the laws that would allow it, would you entertain it? That's the question?

President Jerrel: Well, you don't have the laws that would allow it. Part of these are in flux anyway with the new reassessment that's coming down in terms of the collective funds. We haven't had our budget hearings. The Auditor's Office

oversees that, and I'm sure the Auditor could give you the name of the person to contact, but it's not one of us.

Richard Helzerman: Oh yes, I understand.

President Jerrel: You'd have to go higher up, but we are proceeding with many of the other issues you discussed. They will present for approval their budget and their proposal for next year. They'll do it Friday at 9:00 a.m.

Richard Helzerman: I'd just like to add, if you are under the impression that the public defenders are doing a good job, I wish you would go and talk to the people in the jail. See how long they go without any contact. I talked to Glen Gramp, I don't know if you know him, but he said that he was there in court one day and there were ten of these poor people who had been in jail for months and months and months and this was the first time they saw the plea agreement. They get to look at it, and they have to say do I accept it or not? In the paper today, or just recently, there was a guy in Illinois that the police stopped and found a thing in his coat pocket that had some white crumbs in it. They accused him and he sat in jail for a long time. Finally pleaded guilty to get out. As he was pleading guilty, the test results came back that it was bread crumbs. He had borrowed his brother's coat and ...you get all kinds of guilty pleas here where people aren't guilty simply because they are stuck in jail. It's very, very evil. The whole system is evil. They get stuck in jail where they are suppose to be considered innocent until proven guilty.

President Jerrel: This is one small piece of a much, much bigger issue. A lot of people have been working very diligently on this and it's...we had confidence in them and appointed them, the judges appointed them. They've made a decision and they've presented it to us and now they are moving on with a plan to go to the state. I think we have to have confidence enough to let them complete their assignment.

Richard Helzerman: I appreciate the attention that you've given to this issue. Progress is being made, but I think that I'm the only one who believes that the jail has enough beds in it, if the other system things could be taken care of. Thank you.

John Stoll - County Engineer

President Jerrel: At this time we have our department head reports. County Engineer?

John Stoll: First I have a request from Bernardin Lochmueller to increase the appraisal costs of parcel number 32 on Eickhoff/Koressel from \$500 dollars to \$1380 dollars. The reason for this is that originally it was thought that a short form appraisal could be done for \$500 dollars, but those have a maximum dollar figure before you have to jump up to...I'm sorry, I have it reversed. Originally thought they could do the value finding appraisal and those have a dollar cap on them. If there is too high a dollar value associated, it has to jump up to a short form appraisal. So, in regards to that, it's recommended that this increase in appraisal costs from \$500 to \$1380 dollars be approved for parcel number 32.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got a request from Bernardin Lochmueller on the Burkhardt Road project. This is for parcel number 16. They have contacted the owner of that property, and the owner has requested modifications to the driveway. In conjunction with that, they would accept the offer that has currently been made on the parcel. The increase they were requesting for the driveway modifications is an increase of \$859 dollars. If this gets the parcel settled then it's well worth it. It's recommended that this be approved as well.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got an encroachment agreement from the Audubon Estates Neighborhood Association. This Neighborhood Association wants to install a water service and a water faucet in the median on Plaza Drive at Covert Avenue in Audubon Estates. This is for the purpose of watering the landscaping that they have installed out there in that median. I've worked with Joe in getting the agreement in suitable format. The agreement has been signed off on by the President of the Homeowner Association, and it's recommended that this encroachment agreement be approved.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got street plans for Section 2 of Spring Park Subdivision. Spring Park is located on Booker Road. This section of Spring Park is just an extension of two small cul-de-sac streets. The streets don't even have any inlets. They drain to previously constructed portions of Spring Park. The streets are curb and gutter asphalt streets. It's recommended that these street plans be given approval.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The final item that I've got is also a street plan approval request. This is for Ivy Meadow Subdivision. This is a subdivision located just south of the Oak Hill Barrett Law sewer. This is the 44 lot sub that all the comments were made about back at final hearing on that project. The subdivision will only have one access point, the street will come in off of Oak Hill Road. On Oak Hill there will be no southbound deceleration lane because there was no right-of-way documented on the parcel immediately north of the entrance. There will be a passing blister installed on the east side of Oak Hill because there was right-of-way documented along that section of the road. Here again, I believe they are going to be asphalt. They are

curb and gutter. It is recommended that these plans be approved.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

Joe Harrison, Jr. - County Attorney
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President Jerrel: So ordered. Erik is not here this evening. He had called and had another engagement he needed to attend. County Attorney?

Joe Harrison, Jr.: There were two billboards off Lynch Road that had to be removed in connection with the Burkhardt Road/Lynch Road extension...I guess it's the extension of Lynch Road...Lynch and 164. Those billboards have now been moved by Lamar pursuant to an agreement that the county had with Mr. Woodward. I think they were moved Friday. Also, as far as the jail is concerned, the population, Eric just provided me with a listing as of today, as of 5:00 p.m. there are 283 prisoners in the jail. As a matter of fact, on the 19th there were 269 in the jail. That was probably the lowest figure that we've had recently, isn't it?

Eric Williams: Kind of like a holiday.

Joe Harrison, Jr.: Anyway, I've been providing this information to Ken Falk with ICLU pursuant with our Memorandum of Understanding. Eric has done a great job of providing me with a list of inmates in the jail, everyday at 6:00 since July 10th. I've got that list if you all want to see that just to see what I'm providing to the ICLU. I'll pass three of those down. Other than that, I believe that's all I've got this evening.

Tony Greubel - County Buildings
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President Jerrel: Superintendent of County Buildings?

Tony Greubel: I submitted a late pink slip for Commissioner Jerrel to go to Indianapolis for the AIC Legislative Conference meeting.

President Jerrel: It is the Chairman of the Judiciary Committee.

Commissioner Tuley: It's not a pink slip either, is it?

President Jerrel: No.

Tony Greubel: Did I say pink slip? Travel request. I did submit two pink slips from the county Council late for buyouts...employee buyouts. That's it.

Commissioner Mourdock: I'll move that the travel request be added to the consent items.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Steve Craig - Burdette Park

President Jerrel: Burdette Park?

Steve Craig: I'd just like to thank the Commissioners for recognizing what the West Side Nut Club did do. That was very nice of you. They've help us over the years a lot and other than me saying thank you and putting West Side Nut Club on our marque, they've really not got any recognition that they did deserve. I appreciate that. Other than that and my worksheet, I really don't have a lot except the park has been packed. The pool has been a little slow because of the weather, but the rest of the park has been really busy.

President Jerrel: How many more days until school starts?

Commissioner Tuley: Three weeks.

President Jerrel: Gotta get them in.

Steve Craig: It's suppose to be to 90 before the weekend so that will help.

Commissioner Mourdock: I would venture to say that you are the only person in Vanderburgh County who in the last week of July is complaining because it's in the low 80's and high 70's.

Steve Craig: Yes, I probably am.

President Jerrel: Thanks for keeping us informed about the Nut Club.

Steve Craig: Thank you.

President Jerrel: Okay. We have two other reports. Is there a motion to accept all of them?

Commissioner Mourdock: I move that we accept the Soil and Water Conservation report and the Ozone Officer's report along with the other department head reports.

Commissioner Tuley: And I'll second.

Consent Items

President Jerrel: So ordered. Consent items?

Commissioner Mourdock: I'll move approval of the consent items with the one addition, actually two additions.

President Jerrel: We have the Sheriff's Department release, two buyouts and—

Commissioner Mourdock: Let me just do that. I would move that we add the Sheriff's Department late entry and the buyout forms to the consent package.

Commissioner Tuley: The only question I have on the consent items is on this one from the highway, it says on this individual "medical evaluation requested." Is he, what's his status?

President Jerrel: Eric isn't here so I'll tell you what that is. We have an employee that has used all of their time and been off. The reason they needed this is that this time he's been off the entire period, pay period—

Commissioner Tuley: Is that since 7/7 or 7/6? I really can't tell. Is it basically subject to a medical evaluation that says he is fit to work, otherwise he is off until such time?

President Jerrel: Something has to occur.

Commissioner Tuley: Right, I just want to make sure I'm clear on what we are doing.

President Jerrel: The Auditor's Office suggested that we needed something documenting because this time he didn't even come in to work to get one day's pay. We need to have either what the situation is...because of the time off, Eric had requested that we have a physical evaluation done.

Commissioner Tuley: Okay, okay.

President Jerrel: He talked with the Union people.

Commissioner Tuley: And they are okay with it as well?

President Jerrel: Yes.

Commissioner Tuley: Okay, I'll second the motion.

Commissioner Mourdock: Okay, you need to do a so ordered, I guess.

President Jerrel: So ordered.

Commissioner Mourdock: And I'll do approval of consent items as filed with those additions.

Commissioner Tuley: Second.

President Jerrel: Okay. We do have a resignation letter and a pink slip for Randy Giles. It's in here. And a letter from the Commissioners. Okay, so I'll say so ordered if those are all in there.¹

Commissioner Tuley: That was all part of the addition of the consent motion.

Commissioner Mourdock: Let me add one quick note. I couldn't help but chuckle at what we got from Loretta Townsend. Did you notice that under the time device, she has all this in her monthly and weekly report under time devices...celebrated everyone's birthday in July, went to the adult bookstores. I don't know if there was a connection there or not, but that looked very peculiar to me.

¹See page 21 for a listing of consent items

President Jerrel: Well, she takes them out.

Commissioner Mourdock: Apparently so. I'm glad someone is.

Commissioner Tuley: Always interesting reading.

Commissioner Mourdock: Always interesting reading with Loretta.

Old Business

President Jerrel: Is there any old business?

Commissioner Mourdock: Yes. One bit of old business, and this is jail related. I've spoken with Chief Deputy Williams and also the County Clerk, Marsha Abell, as you know sometime back the county hired, officially through the auspice of Community Corrections, a couple bail bonds people who were to help alleviate the jail overcrowding situation. Through the course of all that's happened there and with the reassignment of the Community Correction from the Court to the Sheriff's office and with some question of efficiency of the bail bond review people in their assigned task, Judge Heldt has asked that those people be reassigned to doing the pre-sentence reviews. The updated job descriptions have been approved at this point by the job study committee. With that, the funding that Marsha Abell had originally put in place from the Bond and Fine Fund was used to pay for those people, is still being used to pay for those people. Right now, we are absent the services of the bail bond review people. As I understand it, we are required by statute that we have to be offering that service. The Clerk, Ms. Abell, is willing...ready, willing and able to have a couple of her people do that task in addition to their regular duties for up to 60 days. At the end of that 60 days, Deputy Williams is saying the Sheriff's Department could be in place to do that. I should add also that, at this point, Vanderburgh County is the only county in the state where the Sheriff's Department does not routinely do those bond reviews as part of their function. So, all that having been said, I would like to make a Council call, basically, on behalf of the Clerk's Office with the support of the Commission to say that we would like to put 60 days funding in place, up to a maximum of \$5,000, to allow the County Clerk's people to step into the breach for the next 60 days and do that task. Both the bail bond review and the pre-sentencing work that those people are going to be doing, both have a role to play in keeping the number at the jail low so we really need to keep both of those functions going simultaneously. So that is a bit of a request, if you will, to go ahead and do that with the Council call to make sure that they would be agreeable with that \$5,000 dollars. At the end of the 60 days, Deputy Williams believes that we would have funding in place from the Council to take care of the rest of the year. Basically, from October 1st on and perhaps even earlier, but then they would certainly have that in their budget for next year as well.

President Jerrel: Have you submitted something to the Council yet?

Eric Williams: I'll be going before Council Wednesday.

President Jerrel: Tony you heard all that. The 15th of August is the earliest we can file this, and the money wouldn't be available to her until September.

Commissioner Mourdock: We will need to work with Council to see if they would

approve it in a (Inaudible.).

Suzanne Crouch: (Inaudible.) and then do an appropriation and put the money back.

President Jerrel: Would you call her in the morning?

Commissioner Mourdock: That would work.

Commissioner Tuley: Just a question, Eric, would your request be adding new deputies or would you do this with existing personnel that are assigned to the jail?

Eric Williams: Eric Williams, Sheriff's Office. No, our proposal is that we've requested our funding to provide an incentive to existing employees in the jail to take over the bonding responsibilities.

President Jerrel: The money would go to the employees or to the supervisors?

Eric Williams: Supervisors. Supervisors are going to be directed to do the bonding. It's going to be a function of the nine Sargents and two Lieutenants that are up there.

Commissioner Mourdock: Since the word incentive has been used twice tonight, let me point out that it's not quite an incentive in the sense of performance based for every one they roll out they get some bonus. It's basically...the \$2,000 dollars is to cover the extra hours they would be working to do that task.

Commissioner Tuley: This is what we saw when we were in Colorado, wasn't it?

Eric Williams: Very similar. Like Commissioner Mourdock said, there are very, very few Sheriff's Offices, we haven't found any yet in the state that don't do the non-business hour bonding on behalf of the courts or clerk's office.

Commissioner Tuley: And that makes all the sense in the world so I'll second the motion.

President Jerrel: So ordered.

New Business

President Jerrel: New business.

Commissioner Tuley: None here.

President Jerrel: Hearing none, I'll call for a motion to adjourn.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Meeting adjourned at 6:44 p.m.

CONSENT ITEMS:

Employment Changes:

Prosecutor	Recorder	Clerk
Voters Registration	Burdette Park	Sheriff
County Council	County Highway	

Travel Requests:

Commissioners	Pigeon Assessor	County Highway
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Auditor:

Submit Barrett Law Assessment Forms

Treasurer:

Submit Monthly Report

Weights & Measurers:

Submit Monthly Report

County Clerk:

Submit Monthly Report

Area Plan Commission:

Declare copier surplus

Sheriff:

Submit Weekly Jail Information Reports
Two Buyout Forms

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
John Stoll	Steve Craig	Eric Williams
Richard Helzerman	Les Shively	D.G. Fehrenbacher
Blaine Oliver	Barbara Cunningham	Dan Buck
Keith Poff	Tony Greubel	
Others Unidentified	Members of Media	

APPROVAL:

VANDEBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
July 31, 2000**

The Board of Commissioners of Vanderburgh County met in session this 31st day of July at 6:38 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Vanderburgh County Board of Commissioners meeting to order. At this time I would like to introduce the people before you this evening. On my far right, Tony Greubel, Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley; Jane Laib, our Recording Secretary; Auditor, Suzanne Crouch; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. Will you join me in the Pledge of Allegiance.

Approval of Minutes

President Jerrel: The first item on the agenda is the approval of the minutes of the July 24th meeting.

Commissioner Mourdock: I'll move approval of those minutes as submitted.

Commissioner Tuley: Second.

Certification of Executive Session

President Jerrel: So ordered. The next is the certification of the Executive Session.

Commissioner Mourdock: I'll move approval of the summary minutes of tonight's Executive Session that began at 4:50 p.m. and ended at 5:30 p.m. Dealt with county personnel issues and pending litigation of the county.

Commissioner Tuley: Second.

Treasurer - Open Bids for Two Year Cash Management Contract
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President Jerrel: So ordered. The next item on the agenda is the Treasurer to accept the bids and is there a motion to open the bids?

Commissioner Mourdock: I would move the opening of the bids for the two year cash management contract.

Commissioner Tuley: Second.

Joanne Alexandrovich - Approve Air Pollution Control Board Statement

President Jerrel: So ordered and we'll read those into the record. Next, is our Ozone Officer.

Joanne Alexandrovich: My name is Joanne Alexandrovich, and you know I'm the Ozone Officer. In your packets tonight, you should have a copy of text that I would like to present on Wednesday to the Air Pollution Control Board, and a memo explaining why I think the comments that I want to make are reasonable. To keep this short, I'm here to ask you tonight permission to present this position to the Board as an agent of the Commissioners. I'll take questions or explain my position more, if you'd like.

President Jerrel: Would you want to, just for the benefit of everyone here, hit just the high points of your presentation so they are aware ...

Joanne Alexandrovich: I can kind of summarize that. Some of them get a little more specific to the rule and all the issues. There are two reasons why I think that the preliminary adoption of these NOx reduction rules are inappropriate which is what I would like to ask the board. First, they are inadequate. They don't ask for enough controls as required by the NOx SIP Call. I also wrote in the memo that "As far as I know, all the litigation against the NOx SIP Call has been settled. Secondly, I think the rules are an inefficient waste of time, energy, and money because, at this time, they are pursuing two separate sets of NOx reduction rules.

President Jerrel: When is that anticipated to come to an end?

Joanne Alexandrovich: Well, their current reasoning for pushing these rules is to provide emissions reductions to bring the Louisville and Chicago areas of the Indiana counties into attainment of the one hour standard. By EPA requirement, they need to have that in place by December of this year. If they don't get it, then perhaps both of those areas will be bumped up to a higher level of non-attainment which would require maybe more local NOx, local VOC controls in those areas.

Commissioner Mourdock: If you would, Joanne, talk for a moment or two about what you labeled in this as a bit of hypocrisy that you see here. I'll let you state it. I was going to take a shot at it, but you go ahead and give it a try.

Joanne Alexandrovich: Um, Um. There's a lot of reasoning and arguments made for different cases or needs to control air pollution. In this particular case, IDEM is saying that we need to make regional controls of NOx, which means mainly power plants and large industry, to get just those two small areas into attainment. Essentially what they are saying is that local NOx emissions from Southwest Indiana effect Southeast Indiana and Northwest Indiana. I see some hypocrisy there because we can't even get them to even agree or concede that local neighboring counties to us are effecting our air quality.

Commissioner Mourdock: So we're effecting everyone else, but nobody's effecting us.

Joanne Alexandrovich: Yeah.

Commissioner Mourdock: I don't understand the science of that one. You also made the point, did you not, that in Jefferson and Clark Counties were VOC reductions—

Joanne Alexandrovich: Oh yeah. The Louisville non-attainment area is Clark and Floyd in Indiana and then Jefferson and a couple of partial counties in Kentucky. As part of on-going clean air act requirements, that non-attainment area needs to make reductions in VOC's. All of the VOC's that were reduced, which allowed them to get a 15 percent rate of progress, were in Kentucky. In fact, all the Indiana counties had increased emissions well beyond the targeted level including (Inaudible.)

Commissioner Mourdock: Increased VOC emissions as well as ozone levels, right?

Joanne Alexandrovich: The ozone levels have improved slightly. They were moderate and now they are down to marginal, if you look at the design values. So they did have improvement, but they didn't reach attainment.

Commissioner Mourdock: Okay, okay.

President Jerrel: So what do you think will be the reaction?

Joanne Alexandrovich: They might take us seriously. They might just go ahead and rubber stamp the rules or approve the rules. I think it's important for us to go on record with these objections, if you agree with them, because, after all, the actions of IDEM do affect us.

President Jerrel: Aren't we really, once again, calling to their attention that we do not live in a little box down here?

Joanne Alexandrovich: Yes.

Commissioner Mourdock: I think that's it exactly. I think the questions that Joanne raises here and the point she makes, while they might not be specific to the air quality of Vanderburgh County, they certainly reflect on the way that IDEM is approaching the rules that are out there. They are trying a one size fits all when it's convenient for them, but at other times, they try to make us react differently.

Joanne Alexandrovich: In fact, that's a good analogy, "One size fits all" because they argued to the US EPA that that's not acceptable for the State of Indiana, but then they force that on us. They are doing the one size fits all for a smaller jurisdiction.

Commissioner Tuley: The only comment I'd make, Joanne, is when you go up there if you will stick to the script that you've written here and not put up words that cause block walls to go up such as irresponsible, hypocrisy, and those kinds of words. As soon as I hear those kinds of words, a wall goes up here. Just stick to the facts and information provided in your comments which, I think, are very good and to the point.

Joanne Alexandrovich: There are a couple of grammatical and punctuation errors, but that's all I would change. I would not use those terms.

President Jerrel: I think the written material for them is fine, but you've colored it a little for us, and I think that's appropriate.

Commissioner Mourdock: You should have seen the first draft.

President Jerrel: I guarantee you, you should have. Is there a motion to this effect?

Commissioner Mourdock: With Pat's comments, that's a very good point because certainly, when you shove a sharp stick in someone's eye, it's hard to get sympathetic understanding thereafter. I do believe the points you've made here are right on, and it's something that we need to continue to express in two ways. Number one, Vanderburgh County government is concerned about it's air quality, and number two, we have someone on board with the technical capabilities of fully understanding what the rules are about and what's happening with air quality. Which is why you're there, Joanne. I would move then that the three pages of her document that is presented to us, actually just about a page and a quarter, be presented to the Air Quality Control Board.

Commissioner Tuley: I will Second.

President Jerrel: So ordered.

Joanne Alexandrovich: Thank you.

GIS Subcommittee - Presentation on Pilot Project

President Jerrel: The next item on the agenda is the GIS Subcommittee and Roger Lehman is here.

Roger Lehman: As promised seemingly years ago, but I guess it was just a few months. We wish to keep the commissioners up to date on the status of our GIS Program. If I could ask somebody to close the curtains, sorry about that, we would appreciate that. We want to give you a brief summary of where we are at. I won't go into the history because you all are intimately familiar with that. This is a pilot area of two square miles that is...will be an example of what we will have across the county within a few months. The delivery date on this is in October. Commissioner Jerrel has seen this probably more than once, but I don't believe the other two commissioners have had the opportunity, so we want to do this for you to provide a little thumbnail update of what's going on. I'm going to introduce Philip Bernard from the Assessor's Office who is our computer guru, at the time. He has the pilot program here which shows the different features that we have obtained for the pilot area and will have obtained for the entire county come October. Again, this is the project that was funded by the City Council to the tune of \$400,000 dollars. Phil?

Philip Bernard: Okay, I'm waiting for the computer to catch up with me here.

President Jerrel: Do you want to give him the mike? I think it will come out of there. This is part of our minutes.

Philip Bernard: What we have here is, as Roger said, a two square mile pilot area. To give you an idea of what we are looking at, this is Lynch Road with Green River on this side and this is Oak Hill running through the middle. This is taken from an aerial photograph that was done March 17th. They've taken, I believe, eight of the contact prints, scanned them into a computer, and created these two images that are being used as a base map. Now with GIS, they take the base map and they start adding layers of data on top of it. The two layers that have been added here are the street network and street center lines. This gives us an idea of where roads are

running, and if we click this off here, you can get a better idea of the streets in this area. Here we've added the contour layers. This shows elevation and changes in elevation. The bright orange area is the high point on this map running more or less with Oak Hill, the low point here draining into Pigeon Creek. We can zoom in here. This is the intersection of Lynch and Oak Hill. We start to get an idea of the quality of the image. Unfortunately, it takes a little while to load. Here we can get in a little tighter. In October, we are going to get the final deliverable on this product and the image quality will be even higher. These images have been scaled down so that they will fit on a CD easily. We can get, you can see a semi-truck there. Looks like a SUV and a car going this way. We are going through a projector here, but if you are looking at this on a computer monitor, you can see which way people mow their lawn, up and down; north and south; east and west. The real strength of GIS is the ability it has to make information useful. Right now, since this is just the pilot, we don't have too much information underneath the map. One bit of information we have is hydrology. That's standing bodies of water, lakes, ponds and so forth. We can ask the computer to show us all the lakes with an area greater than 75,000 square feet in this area, and there's one such lake. We can zoom. Let me get this out of your way. There it is. In the final product, the number of queries you can run are limited to the layers of data in your imagination. You can sort parcels by assessed value. You can look for rapid changes in elevation or not so rapid changes in elevation, if you're looking for flat, undeveloped land. When the Water Department gets water and sewer lines, you can look for openings or unused portions of the water lines. Look for areas of the water lines that have more diameter so they can offer greater capacity. The combinations are just endless. Again, we are looking at Lynch Road here and this is the Day School just to give you an idea of what we are looking at. As Roger said, this is just a pilot. Just a taste of what we are going to get. In October we are going to get the entire county deliverable on this portion of the project. Right now we are looking at getting the contracts drawn up for the parcel line conversion. Taking the maps in the Assessors Office's and putting them in digital, usable format so that we can lay them over this map and get some useful information out of it.

President Jerrel: Just a comment, Philip, which might be of interest to others. Where this has been done in other areas, the actual parcel lines when they're installed often end up showing land that really nobody owns. In other words, it isn't all just lines that neatly fall into place. You're going to find that there may be overlap or there may be considerable number of spots where there's nothing identified.

Philip Bernard: That's very true, especially in a situation like ours where we are going from hand-drawn paper maps that are at who knows what scale to these digital maps that are at a perfect 1 to 100 – 1 inch equals 100 foot scale with an accuracy of within six inches. We are going to find undershoots and overshoots that are going to be corrected over time. Eventually, we are going to have every square inch of this county accounted for.

Commissioner Mourdock: How is that going to be done systematically? By that, I mean, you may have a hand plotted map now in the Assessor's office, but when a chain of title is run on that and you find out there's a gap or overlap, will each of those be corrected or made right at that point, or is the county looking to do anything systematically with that?

Philip Bernard: The way the vendor...They take our maps and scan them and they draw the lines on the picture here. Let's move over to a slightly more residential

district. You see areas like this and it's pretty clear who's going to own what. In more open areas of land where they have questions of these undershoots and overshoots, as they deliver the final products, we are going to have them quality controlled. They are going to highlight the areas where they have questions. Through the quality control process they are going to go back through the deeds and source documents to the various maps they are using to correct as many of these mistakes as they can catch. They are fully aware that they are going to catch quite a few mistakes. It's built into the process. The vendor we are working with has done projects like this all around the country so they are use to—they've run into every situation imaginable. They are well prepared for what we are going to give them.

Commissioner Mourdock: But the county won't be playing any roll, in what you're calling the stakes, I'm just calling survey description, the county is not going to be playing any role in getting those changed on individual titles I trust.

Philip Bernard: We won't be making any changes to the existing—

Commissioner Mourdock: Or giving notice of those?

Roger Lehman: I'm not sure if this will answer your question totally. What this will provide is a list of the problems. So we'll have a list of perhaps a thousand problems. That list will be used when property changes hands. First of all, the list will be looked for property that nobody owns. Somebody does own it, but somebody's probably not paying taxes on it. That will be taken care of immediately and the other problems will be handled at property exchange times is the plan. In other words, were not going to make a considered effort to go out and clean all this stuff up and make you move you line over six inches or whatever. We will have a list of all that stuff so when your property comes up for sale, when the deed for title is transferred or there's a subdivision or some such thing, then that will be looked at, at that time, and an attempt will be made at that time to correct the errors. There will be too many to do and it's not practical. I don't know if that helps a little bit there. Does anyone else have any questions? Is it okay if we take questions from them?

President Jerrel: Sure.

Joanne Alexandrovich: Joanne Alexandrovich. I have two questions. I was curious as to what was the source of your contour lines?

Roger Lehman: Contour lines were created from the ortho photography and that is a process that by using different focus' on the camera. If the layer is in focus at this particular camera setting then the elevation is relative to the whole picture, you know, either higher or lower. They also are ground controlled. In other words, we have GPS controlled 30 points on the ground that the plane, as it's flying, has references to these three points, and we know the elevation of those exactly. That is also built into the formula. It's not something I can explain frankly. It's the highest technology available today. You will be able to, on the final project not on the pilot, you'll be able to turn the ground sideways and look at it in three dimensional view.

Joanne Alexandrovich: I was just wondering if the U.S. (Inaudible.) could use anything with some of their digital elevation models and use that data?

Roger Lehman: The U.S.G.S. is doing a couple of pilot projects here actually through our Southwest Indiana Disaster Resistant Community Corporation. They will use

some of our data. Most of our data is too good for them. When I say that, I mean it's too detailed. The scale is too large or small, whichever way that goes. They deal with one inch equals 12,000 feet, and we deal with one inch equals 100 feet. So a lot of their information is not directly useful, and a lot of ours isn't directly useful to them. The pilot project they are running on the soils right now, which is not soils type but rather soil content relative to size mic hazard. They are going to do our county at our scale. The surrounding counties will be at the 12,000 scale, but ours will be at the 100 foot scale as a pilot project. Yes sir?

Bill Wittekindt: I noticed in one of the pictures there they had Lynch Road, a semi-truck and SUV. Can they get enough detail that you can tell the make and model of those vehicles?

Roger Lehman: Probably so. Six inch scale means that each of the boxes will be equivalent to six inches on the ground so you'll be able to get close. Of course, that happened on March 17th so it's probably still not there. Some of the cars in the county though like the sheriff's will still be there. We can deal with those. I did want to make a couple of comments. One is that we did a little trial thing with our consultant, Kathy McCarter, and overlaid the TIGER maps, I don't know if you all are familiar with that, but it's a federally provided map of streets for the whole country. Just in this one area we overlaid, we don't have that on here, but we overlaid that on here and used the real streets and then turned everything else off except for the TIGER streets and the real streets and there were hundreds of discrepancies just in this two square miles. The streets were either far away from where they really were. I say far away meaning 50 feet or more, or there were streets on the TIGER files that didn't exist in reality or there are streets in reality that didn't exist in the TIGER file. That's another thing we will find. We are working with the County Engineer and City Engineer on their street survey and inventories. What streets are there? How many miles? The state, I think, pays some kind of money to us for the miles of streets, and we are missing several of those. That is an interesting thing too. That, of course, has to do with public safety and all those other things going on. Any other questions?

Joanne Alexandrovich: I have one other question. Our abstract has locations based on 50 feet from the corner of township 17 or whatever it is, are we going to be able to put that kind of information in there - get lots up there?

Roger Lehman: Yes, if you look at the board that's against the wall here, you probably can't see it real well, but it's got the parcel lines on it. That's the project we are trying to get under contract next week.

Joanne Alexandrovich: What I'm saying is that you're going to take it from the maps. What I'm saying is can you put lat/lon information?

Roger Lehman: This is lat/lon tied. Everything in here is lat/lon tied. When the street is on there, it will have a lat/lon for that street. When an intersection is in there, it will have a lat/lon for there. So everything is tied to lat/lon. Each of the parcels that's shown on the map on the board here, this is from another county, will have...you can move your cursor into the square created by the lot, click your mouse, and you'll be able to pull up a whole set of data on that lot. The house, the address, the owner's name, mailing address, size of house, everything the Assessors have currently, and they've got on the internet already, will be available on this file. Incidentally, this program is going to be on the internet via the public library. They have agreed to

sponsor this. So what will happen is that we will keep the data in the sewer and water utility as the base for our GIS. That data, on a daily or weekly basis, will be carried to the library on disk, and the internet access by the public will be through the library. They will be able to access all this data. It's going to be a very nice project.

Commissioner Mourdock: Roger, you said it's tied latitude/longitude, is it tied to that or is it tied to state plane coordinates?

Roger Lehman: State plane coordinates is the basis for the elevation and the lat/lon is my understanding.

President Jerrel: For people here that maybe don't understand, the flyover is done to take these pictures when there are no trees and leaves on the trees, nothing to keep the view from being clearly available. Also, the points are there then you can see it all. It's a very small window when you can do this.

Roger Lehman: Some of you probably saw the marks on the street too, the x's and arrows. Those were pointing at points that were GPS, which is global positioning where they set a marker on there and they know the exact elevation and the exact latitude and longitude and those are the control points. What we are doing, as part of this project, that wasn't initially part of the project, is trying to tie in many more of those points than we had initially so we'll have very accurate information in a much larger area than just the control points we used for the flyover.

Bill Wittekindt: For people that don't have computers, can they come down to the Assessor's office and look?

Roger Lehman: The plan is to have some monitors and...to have computer access in different places in the building. I'm sure the Assessor's would have one, Plan Commission, our office. Where someone could come to the counter and look things up themselves.

President Jerrel: And the library.

Roger Lehman: And the library, of course. Library would be the primary source. We hope everybody goes there, but they're always welcome to come here too. Anyway, the side benefit of this is that if it's available on the computer, if you have one in your office or home, you'll be able to look all this stuff up yourself instead of driving all the way down here, finding a parking place, looking for it, or calling us up and asking us to look it up for you, and then tell you on the phone what it is rather than look at it in a picture.

Commissioner Mourdock: Five years from now which office of county government will not be working with it?

Roger Lehman: None. This will be the way of doing business for sure. If there's no other questions, that's all I have. Just for the Commissioners information, we are still negotiating on the parcel map contour lines and, I mean parcel lines. Going to Council sometime this week to see what we can do there. Then we'll finish negotiations directly after that.

Eagle Plaza - First Reading/Public Hearing

President Jerrel: Thank you very much. Philip, thank you very much. While their dismantling, Steve, could you open one of those? We are going to move on to the first reading and public hearing for the petition for the vacation of right-of-way for Lot 16 in Eagle Plaza.

Bret Sermersheim: My name is Bret Sermersheim. I'm with Morley and Associates. We are representing Evansville Hotel Ventures, Inc. There's a Baymont Inn that's being constructed on this lot. The west line of the Baymont Inn is placed on the west property line of Lot 16 which causes the footers to extend into the right-of-way or extend into the public utility easement so we are wishing to vacate 16 inches is where the footers would be.

Commissioner Mourdock: May I see the map, please?

Bret Sermersheim: Yes. This is the site plan.

Commissioner Mourdock: I just need to know roughly where this is located. Is this part of Eagle Crest?

Bret Sermersheim: Eagle Plaza. It's over on the west side.

President Jerrel: Did you turn in the actual petition with this map to—

Bret Sermersheim: This is just the site plan.

President Jerrel: We need more information than this for the minutes of our meeting. I'm going to let each of the Commissioners look at this. Is that what you have? He let Pat... just want to look at the map.

Commissioner Mourdock: I thought it was part of over on the east side. I was going to have a conflict of interest in that, but I don't. Did you send out the required public notices?

Councilmember Smith: There were three adjoiners. It might show four on there but one of them was combined into...We turned in the green cards into the Auditor on Friday.

President Jerrel: Do you have those Jane?

Jane Laib: Yes, I do but not on David and Yvonne Miller.

Bret Sermersheim: Have they not returned theirs?

Jane Laib: No. The only thing I have is the certified notice saying it did go, but we did not get a green card back.

Commissioner Mourdock: Just for the record since this is a public hearing, is there anyone else here to speak on this particular issue? And for the record, I see none.

President Jerrel: Is there a motion on first reading and we'll set a date...next Monday?

Commissioner Mourdock: On first reading, I would move approval of the Petition of the Public Right-of-Way for Lot 16 Eagle Plaza Subdivision as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: And I would move for final hearing date of August 7, 2000.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Bret Sermersheim: Thank you.

Any Group or Individual Wishing to Address the Board

President Jerrel: At this time we have anyone who wishes to appear before the board. Yes.

Bill Wittekindt: For the record, my name is Bill Wittekindt. I live at 12431 Red Gate Road. I'm here to continue our discussion about the problem on Browning Road that we talked about with the Drainage Board.

Commissioner Mourdock: Okay. Since—as President of the Drainage Board let me open the discussion here, Bill. I understand that you have signed now the temporary easement to allow the county to do the work on the other issue.

Bill Wittekindt: I have signed it and gave the agreement to Mr. Bill Higgins, and he gave it to Mr. Stoll, I believe. Is that right, John?

Commissioner Mourdock: Okay. So the other issue then that we need to discuss, that we basically deferred from the Drainage Board meeting, is how the county can deal with the situation. Just to refresh everyone's memories, the county unknownly did some ditch excavation and property along Browning Road that they thought was right-of-way dedicated to the county when, in fact, the deed does not show any right-of-way dedicated to the county. Is that accurate?

Joe Harrison, Jr.: It's my understanding...It's probably happened a couple times over the last many years, hasn't it?

Bill Wittekindt: What?

Commissioner Mourdock: Where the county cleaned out the ditch that—

Bill Wittekindt: There was no ditch there. It was a swale.

Commissioner Mourdock: So the county's only been there one time?

Bill Wittekindt: One time, right.

Joe Harrison, Jr.: And do you know when that was?

Bill Wittekindt: It was about a year and a half to two years—summers ago.

Commissioner Mourdock: And the problem now is that you are no longer able to maintain that for mowing because it's been dug out—

Bill Wittekindt: It's dug out too much. Before it was a swale. I could take my bush hog and go right up to the road and then come on down.

Commissioner Mourdock: Your request is?

Bill Wittekindt: If we can fill it in or put a pipe and then fill the pipe up. I'm reasonable so I can mow it. Without hand mowing it.

Commissioner Mourdock: Erik, are you familiar with this situation? Have you and John spoke about it?

Erik Bentle: He is just explaining it to me now.

Commissioner Mourdock: Why don't both of you come on up here and be close to the microphone then so we can work through this and see where we go.

Erik Bentle: The way I understand it now is that the ditch is just too deep.

Bill Wittekindt: Yes. The highway department came out about two years ago and they had this, what I call a backhoe on a full truck, and they dug it out.

Erik Bentle: The gradall, yes.

Bill Wittekindt: They dug it out real deep. Now, Mr. Stoll can attest to this, if you get too close of it with a tractor, you're going to turn over. I guarantee it.

Erik Bentle: Is there a pipe down the way that is sitting that deep?

Bill Wittekindt: There is a culvert. You dug all the way, when I speak of you I'm mean the county, from Hunter's Ridge Road south. They removed the culvert and they kept on digging until they got to Alexander's drive-way.

Erik Bentle: My question is, is there a culvert down there that sits that deep all ready?

Bill Wittekindt: Yes.

Erik Bentle: Then they had to dig the ditch line to the bottom of that culvert, right?

Bill Wittekindt: They took the old culvert out, dug it, and put the culvert back in.

Erik Bentle: Is the culvert sitting even with the bottom of the ditch now?

Bill Wittekindt: Yes, pretty well.

Erik Bentle: Then it, basically, has to sit like that for drainage.

John Stoll: What it appears to me was they matched the elevation of the ditch, the

pipe that runs underneath Browning Road, between Hunter's Ridge and the pipe that lies under Browning Road, they just set a flat grade in through there. You're talking about the pipe they reset is field access pipe.

Erik Bentle: What I'm saying is, if there is one that goes under the road and it's set at that elevation, they have to match the ditch up to that pipe for drainage, proper drainage. If the ditch is higher than the pipe, it doesn't serve a purpose.

Bill Wittekindt: I know. I know. What is your question, sir?

Commissioner Mourdock: I don't think the question, Erik, is not necessarily the bottom, lets not argue over the words here. Is it a swale or ditch, whatever. That's exactly it, John, side slopes are the issue. Mr. Wittekindt would like to have this so that he could mow it and maintain it.

Erik Bentle: So there's no shoulder on it right now, is that what you're saying?

Commissioner Mourdock: Yes. The shoulder is reduced off of it so that instead of it being a ditch, it's basically an inverted C with very steep banks that's cut down on either side so it can be mowed. Is that accurate?

Erik Bentle: Okay, so all we need to do is build the shoulder up.

John Stoll: The back slope is not flat either. You'd have to rework the slopes on both sides. If you start cutting the slope back next to the road, you will end up with a drop off right off the pavement into the ditch and create a safety hazard.

Bill Wittekindt: You don't have much room there.

John Stoll: Right.

Commissioner Mourdock: Can we move it—Can we move the bottom point a little further from the road so that we don't have that problem of having it right next to the shoulder?

Erik Bentle: Then we get into an easement problem.

President Jerrel: We're into one anyway.

Commissioner Mourdock: We're into that now. That's what we are trying to resolve.

Bill Wittekindt: Why can't we do this, may I make a suggestion? I made this suggestion before at Drainage Board. Put a pipe...leave it where it is and put one of these large plastic pipes just straight through and put dirt over it.

John Stoll: I still think that could be a problem with not enough cover over the pipe.

President Jerrel: May I make a suggestion? We are committed to doing something to make you able to mow, but rather than try to decide it here in this room, let's let John and Erik, or Erik with some of his men and if you're there, and take a look at what we are talking about so they'll know.

Commissioner Mourdock: I would, since we're all making suggestions here, I'll make

one. You understand, Mr. Wittekindt, our concern is that we don't want a sharp drop off from the road where somebody drives over and the wheel drops in and that kind of thing. So, if you can work with us, and you have thus far and I appreciate it. If you can work with us to try to move it a little further off the road so that we on our side, on the road side, can more easily maintain and certainly you have something on your side that can be more easily maintained, I think that's what we both want, right?

Bill Wittekindt: Could we consider this, Mr. Stoll you said we wouldn't have enough dirt to cover it, dig it deeper and put the pipe in and cover it with dirt.

John Stoll: Then we'd be back in the same situation that Erik's talking about matching the other pipes.

Bill Wittekindt: Which pipe are you talking about now?

John Stoll: The one that crosses under Browning.

Bill Wittekindt: I thought that pipe was dead. That's why we are here.

John Stoll: After talking to Bill Jeffers, I had the understanding they were okay with just the normal day to day flow. It was just the heavy down pours that were causing him the problems. The overflow was going across the road rather than through the pond.

Bill Wittekindt: If the pipe would be cleaned out, the pipe was stopped up.

Erik Bentle: We can take care of that.

Commissioner Mourdock: Let me go back to Bettye Lou's suggestion here for a minute since we're not going to do the engineering right here, obviously. There is one thing we need—two things we need. Erik, if you would get with Mr. Wittekindt. Go out there and take a look at the site so you have first hand knowledge of it so you can come back to us next week with a suggestion as to how we can deal with this. Then, Mr. Wittekindt, I think you know from our discussion at the Drainage Board just as you've given us a temporary easement to do this other work, we will also need one of those for this work.

Bill Wittekindt: Make one up similar to what I just signed. Instead of stopping at 75 feet keep on going up to the south side of Hunter's Ridge Road.

Erik Bentle: If we redo the shoulder, we'll have to do that. You just can't do it part of the way.

Commissioner Mourdock: John, if you would work on that property description.

Bill Wittekindt: It comes out of the same legal that you had.

President Jerrel: Okay, so is there a motion to approve moving forward with this based upon all this that we have to do?

Commissioner Mourdock: I'll move that we direct the Superintendent of County Highways and the County Engineer to work with Mr. Wittekindt to review the site and draw up a temporary easement.

Commissioner Tuley: Second.

Treasurer - Read Bids for Two Year Cash Management Contract

President Jerrel: So ordered. Thank you. Okay, so that the Treasurer doesn't have to sit here, do you want to read those into–

Joe Harrison, Jr.: There were three responses submitted to the County Commissioners in connection with the Cash Management Services Proposal. I guess it was an RFP. There were three responses. I'll give you the yearly fee that was submitted by each of these financial institutions, however, there was other information set forth in the responses that will have to be taken into consideration when a recommendation is made on the selection.

Institution	Yearly Fee
Old National Bank	\$13,300.00
Integra Bank	\$9,000.00
Fifth Third Bank	\$12,000.00

I would ask that you take these three proposals under advisement and let the Treasurer come back with a recommendation.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

Any Group or Individual Wishing to Address the Board - Continued

President Jerrel: So ordered. Okay, now I'll go back and ask if there is any other group that would like to speak to us?

President Jerrel: Thank you Mr. Helzerman. She needed to leave.

Richard Helzerman: No problem. My name is Richard Helzerman and I'm here to speak to you about overcrowding at the County Jail. Last week the Courier & Press Staff Writer, Dave Hosick, wrote an article about Albert C. Falls. I was particularly interested in the article because he requested a speedy trial in February but was still sitting in jail waiting for a trial that's scheduled for August. According to the article, Chief Deputy Trial Prosecutor, Brett Niemeier said, "These two motions, a speedy trial and an insanity defense, conflict with one another. If you move for a competency evaluation, he has not right to a speedy trial." I went to the Clerk's office and printed out the docket sheet for Mr. Falls. On 6/15/99 the defendant was arrested. That's more than a year ago. He's been in custody for over one year. On 7/2/99 the defendant's attorney moved for a competency evaluation and the report was filed with the court 8/5/99, last year August. This is a delay that was caused by the defendant's motion of 35 days. However, this delay occurred before the request for the speedy trial. In fact, this delay ended fully 30 days before the omnibus date of September 9, 1999 last year and could not have contributed to any delay in the trial, since the trial must occur after the omnibus date. On 8/6/99 the state, not the

defendant, requested a hearing to determine competency. Now on 2/9, February 9 of this year, the court found the defendant competent. The defendant moves for a speedy trial, and a court date was set for 4/19/00 just barely within the 70 day limit. On 3/31 the defendant's lawyer states that he did not want to vacate the trial date. There was pressure put on him to change the date. He resisted it but on 4/4 the court vacated the trial date because the defendant was not evaluated for sanity at the time of the crime. Something that was supposed to have been done last year. This evaluation was ordered by the court 6/18/99, three days after the defendant was taken into custody. The report ordered was submitted to the courts 7/27/99 last year, less than 40 days after it was ordered. This was more than 30 days before the omnibus date of September 9, 1999. The fact that the speedy trial date was delayed due to lack of proper psychiatric evaluation was caused by errors beyond the control of the defendant or his attorney and should not be charged against his 70 days to a speedy trial. Now here's a very clear example of a defendant who is too poor to raise bail, who appears to have been denied his right to a speedy trial, and who is contributing to the problem of overcrowding in the jail. While I was researching the case, I looked again at trial rule number 4. Section A states, "No defendant shall be held in any jail on a charge without a trial for a period in aggregate embracing more than six months except where a continuance was had on his motion, and there is no motion there, or the delay was caused by his act. Any defendant so detained shall be released on his own recognizance at the conclusion of the six month period." According to this rule, any prisoner that's in jail for six months and hasn't received a trial should be released on recognizance, unless the delay is caused by him. All the delays caused by the defendant, to the best of my understanding of what I read there, occurred before the omnibus date and did not contribute to the delay in the trial. Section C of rule four says, "No person shall be held on recognizance or otherwise shall be held for any reason to answer a criminal charge for a period of aggregate embracing more than one year from his arrest. This man has been arrested more than a year ago and hasn't received his trial except where a continuance was had on his motion or delay caused by his act. Any defendant so held shall, on motion, be discharged." The defendant did not move for any continuance, and the time required for the initial evaluation did not delay the trial. It's not clear from the docket sheet whether the error was made by the court in preparing the insanity order or by the psychiatrist making the evaluation, but in any case, it was not caused by the defendant. I did a study of the population of the jail as of the report dated 2/2/00, I found 31 people in the jail for more than six months. If the cost of keeping them in jail is \$25 dollars a day, the county paid over \$60,000 dollars to hold them in jail after they should have been released. The court rule does not require any motion. It simply says they shall be released on his own, or their own, recognizance. With this speech, I'm offering the services of my company, Dictionary Data, to prepare a weekly report that would combine information from the court's, clerk's and jail's systems to alert the Sheriff and the courts of any inmate who is close to the time when he should be released, for \$3,000 a month. On the last page, I have a list of the...it shows the 32 people, now there are more than that, but they were federal cases and stuff like this. These are all local cases. Four of them are over a year and probably should be discharged. If you look at the first one, Kenneth Anderson, it's \$7,375 dollars extra you've paid to keep him in the jail when according to rule 4, he should be released. This particular...there's three cases. A says six months they should be released; B says after 70 days they should be released; C says after a year they should be discharged. He qualifies for all three of them. He's over everyone of them to the best of my case. Thank you very much.

John Stoll - County Engineer

President Jerrel: Thank you, Mr. Helzerman. Is there anyone else that wishes to speak to this group? Moving on to the County Engineer.

John Stoll: First item I've got is the temporary easement from Mr. Wittekindt. This does address one of Mr. Wittekindt's concerns. It has an expiration date of December 31st or whenever the work is completed, whichever occurs first. We will—I will contact the county's insurance to get the certificate of insurance that Mr. Wittekindt is asking for before any work is done out there. I just wanted to submit that for the record, we did receive it.

Joe Harrison, Jr.: It's my understanding this relates to the Drainage Board matter involving a petition by a Mr. Rust, is that the one? This is all regarding the obstruction petition filed by Mr. Rust.

President Jerrel: Should Jane put this in the Commissioner's file or should she put it in the appropriate drainage file?

Joe Harrison, Jr.: I think you might put a copy in the Drainage Board file, but we can run it through this meeting.

President Jerrel: Okay.

Commissioner Mourdock: I'll move approval of the temporary easement.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The second item I've got is a change order for the repair and repaving of various roads contract. This was contract VC00-04-01. This is for an increase of \$44,569.15 that is almost all due to a substantial increase in the amount of patching that was required out in West Haven Subdivision.

Commissioner Tuley: I think they finished up today.

John Stoll: I knew they were getting to that point. They were down at West Haven.

Commissioner Tuley: Right, that was all that was left. They were out there early this morning when I left.

Commissioner Mourdock: I'll move approval of the change order.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The next item, I'd like to recommend that the bid opening date on the O'Day Discovery Lodge grading project be extended from August 7th to August 14th. This is due to the fact that Morley and Associates did not provide the specifications for the project until today.

Commissioner Mourdock: Is there any cost to us because of the delay? I presume not.

John Stoll: No. We'll just put together an addendum that notifies the contractors that the bid opening date will be a week later. We should have received the plans and specs a week ago Friday.

Commissioner Mourdock: So what you need now is a motion—

John Stoll: Just to approve extending the bid date by one week to August 14th.

Commissioner Mourdock: I'll make a motion to approve the extension.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got a storm sewer acceptance request for Section III of the Season's Subdivision. This is for 707 feet of pipe outside of county right-of-way. The developer has submitted the \$2.00 dollar a foot fee for the pipe for a total of \$1,414.00. It's recommended that this pipe be accepted.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I have the INDOT county agreement for the Lynch Road/I-164 Interchange Project. This is the agreement that says that we will pay our share, our local match on the project, which is our 20 percent. Based on INDOT's estimate, the total project cost will be \$10,425,000 dollars of which we will be obligated to pay \$2,085,000 dollars. We have that money in our accounts. In a combination of road/street fund, CCD fund, and the cumulative bridge fund. Joe's reviewed the agreement, and it's recommended that these agreements be signed.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got the correction warranty deed for parcel one of the Lynch Road and I-164 right-of-way. This is the parcel where the billboards were located in the right-of-way. Those billboards have been removed. This corrected warranty deed provides limited access right-of-way line, and it does eliminate the billboards from the property. It just needs to be accepted by the Commissioners and then recorded.

Commissioner Mourdock: Is what you want is the corrected warranty signed? It is the corrected warranty deed?

John Stoll: Yes. The original warranty deed had a reference to a sign agreement in there which allowed those billboards to be placed out there. Since then the

billboards have been removed and that correction does—the correction deed does take care of that problem.

Commissioner Mourdock: I'll move approval of the deed.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The final item I've got is also in regard to the O'Day Discovery Lodge Project. We've put together some specs for the replacement of culvert underneath Nurrenbern Road which will be the drain for the lake. We've got that out to our contractors right now and will receive price quotes for that at next Monday's meeting.

President Jerrel: Okay.

John Stoll: That's all I have.

President Jerrel: Okay.

Commissioner Tuley: Wait a minute, I have a comment for John. John, would you take a drive out to the intersection of Burkhardt and Morgan and look at that guardrail?

John Stoll: On the west side of the road?

Commissioner Tuley: Someone reported to me today that it looks like maybe somebody caught that with their bumper or something and pulled it back out toward the road. I don't want somebody else getting caught on it.

John Stoll: I just checked the plans and I thought it would be replaced as part of the project we've got out there, but it looks like the plans call for that side of the road it would remain in place. I'll check into it and get with Erik and see if it's something that his guys can do or whether or not a contractor would have to do it.

Erik Bentle - County Highway

President Jerrel: County Highway Department?

Erik Bentle: Erik Bentle, County Highway. You have my progress report from last week and my work schedule for this week. The other thing I have is the updated paving chart.

President Jerrel: We're getting there.

Erik Bentle: We are right at 43 percent. He's already got it. Joe's already sent it to him, I guess. We're right at 43 percent, and we're looking at finishing two more roads and that will probably be it for the season. We knew this going in early though that we were going to be getting short on money.

President Jerrel: Even with the additional appropriation?

Erik Bentle: With the extension, yes.

President Jerrel: What's going to happen if the price goes down? The gasoline.

Erik Bentle: Right now it's not going to affect us because we're gonna be—

President Jerrel: Purchasing.

Erik Bentle: Purchasing just about out anyway so.

Commissioner Tuley: Did the cost go up that much that we—

Erik Bentle: Pretty drastic.

Commissioner Tuley: Or were we just a combination of trying to be real aggressive and get done everything we can get done? We're at 43 now, what's that going to bring us to, Erik?

Erik Bentle: We're probably going to be around 55 when we're done.

Commissioner Tuley: Okay.

President Jerrel: The milling costs have been really jacked up - \$1.80 or something, I don't know what it was.

Erik Bentle: Our asphalt prices per ton went from \$23 dollars to \$37 or \$38 dollars now. It was in the middle of our paving so it really shot up on us. The oil prices went from \$129 to \$180 and \$190.

Commissioner Mourdock: And the cost of milling went up as well?

Erik Bentle: Yes. Which that didn't affect our department but it affected John, but it came out of the same—

Commissioner Mourdock: I'm just thinking of it as being the curious part because when they do the milling, what is it they reclaim for the milling? Asphalt. Liquid asphalt.

Erik Bentle: That's a good question.

Commissioner Mourdock: They get you coming and going. Ever heard of it?

Erik Bentle: That's all I have.

Commissioner Mourdock: I would just make that comment the next call. The three of us share the concern that at the end of the year we're going to have 55 percent of the paving done that we had hope to. We need to begin, right now, prioritizing the remaining 45 percent to know where we are going to strike as soon as we get through into the next budget cycle.

Erik Bentle: That's going to be the top of our list on the next—

Commissioner Mourdock: And that's not to say just take the list that exists from the 45 and move it forward and say what's top there is top here because I know when

you did that 45, you do it somewhat geographically.

Erik Bentle: Yes, and it's going to go in order of what needs it first. There are some out there that really need attention. We're going to have to patch and get through until next year.

President Jerrel: Why don't you go ahead and prioritize those that you really feel have the greatest need, and let's see if we can't perhaps get an appropriation, if there is money available so that we can do those this fall.

Erik Bentle: Fine. That would be great.

President Jerrel: And maybe the price will...if the price goes down—

Erik Bentle: The price has dropped drastically right now, but it's sort of after the fact now.

President Jerrel: Let's see if we can do something to perhaps get some additional funding. See, if I had an idea of about what you could...Pick the ones that need the worse and then let me know, as soon as you can, what approximately what you'd need to do that, and let me see if I can't work out something.

Commissioner Mourdock: Since you're at the microphone just having this discussion, check on Orchard Road too because there are a couple of real big potholes in the road.

Erik Bentle: Orchard Road is the next one we will be doing.

Commissioner Mourdock: Okay. Well there are a couple sections that need it badly.

Erik Bentle: We just replaced a big 72 inch culvert pipe down there just before you get to Schenk. Then Darmstadt did the intersection at St. Joe. They are going to pick up the cost of that section that they own, right there, which is 1500 feet, so it will be around \$7,000 dollars that they are going to invest in that road too.

Commissioner Mourdock: Who's they?

Erik Bentle: City of Darmstadt.

Commissioner Mourdock: Oh, that's in the city?

Erik Bentle: Yes, both ways off St. Joe about 1500 feet.

Commissioner Mourdock: I didn't realize the city limit was that far south. I thought it matched their sign, but obviously, it doesn't.

Joe Harrison, Jr. - County Attorney
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President Jerrel: Thank you. County Attorney?

Joe Harrison, Jr.: The only thing I have is the...I've got an update on the jail

population report from the Sheriff's Department for the past week, Monday through Sunday. Apparently, prior to the meeting, there were 295 inmates in the jail according to the Sheriff and Chief Deputy Williams.

Commissioner Mourdock: I would just add to that on our other statics they were at 297 on the 26th and the average stay is now down to 63 which is almost the lowest it's been since we started. Good progress.

President Jerrel: Is there anything else?

Joe Harrison, Jr.: That's all I have.

Tony Greubel - County Buildings
--

President Jerrel: Superintendent of County Buildings?

Tony Greubel: I'm submitting a blue claim for Project Management Services, Inc. It's their July billing. The amount of the invoice is for \$16,513.20, but the Sheriff's Office is going to pay about half of that for the remaining pledge of \$40,000 dollars and then we'll pick up \$8,537.21 and pay all of the rest of the next bills after that.

President Jerrel: Just put the correct numbers on the—

Tony Greubel: I did.

President Jerrel: Okay.

Tony Greubel: And a note in there for the Auditor's Office.

President Jerrel: Is there anything else?

Tony Greubel: That's it.

Steve Craig - Burdette Park

President Jerrel: Thank you. Burdette Park?

Steve Craig: All I have is the machines have been removed from the batter's cage and the attendance at the pool has been way down the last week.

President Jerrel: It's kind of been cool, hasn't it?

Steve Craig: Um-huh, plus it's rained everyday.

President Jerrel: You're the only one.

Steve Craig: I know.

President Jerrel: Anyone have any questions? Thank you very much, Steve.

Steve Craig: You're welcome.

President Jerrel: We have received Soil and Water and Ozone, is there a motion to accept the reports?

Commissioner Mourdock: I'll move acceptance of the county staff reports.

Commissioner Tuley: Second.

Consent Items

President Jerrel: So ordered. We do have under the consent items some equipment surplus. One from the Auditor's Office, a Lanier voicewriter and from the Sheriff's Department, we have two that relate to "MARS" and these are going to be obsolete. A CPU cabinet and an expansion cab. We also have an additional pink slip regarding Mike Peeler.

Commissioner Mourdock: I'll move that those three items be added to the consent file.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: I'll move approval of the consent file.

Commissioner Tuley: Second.

President Jerrel: So ordered. ¹

Old Business

President Jerrel: Is there any old business to come before the Board?

Commissioner Mourdock: One bit of perhaps it's old, perhaps it's new business. When we have Bill Sheppler, Cid McNeilly, whoever was here last with PMSI, we spoke about doing the scheduling of their presentation of their report on the jail overcrowding issue, and I've had a meeting with them on the dates. What we would like to do with these dates would be on September 11th have them present information on juvenile justice systems; On September 18th they would present findings on the courts and court data systems; On September 25th they would discuss community corrections; and October 2nd they would produce or present their report on facilities and the summary recommendations in all the areas they have reviewed. So I guess by way of motion, I would first make a motion that we accept those dates for those formal presentations.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Second thing, just as somewhat of a discussion item, I don't know that this needs a motion, but I think given the high level of attention that

¹See page 26 for a complete listing of consent items.

this whole issue has gotten and certainly part of our discussion early on was to make sure that the public had a better chance to provide input. That's one reason why we wanted to have this report presented publically. I think we need to give a little bit of thought as to how we get the public involved. My recommendation would be, although it is certainly open to others, is that on those particular nights when the public walks in, for instance on the first evening on information of juvenile justice system, I know we'll have some people who want to make comments. Let them make their comments. Give each one, say, five minutes and then go ahead and accept the formal report from PMSI because I have a hunch that a lot of the comments that will be made from the public, they will be able to address as they give their summary. If we did it that way, it will save going back and forth between the parties. So I would just offer that. Like I said, I don't know if that requires a motion or anything at this point but at least that's something we should think of for that evening.

President Jerrel: Logistically that ought to make it work better.

Commissioner Mourdock: Yes. And, I guess, that word, logistically, raises the issue, should we plan on that taking place in this room or are any of these sessions likely to require more seating than what we have here?

President Jerrel: I don't know. We might want to talk to City Council, I don't if they have a small agenda, we maybe could switch with them, I don't know. Tony, would you want to check the City Council and see if--or we could go to the Centre.

Commissioner Mourdock: Cid McNeilly made one point that may be very interesting to consider. The Indiana Association of Counties is in town one of these nights, I believe it's the 25th, and given the jail overcrowding issue is not unique to Vanderburgh County, she was suggesting that she thinks there might be a lot of people from the state meeting that are otherwise staying here in town that night might come over and sit through our meeting just to see hear how it's presented. So that may require more room.

President Jerrel: I don't think that's the Association of Counties, it's Cities and Towns, but it's the same. They're not--

Commissioner Tuley: You have two nights. You have Cities and Towns sitting here in Evansville, and then on that October one, I believe you do have the Association of Counties up at West Baden or French Lick. The same concerns that she expressed to me is that maybe some of those folks, being that close, would drop on down.

Commissioner Mourdock: Particularly the vendors.

Commissioner Tuley: Exactly. That's what she was talking about more than anybody.

Commissioner Mourdock: If they think they have an audience ready to go into the construction phase, we may have all kinds of vendors here shopping their wares. President Jerrel: Would you check and see what City Council has to say, and if that's not convenient for them, we could call the Centre and see if we can make arrangements.

Commissioner Mourdock: Sure. Okay.

President Jerrel: Is there any other old business?

Commissioner Tuley: I guess this would be under new business.

New Business

President Jerrel: Any new business?

Commissioner Tuley: We have a request here from the Audubon Estates Neighborhood Association requesting that on Saturday, September 9th between the hours of 2:00 and 8:00 p.m. that the county close off Ridgeway Avenue between Plaza Drive and Audubon Drive so that they may have an annual--I don't know if it's annual or not, yes it is annual event--Neighborhood Association picnic, party whatever you want to call it. Says that emergency access can still be utilized by using Covert Avenue. They request closing Ridgeway during that time in that particular area.

President Jerrel: Is that a motion?

Commissioner Tuley: That would be a motion.

Commissioner Mourdock: Second.

President Jerrel: So ordered. Any other? Is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

Meeting Adjourned at 6:47 p.m.

CONSENT ITEMS:

Employment Changes:

Sheriff	Community Corrections	County Council
Burdette Park	Circuit Court	Prosecutor
Coroner	Knight Assessor	Cum Bridge
Recorder	Highway	

Travel Requests:

County Assessor	Health	German Assessor
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Auditor:

Submit Barrett Law Assessment Forms
Submit A/P Vouchers
Surplus Lanier Voicewriter

Sheriff:

Submit Weekly Jail Information Reports
Surplus MARS Obsolete Equipment

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Erik Bentle	Bill Wittekindt
Richard Helzerman	Bret Sermersheim	Roger Lehman
Philip Bernard	Jayne Berry-Bland	Joanne Alexandrovich
Others Unidentified	Members of Media	

APPROVAL:

VANDEBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
August 7, 2000**

The Board of Commissioners of Vanderburgh County met in session this 7th day of August at 5:38 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners meeting to order. At this time I'd like to introduce those before you. Tony Greubel is Superintendent of County Buildings; County Attorney, Joe Harrison, Jr.; Commissioner Pat Tuley; on my far left, Jane Laib our Recording Secretary, Suzanne Crouch, County Auditor; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. If you'll join me in the Pledge of Allegiance.

Approval of Minutes

President Jerrel: The first item on the agenda...Before we begin, I'd like to just say if we could move along at a pretty good speed tonight, short comments. Jane is part of the budget committee transcribers and that will be going on all week, and I know she would just as soon not have to have one more night of typing to do. So first item on the agenda is the approval of minutes from the July 24th meeting.
(should have been the July 31st meeting)

Commissioner Mourdock: I'll move approval of those minutes as submitted.

Commissioner Tuley: Second.

Certification of Executive Session

President Jerrel: So ordered. The next is the certification of the Executive Session.

Commissioner Mourdock: I would move approval of the summary minutes of tonight's meeting that began at 4:50 p.m. and ended at 5:30 p.m. That issue dealt with personnel type issues.

Commissioner Tuley: And I'll second.

President Jerrel: So ordered.

Open Bids VC00-08-02 & VC00-07-03

President Jerrel: The next item is the permission to open bids for two items.

Commissioner Mourdock: I'll move approval of VC00-0802 which is for the repair and repaving of various roads.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: And I'll move the opening of bid VC00-0703 for the Nurrenbern Road culvert.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Treasurer - Award Two Year Cash Management Contract
--

President Jerrel: Next item on the agenda is the Treasurer, Jayne Berry-Bland.

Jayne Berry-Bland: Hopefully, I know I was late getting your packets to you, but I did present a short letter just describing the bids and what they came out at. If you'll notice or if you've kept up, we started this in 1990 under Pat Tuley and as the years have gone by, the last ten years, we continually drop on what the cost is on the county. I keep telling all the banks that they should give it to us free because they make enough interest off of our money, but they've not yet come to that so... As you can see by the letters, I mailed out six requests to get bids, and I only received three back.

Bank	Cost
Old National Bank	\$13,300.00
Fifth Third Bank	\$12,000.00
Integra	\$ 9,000.00

Not just because Integra is lowest, but of course we want to save as much money as we can, but they have recently acquired a person by the name of Wendell Burkhardt from Citizens, formally Citizens, that has been very involved in our cash management services. I felt very confident that they will do a good job for us for the next two years. I would recommend that Integra get the contract.

President Jerrel: Are there any questions?

Commissioner Mourdock: I don't have any but I would point out along with that recommendation, as the Treasurer said, they are the low bidder as well.

Commissioner Tuley: The only thing I was going to say is I remember my days in the Treasurer's office working with Wendell, and he is a quite capable person. If you have a problem, you go to Wendell and he'll get to the bottom of it.

Jayne Berry-Bland: I had a real problem with Fifth Third because they're saying that our payments could be mailed here to Evansville to a P.O. box, but they were going to send them to Cincinnati to work them and then back date a deposit. I don't know how in the world I'd ever know how to invest what kind of money when I don't even know...we are talking a two day delay there for me to even know...when we're in our heavy collection period. I think Integra will do a real good job for us.

Commissioner Mourdock: I'll move approval then of the award for the Cash Management bids to Integra as recommended.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Jayne, did you get a copy of this for the record?

Jayne Berry-Bland: Sorry.

Commissioner Mourdock: Pass my copy down there.

Jayne Berry-Bland: I have a copy of the depository agreement. I made just two copies, they're blank but they're filled in with Integra hoping you would go along with—

President Jerrel: You would like to put that in our signature file? Okay.

Jayne Berry-Bland: Nothing like being prepared. The bank has to sign them too so I don't know if you want to sign them first or send them to the bank and have them sign them first?

Joe Harrison, Jr.: We can go ahead and sign—are there two of them?

Jayne Berry-Bland: Yes.

Joe Harrison, Jr.: They can sign two of them and they will provide them to you. We will keep a copy for the Auditor's office, but you get those two signed and they'll keep one and send one back to us.

Jayne Berry-Bland: Thank you.

Joe Harrison, Jr.: Thank you.

Commissioner Mourdock: I would move the signing of the Depository Agreements.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Eagle Plaza Subdivision - Final Reading
--

President Jerrel: The next item on the agenda is the final reading of the vacation of Lot 16 Eagle Plaza Subdivision, the public way.

Commissioner Mourdock: Since it is a public hearing, is there anyone here to speak to the issue of Lot 16 Eagle Plaza Subdivision? For the record, seeing none, I would move on final reading the approval for the petition to vacate the public way on Lot 16 Eagle Plaza Subdivision.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Any Group or Individual Wishing to Address the Board

President Jerrel: At this time is there any group that wishes to address the board? I know we have some people here that wish to, but this is the time to do it.

Roger Lehman: Roger Lehman, Chairman of GIS Technical Subcommittee. We have for the Commissioners this evening, a contract for plat book conversion services with 3DI. At this time I would to introduce our consultant, Kathy McCarter. Kathy has been...well she basically wrote the RFP and consult with the attorney. The county attorney has reviewed the contract and we would like approval so we can proceed with this process. Funding is in place, or will be however that works after County Council's approval. I'd like to introduce Kathy McCarter and if you have any questions, we'd be glad to answer them.

President Jerrel: Kathy, are you the one we talk to on the phone?

Kathy McCarter: Yes.

President Jerrel: These aren't people that you see, but this is the young lady we had the conference calls with.

Joe Harrison, Jr.: I've met her before.

President Jerrel: In person?

Joe Harrison, Jr.: In person.

President Jerrel: I've only heard her voice. Okay.

Joe Harrison, Jr.: She does a good job. Thank you.

Kathy McCarter: Thank you.

Joe Harrison, Jr.: Now the Council did approve that funding at their meeting last Wednesday, is that correct?

Roger Lehman: That's correct.

President Jerrel: If there's no questions, is there a motion?

Commissioner Mourdock: I'll move the signing of the agreement to provide plat book conversion services for the county GIS project from 3DI.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Roger Lehman: Thank you very much.

Commissioner Mourdock: See Roger, I told you it would be painless.

President Jerrel: Is there anyone else that wishes to speak to this board under item

F? Seeing none. Yes, come up.

Brad Ellsworth: I thought they were all going up and I was going to let them go first.

Commissioner Tuley: Always the gentleman.

Brad Ellsworth: Brad Ellsworth, Vanderburgh County Sheriff. I had a phone call that I wanted to call the Commissioner's attention to. I guess it disturbed me a little bit and I would hope that it would disturb you a little bit too. I don't have any written documentation, but it certainly something that we all need to be aware of. I was on the phone with Jerry Bryant, City/County Purchasing, in reference to the county towing bid, or the city/county towing bid. One of his comments during that conversation caused me a little bit of disturbance, and I wanted to make sure that we knew what was going on here or at least watched it. He was saying that Kevin Winternheimer, the City Attorney, was apparently negotiating the contract and had talked about a limit of 20 minutes for the city towing, for Mike's to...I shouldn't say Mike's, the selected vendor, to go to city accidents and 40 for county. Like I said, I haven't seen this in writing but that's what he said Mr. Winternheimer was thinking about. I was...obviously being the Sheriff and the one who's men and women work the accidents, the 40 minutes disturbed me. Probably, as much as that, the fact that with all respect for Attorney Winternheimer it would be real hard for him to know what that's like to be out on an accident scene and wait 40 minutes or longer for a wrecker to come. When this happens, the negotiation, I'd like to be consulted or that they at least call us and ask our opinion on this.

President Jerrel: It's kind of like the ambulance run, we have a limit on that too. What to you is a reasonable time to get to any place in the county?

Brad Ellsworth: When you're out there in the middle of the highway with the traffic going by, people that you need to move cars quickly and traffic backing up, 20 seems like an eternity.

President Jerrel: Where are they located?

Brad Ellsworth: That's another problem. It's south Weinbach south of the levee.

Commissioner Tuley: Right before the river.

Brad Ellsworth: When we have wrecks up in Armstrong Township, you're talking at least, and that's if it's in the middle of the night, an hour probably for them to get there. I don't think they can even promise that. If you, you've got traffic on the roads, you can't promise 40 minutes. There's no way. We couldn't do that with red lights and sirens on, I don't think.

Commissioner Mourdock: Is that delivery time like it is in the ambulance contract where it's basically an average over a period?

Brad Ellsworth: Probably so, I haven't seen the wording or the contract.

Joe Harrison, Jr.: I haven't either. I don't know what type of response you are getting now. Do you keep track of those things?

Brad Ellsworth: We do and that's all logged at Central Dispatch on what (Inaudible.).

I know we are having some trouble and we getting some rather long waits. City is having trouble from what I understand getting them there. There are times when its...I've heard of an hour an hour and a half. That's entirely too long. I think we need to—

Joe Harrison, Jr.: Why don't we do this, you and I can talk but it may be that the county may have to have something separate. We've talked about having something joint, but we may have to bid out something separate.

Commissioner Mourdock: Did we bid that out initially?

President Jerrel: No.

Joe Harrison, Jr.: It's a joint deal.

Brad Ellsworth: Back when I came on we had four vendors. There was a big map and they split it and it was Mike's, Dallas, St. Wendel, and Walt's. I don't think Walt's is in the towing business. St. Wendel is and is interested in part of that northern part of the county. Mike's is out and I don't know what Dallas' status is, we just haven't dealt with them in so long. Dallas has better equipment for the very large vehicles—the largest wreckers, but we sure don't see them much on the small vehicles.

President Jerrel: Why don't you take a look at your statistics that you have and tell us what the averages are in a period of time. Then you and Joe can work on this.

Brad Ellsworth: Sure, that would be great. I just wanted to call your attention to it before Kevin said 40 minutes for the county and it got signed, and we didn't have any input.

Commissioner Mourdock: I think the question of whether or not it should be a separate one, certainly we need to revisit that. I don't know that there's any particular advantage of combining the two in this case. There may be but I'd have to—

Joe Harrison, Jr.: We had some issues with respect to abandoned or towed vehicles and the sale of those vehicles.

President Jerrel: We were going to do an ordinance. I had someone in your office that had been working with me. I gave that information to you.

Joe Harrison, Jr.: The city has an ordinance. The county follows the state statute on the towing of vehicles. It's essentially the same. I think in order for the county to recoup the funds, the county would have to adopt an ordinance similar to the city. Although we are following the state statute which is the city's ordinance at this time.

President Jerrel: The difference is—

Joe Harrison, Jr.: The difference is—

President Jerrel: They keep the money from sales. They get the money, and we don't get the money.

Brad Ellsworth: The volume of cars...When I took office we assigned an officer, and I call him the compliance officer, why I picked that name I don't know, and he's towed upwards of 400 abandoned cars out of the county in the first year that he's been in. The volume of cars that we are towing is a lot more than what it use to be so there is better money to recoup.

President Jerrel: That's been several months ago I gave you—

Joe Harrison, Jr.: I've sent him a letter recently about some other issues too, relating to that. We need to get together. I just don't know if bidding this out—we may want to try to tie the two together as far as if we have to bid this out separately.

Commissioner Tuley: Tie what, the abandoned part of it?

Joe Harrison, Jr.: I don't think that the company that sells the vehicles, I think there's only one company really in town that auctions vehicles, but there would have to be some language where those that tow it would have to, after a period of time, take the vehicles to another place. I think they hold them for 30 days.

Brad Ellsworth: They usually end up holding them longer than that, but I think that is the statute that they have to follow.

Commissioner Tuley: I don't think under the city's contract they take them anywhere but to the people who actually sell them, but they can be redeemed at that lot before they're sold, I believe is the way it works.

Brad Ellsworth: I think the auction has a space for—at least for the city, they keep a separate lot for those.

Joe Harrison, Jr.: What I'm saying is, if we do that then if we have another contract, we're going to have to have some language in there identifying that the vehicles when they are towed in—

Commissioner Tuley: I'm sorry. Okay, go to this point.

Joe Harrison, Jr.: Go to this point.

Brad Ellsworth: Especially on the abandoned and the wrecks. That's up to the person in the wreck or where they want the vehicle. I just wanted to call your attention to that. The 40 minutes jumped out at me, and when he said Mr. Winternheimer was negotiating that it just sent up a little flag. I was hoping that we would all have some input to that. Thank you.

President Jerrel: Thank you.

John Stoll - County Engineer

President Jerrel: County Engineer? We have eight minutes.

John Stoll: First I've got a revised appraisal for parcel 41 on Burkhardt Road. This

increases the offer amount from \$3,125 to \$3,700. The reason for this increase is that the appraisal originally incorrectly calculated one of the damaged figures. I'd like approval to proceed with making the revised offer.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The next two letters are for the Lynch and 164 Interchange. The first is a letter that we need to forward to INDOT that provides them copies of agreements and the justifications, minutes from the meetings where the consultant was selected and all the data that they are requiring for evaluation of the proposals. Back in 1990 Bernardin Lochmueller was selected for design right-of-way and construction inspection of the Lynch and 164 project and these minutes reflect that. We just need to send this letter to INDOT, they'll review all the information and the agreements, and if they find it all satisfactory then they'll return the agreements to the county for the Commissioners signatures.

Commissioner Mourdock: I'll move the signing of the letters.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The other letter is also on that project. It's to request that Bernardin Lochmueller sign Doug Watts as the Project Engineer on the project.

Commissioner Mourdock: And that's a letter to INDOT?

John Stoll: Correct.

Commissioner Mourdock: I'll move signing and sending that letter as well.

Commissioner Tuley: I'm sorry?

Commissioner Mourdock: I moved the signing and sending of the letter identifying the Project Engineer from Bernardin Lochmueller to the state.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got a sidewalk waiver request for Glass Subdivision. This is at the intersection of Virginia and Burkhardt. This is for the Sam's Wholesale Club development that's going to go in out there at the northeast corner of that subdivision. They've requested a sidewalk waiver, and the reasons they state in their letter are the usuals, none of the other abutting properties have sidewalks, and they also say that there are no residential developments that would generate pedestrian usage of the sidewalks. The only other thing that I could add that they didn't put in there is nowhere during the subdivision review committee meeting did anyone request sidewalks in this development.

Commissioner Mourdock: I'll move approval of the waiver for the sidewalk request.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The last item that I've got is a street plan approval request for Section II of Stonecrest Subdivision. This subdivision is located on Petersburg Road north of Boonville-New Harmony. It abuts a portion of Schlensker Ditch. After reviewing the plans, I had requested that several of the streets be raised because the consultant had it drawn up at too low an elevation. Those revisions have been made so it's recommended that these plans be approved now.

Commissioner Mourdock: I'll move approval of the plans as recommended.

Commissioner Tuley: Second.

President Jerrel: While we are signing, I have a question. Who monitors that to make sure that happens?

John Stoll: To make sure that the streets get built properly?

President Jerrel: And raised.

John Stoll: When the streets are completed, they have to submit "as built" elevation—"as built" drawings showing the elevations. In conjunction with that, we have inspectors from my office out there during construction.

Commissioner Mourdock: Given what we just did, if those streets are submitted and are not raised, then they do not meet county approved plans and can't be taken over.

John Stoll: We could tell them to fix it or we won't accept it. We've been typically asking for the streets to be within six inches of the 100 year flood elevation in order to provide an over-flow type area. Initially, these streets were up to a foot and a half beneath the 100 year flood elevation so they had to raise them a foot or more in some locations.

Commissioner Mourdock: Good questions especially in light of the fact that the map on the front page is oriented 90 degrees north. You've got to question plans that come in later.

John Stoll: We also received a request from Bernardin Lochmueller to advertise for the Notice of Intent letter for the Lynch and 164 Interchange which is basically a public notice saying that the project is going to be constructed, and it's one of the regulations that IDEM has that we have to publish this. It's requested that this be approved so that Jane could get it advertised this week.

Commissioner Mourdock: I'll move publishing the advertisement.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: It's going to be bid when? September?

John Stoll: September 12th.

Commissioner Mourdock: Very good.

President Jerrel: The information went out the first part of August.

John Stoll: Rich Lewis of Bernardin Lochmueller contacted me today, I believe we've given INDOT all the right-of-way documentation that they need in order to keep it on the bid letting. There was some extra paperwork that we had to give on parcel one because of the billboards that were out there, but that's all been resolved. I think everything is ready to go.

President Jerrel: Good, thank you.

Erik Bentle - County Highway

President Jerrel: County Highway?

Jane Laib: We are going to do a tape change.

President Jerrel: Okay.

Tape Change

Erik Bentle: Erik Bentle, County Highway. You have my progress reports from last week and my work schedule for this week. As far as paving, we are still on Orchard Road. We will be done there probably Wednesday then we are going to move over and attack Red Bank.

President Jerrel: Do you have enough to...You still have enough money to get Red Bank?

Erik Bentle: Yes.

President Jerrel: Okay. So I need to subtract this...See, I'm going to Council on the 15th. So I can take Red Bank out also or not?

Erik Bentle: Yes, you can go ahead and take it out and Boehne Camp.

President Jerrel: And Boehne Camp, okay. Tony, those you'll need to add. I'll do a little math there and that's the appropriation.

Erik Bentle: Those are the biggest ones we've got left, and the rest of them are—

President Jerrel: Smaller.

Erik Bentle: Pretty small.

Commissioner Tuley: Red Bank from where to where?

Erik Bentle: We are taking Red Bank all the way from Upper Mt. Vernon to 62.

Commissioner Tuley: Okay. Oh boy!

Erik Bentle: We're going to do the first section from 62 to Hogue?

Commissioner Tuley: Yes, Hogue.

Erik Bentle: We're going to do that and then we're going to do the other section on down to Upper Mt. Vernon.

Commissioner Tuley: That will be fun. I hope you have some good flag people out there.

Erik Bentle: Uh-huh. Same thing with Boehne Camp. It's going to be a lot of fun. That's all I have.

President Jerrel: Okay, thank you.

Joe Harrison, Jr. - County Attorney
--

President Jerrel: County Attorney?

Joe Harrison, Jr.: I've got the bid reports. First is Nurrenbern Road VC00-07-03.

Deig Bros. Lumber & Const. Co., Inc.	\$17,975.00
B&B, Inc.	No Bid

Joe Harrison, Jr.: B&B, Inc. sent in an envelope but no bid. I'm assuming that they did not intend to bid. I'd ask that you take those two—or one bid under advisement and review it and let the County Engineer make sure that he wants to go with that amount. He may want to do something tonight, I don't know.

President Jerrel: John? You want to take a look at that. We only had one bid come in on Nurrenbern. Just look at it and see if it's anything that you're interested in doing tonight, or if it's something you need to look at more.

John Stoll: We can wait until next week. It's no problem.

Commissioner Mourdock: I move that we take bids under advisement then.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: In the next group of bids is VC00-08-02. It's the repair and repaving of various roads in Vanderburgh County. There were three bids. They are as follows:

E & B Paving, Inc.	\$158,790.00
Gohmann Asphalt & Const., Inc.	\$167,258.00

J.H. Rudolph & Co., Inc.	\$164,815.00
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Joe Harrison, Jr.: I'd ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: The last item I have is the weekly update on the inmate population of the County Jail submitted by Chief Deputy Eric Williams and the Sheriff. It's my understanding that right before tonight's meeting the number of inmates in the jail was 273. I'll submit this report into the record.

Commissioner Mourdock: Just to add to that, in the weekly report a slightly different set of statistics, we were showing 298 in the jail on Sunday and 62 for the average number of days.

President Jerrel: Any questions? Is that all, Joe?

Tony Greubel - County Buildings
--

President Jerrel: Superintendent of County Buildings?

Tony Greubel: I don't have anything to report tonight.

Steve Craig - Burdette Park

President Jerrel: Burdette Park?

Steve Craig: The aquatic center was quite slow this weekend as you all probably know. We did accommodate two large picnics from Deaconess and Christian Fellowship, and had two private parties on Saturday and Sunday night which helped us out on revenues. Science Camp wrapped up last Friday and was very successful. It sold out through the summer, and we're running one last week for day camp through the request of people wanting us to run it to the last day. It's been as successful as can be because we can't take anymore people than what we've had in it. We didn't have anybody seriously injured, and we had a lot of kids that had a good time, so I think it was a success again this summer. Other than that, I don't have anything else.

President Jerrel: I can't believe that school is going to begin on Monday.

Commissioner Tuley: I can't either.

President Jerrel: A lot of little children, and parents of little children, are ready for that.

Commissioner Tuley: They are clapping and jumping up and down, I'm sure.

President Jerrel: Thank you very much. You and I had a meeting on the budget and we had some questions come up, and I'm trying to get those answers. I'll see you at the budget hearings.

Steve Craig: Okay. You all have a good night.

Commissioner Mourdock: In our packets we have Soil and Water Conservation District and Ozone Officer's report, and I would move approval of all the county reports into the record.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: Were there any questions about any of the consent items? Is there a motion?

Commissioner Mourdock: Motion to approve consent items as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.¹

Old Business

President Jerrel: Any old business to come before this board? There's an old Councilman.

Commissioner Mourdock: He walked right into it, and he's not sure what.

New Business

President Jerrel: No old business. Any new business?

Commissioner Tuley: None by me.

President Jerrel: Jim, do you want to say something?

Unidentified: No, I'm here to meet Steve.

President Jerrel: Okay, then is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

¹See page 15 for a complete listing of consent items.

Meeting was adjourned at 6:06 p.m.

CONSENT ITEMS:

Employment Changes:

Community Corrections	Circuit Court	Coop Ext. Service
Coroner	Perry Assessor	Highway
Burdette Park		

Auditor:

Submit Monthly Financial, Cash and Expenditure Reports
Submit A/P Vouchers

Health:

Approval of Transfer of Funds Request

Area Plan:

Declare Vehicle Surplus

Sheriff:

Submit Weekly Jail Information Reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Erik Bentle	Brad Ellsworth
Roger Lehman	Jayne Berry-Bland	Kathy McCarter
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
August 14, 2000**

The Board of Commissioners of Vanderburgh County met in session this 14th day of August at 5:36 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners meeting to order. At this time I'd like to present to you the people before you. On my far right, Tony Greubel our Superintendent of County Buildings; County Attorney, Joe Harrison, Jr.; Commissioner Pat Tuley; Jane Laib, our Recording Secretary; Suzanne Crouch, County Auditor; Commissioner Richard Mourdock, and my name is Bettye Lou Jerrel. Would you join me in the Pledge of Allegiance?

Approval of Minutes

President Jerrel: The first action item on the agenda is the approval of the minutes of the August 7th meeting.

Commissioner Mourdock: And I'll move approval of those minutes as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Permission to Open Bids VC00-07-04 O'Day Discovery Lodge

President Jerrel: The next item is permission to open bids on the Discovery Lodge is there a motion to proceed?

Commissioner Mourdock: I'll move, there's actually two bids. First one, I'll move approval of the opening VC00-07-04 for the Discovery Lodge site grading at Burdette Park.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Permission to Open Bids VC2001-02 Salt Contract

Commissioner Mourdock: And the second bid as was noted when Jerry sent it through on the form, hard to imagine but it's time for us to take bids on the salt contract for the roads. I'll move approval of the opening bids VC2001-02.

Tony Greubel: Commissioner Mourdock, there's actually some price quotes that also came in that weren't on the agenda. We'll open quotes for VC00-08-03 that's concrete pave side ditch repair.

Commissioner Mourdock: Okay, we'll do those in a separate motion then.

Commissioner Tuley: I'll second your second motion.

President Jerrel: So ordered.

Receive Price Quotes VC00-08-03 Concrete Side Ditch Repair

Commissioner Mourdock: Okay, then I would move reviewing the quotes as submitted by Superintendent of County Buildings for the concrete work.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Mike Duckworth - METS Bus Service to USI Proposal
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President Jerrel: Next on the agenda is Mike Duckworth here to present a proposal to us.

Mike Duckworth: Thank you Commissioner Jerrel and members of the Commission. Ladies and gentlemen, I'm here this evening to talk to you about a situation that took place, I guess, earlier this year when I met with several residents of Howell Neighborhood Association regarding bus transportation that had ended last year because of ridership and other budgetary constraints. This administration had made the recommendation after looking at it and I have John Connell with me, the Director of METS, today. After consulting with his office that we wanted to provide transportation services back to those folks in the Howell neighborhood so they would have access to connect up with other bus transportation routes into the city. We had numerous complaints that they were left out of the loop, and they had paid taxes like everyone else. Of course, we agreed with that and so earlier this year, a few months back, we reinstated that bus service. In doing that, in shuffling our bus routes around, we temporarily, and when it was not at a time when school was in session, removed the service that extended from the Eagle Plaza and University Shopping Center out to USI. Since that time, we've been looking for a way to reimplement that service so that because of the growth, and because of the retail and job opportunities, and because of the fact that students will need access into those areas, we have met with the University and METS officials in trying to figure out a way to accommodate USI as well. Just for your information, we do have a contract with USI for on-site connection which is a route that just travels around the University just getting students from their housing to classes. What has been discussed and what the need is, is to set up a USI connection service which would be one of the small minivans that you see on the brochure that I've provided to you which would expand night service until 10:00 p.m. It could operate in the fall and spring semesters and provide students residing at USI with transportation to shopping and recreation and retail and business areas. I come to you tonight because in talking with Bettye Lou and meeting with USI officials, we felt like this was a proposal and concept that would meet needs of three entities, of course USI, the City of Evansville and also the County. As you'll see in the information that I've provided to you, the yellow area represents the service provided within city limits and then the blue area is the area that represents the county. I will tell you before I go any further that I've also contracted Congressman Hostettler's office for federal funding that would possibly allow startup monies for extended service into the county, not only to USI

but in other areas. I know there's been some calls and requests to John's office and to my office for the east side and north side as well. I understand that we've, in the house appropriations committee, been in for \$1.5 million in their mark up for startup costs for that. In talking to Congressman Hostettler's staff, it looks pretty good at this point. At some point in time, we want to come back and tell you about what we've got and what we think we can do in a partnership, but for right now, we would ask that the city and county and USI split the cost of this service. John's estimates are the total cost of providing this would be \$81,500 dollars. That includes salary, FICA, oil and fuel, tires, repair parts, and workman's compensation. Now there would be, we estimated, around \$9,000 in revenue in fares from those non USI students. The students would only have to present their USI I.D. card to ride. We estimate around \$9,000 in fares and then, for marketing purposes and revenue from marketing, we're not real sure what that would be at this point. It could be anywhere from \$3,000 to \$5,000 or maybe even more depending on what we can work out there. You can see on the back of your brochure, the number of businesses I think will benefit from having these students shuttled back and forth. Basically, what I'm here to do tonight is to ask you to become a partner with us as we estimate somewhere around the \$25,000 dollar mark to be safe as far as our funding is concerned. I will let you know that in the last budget hearings that I've attended with the City Council, I basically extended this same option to them. I believe that they are agreeable to do so. USI has been agreeable to do so. So I'm here tonight in trying to get you folks to agree to look into doing this so we can get this operational by a few days before the start of the fall semester.

President Jerrel: Are there questions?

Commissioner Mourdock: Yeah, Mike, on the specific agenda request item it does not have a dollar amount. I just heard you throw out \$81,500, is that the total program?

Mike Duckworth: That's the total—

Commissioner Mourdock: Plus the advertising?

Mike Duckworth: Minus the revenue of fares and possibly marketing so we're using the round figure of \$25,000 per entity.

Commissioner Mourdock: Per entity so you are asking us for \$25 grand?

Mike Duckworth: That's right.

Commissioner Tuley: Is this the only service area where city busses actually go out into the county, Mike?

Mike Duckworth: At this time, I believe it is.

Commissioner Tuley: I'm sorry?

John Connell: Some of the METS mobility service does operate outside of the city limits. What the ADA requires is that we operate 3/4 of a mile beyond a fixed route so some of our fixed routes that border the city limits for providing somewhat of a different level of elderly and handicapped services—

Commissioner Tuley: Specialized services.

John Connell: To the county.

President Jerrel: Would you mind, for the record?

John Connell: John Connell, METS Director.

President Jerrel: Thank you.

Mike Duckworth: When we dropped service, temporarily, to USI, we had a number of physically challenged and handicapped come to the Works Board to protest. This connection service will be handicap accessible, and I believe will meet their needs as well.

Commissioner Mourdock: How many riders are you expecting from the USI side then?

Mike Duckworth: I would say that would probably represent 90 percent of the ridership.

Commissioner Mourdock: But how many in people? Are we talking...and it what time frame?

John Connell: It's hard to forecast what the demand will be. I can tell you this, when we started the on campus shuttle we were pleasantly surprised based on the response of the students. That's averaging 400 riders a day.

Commissioner Mourdock: Somebody forecast \$9,000 dollars of revenue so how does that relate to numbers of people?

John Connell: We worked that out based on some of the previous ridership figures from the old USI route. That's a very conservative figure, hopefully that fare revenue will be quite a bit higher, but we wanted to be extremely conservative.

Commissioner Mourdock: Okay, but one more time, \$9,000 dollars—

John Connell: It's about 50 average fares a day.

Commissioner Mourdock: 50 fares.

John Connell: That's paying fares.

Commissioner Mourdock: And that \$9,000 is over the academic year or is that over a full year?

John Connell: That's over a 307 day period which would be the calendar year that we operate which would be Monday through Saturday.

Commissioner Mourdock: Okay, okay.

John Connell: So the students that are riding from the campus won't be paying a cash fare directly into the fare box. That's part of the negotiations with the University.

Mike Duckworth: That's part of their third.

John Connell: They'll have unlimited access with the I.D.

Commissioner Mourdock: Very good. Okay.

President Jerrel: Any other questions?

Commissioner Mourdock: I just have a comment. I'm willing to support this and give it a shot but would very much like a rider report that comes back to us, maybe as much as monthly during this school year. Obviously, we are accountable, as you guys are to, to know what this works out to on a per person basis eventually because we are talking about a subsidy here. If it means that somebody gets to go to school and gets a degree, it's probably a worthwhile thing to do, but I do believe we need to keep track.

Mike Duckworth: I think we are very well equipped, and we do that in our other routes. I don't think that will be a problem. I think that's something that we need to look at anyway to insure that we are providing the best possible service with tax dollars.

Commissioner Mourdock: Yep. I'll move approval then of the request to provide the USI bus transportation.

Commissioner Tuley: This will come out of general fund money, I assume?

President Jerrel: I need permission from the Council tomorrow. I need to file it tomorrow.

Commissioner Tuley: You know, for those students as I remember when you guys first cut off the service there was at least one very vocal individual, and I'm sure there's several other people he was probably speaking for, so for those students, I think it's important that they be given the opportunity to attend school, and the only way they are going to be able to do that is to have transportation provided to them so they can get to the areas where they need. I'll second your motion.

President Jerrel: So ordered. Will you give me the permission?

Commissioner Mourdock: Formally, I would move that we grant...That we have President Jerrel of the Commission go to Council for a Council Call for the necessary funding.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Mike Duckworth: One last thing before I leave the podium. I have asked Joe Harrison in regards to a different department which is a city county agency. Of course, anybody that's read the newspaper recently knows that we've had everything in animal control from pigs to alligators. If I get a polar bear, I'm not going to be surprised. There is a little bit of disparity in the ordinance that basically city police, I'm sorry, animal control officers can enforce ordinances within city limits but actually out in the county that's not the case. We get numerous calls into the county, and we would like for our officers to have that flexibility to site situations. We do have a

humane officer through the Sheriff's Department that's Officer Posten. We would like that flexibility and ability to do that. I've asked Mr. Harrison to look into that. I think basically it would be just some wording changes. It may mean extra revenue coming in on the citations. I think it's important that we have that flexibility. I'd ask him to, with your permission, give that report and I can come back at a later time to site things to you like the fact that we've euthanized over 2,000 animals already this year, and we handle about 1,300 complaints a month. Our workload has really picked up and, and...I don't know if it's because they're domesticating more types of animals or whatever the case is, but I'm ready to deal with other things than alligators and bears at this point. I'd appreciate your indulgence on that, and if you'll allow Mr. Harrison to do that, I think we can move in that direction.

President Jerrel: I appreciate your work on this.

Mike Duckworth: Thank you.

President Jerrel: Thank you very much.

Permission to Advertise Vacation of Easement - Crane Addition
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President Jerrel: The next item on the agenda is the auditor permission to advertise vacation of easement for Crane Addition.

Commissioner Mourdock: This is obviously fairly routine with the information in our packet, I would move that we grant permission to the auditor to advertise the vacation of easement for the Crane Addition.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Just one question regarding this, Joe, if I may. I don't think it matters much, but I see there are several names on here as petitioners and yet the checks that are attached came from a corporation. Is there any need to worry about any of that?

Joe Harrison, Jr.: No, as long as we get the money. It's fine.

Commissioner Mourdock: I just wanted to be sure.

Any Group or Individual Wishing to Address the Board

President Jerrel: Okay, the next item on the agenda, any group or individual that wishes to—

Permission to Advertise Vacation of ROW Tall Timbers Drive

Commissioner Mourdock: We have another—

President Jerrel: Excuse me, did I skip something?

Commissioner Tuley: Tall Timbers.

President Jerrel: Right-of-way.

Commissioner Mourdock: I would move permission also to the auditor to advertise the vacation of right-of-way for the future expansion of Tall Timbers Drive.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Any Group or Individual Wishing to Address the Board Continued

President Jerrel: At this time is there anyone who wishes to speak to the Commission?

Richard Helzerman: My name is Richard Helzerman and I'm here to speak to you about the overcrowding at the County Jail. A few weeks ago I presented the case of Albert Falls to your attention. His attorney requested a speedy trial, but he was not given any trial at all. In Wednesday's paper, August 9, 2000, on page B-1, Dave Hosick reports that 20 year old Falls will plead guilty and be sentenced to 12 years in prison. Why did Mr. Falls change his mind and plead guilty when two weeks ago he complained of not receiving a trial. According to the article, Mr. Williams, his Attorney said, "All he is looking for is a way to get out of the Vanderburgh County Jail." For 20 years the Vanderburgh County Jail has been overcrowded. The Sheriff, the Judges, the Prosecutor, the Police, the County Council, the Commissioners have not solved the problem. The Blue Ribbon Committee appointed to solve the problem has not solved it. The Sheriff, the Judges, the Prosecutors, the Police, the Public Defenders all profit from the overcrowded jail because they avoid the work of holding a trial. The overcrowded conditions in the jail are so unbearable that sooner or later the prisoners will plead guilty to something just to get out. The Circuit Court Magistrate who has been willing to talk to me indicated that for his cases only 4 percent of the accused receive a trial. None of you seem to care that the citizens of this county are denied their constitutional right to have a speedy trial. If the defendant and the prosecutor were able to agree to a plea bargain in August of 2000, what kept them from reaching an acceptable agreement in August of 1999. A year ago. This guy was arrested in June of 1999. Why should this poor, mentally troubled, young person be kept in custody from June 1999 until today? The answer is simply what the Chief Judge of the Vanderburgh County Superior Court said in one of the meetings of the Blue Ribbon Committee. He said something like this, without the creditable threat of a trial, the parties will not negotiate. Last year there were over 2300 people arrested which averages over nine per working day. If a trial averages two days, there would have to be at least 18 courtrooms working full time on criminal cases to give each of the accused there right to a trial. The Cook County Jail serving the city of Chicago Illinois has 10,000 beds. Vanderburgh County has around 10,000 outstanding arrest warrants. Our beloved Sheriff, and I don't mean this anyway to be joking. Anybody that I've talked to knows and loves our Sheriff, and I love him too. He's been very kind to me. He could come close to filling the Cook County Jail if he would aggressively arrest those people that have outstanding warrants. It is impossible for you to afford the cost of building a jail that is big enough for handling the criminal cases in this county. The

new jail in central Kentucky with 1,200 beds cost \$50,000 per bed to build. A 10,000 bed jail would cost over \$500 million dollars, it's not thousand. There has to be a better way to handle this problem than throwing jail beds at it. I've offered to provide a scheduling system that would allow the Judges to schedule virtual trials independent of the real courtrooms. They would only assign courtrooms on the day of the trial. This would give the prosecutors and public defenders a certain date as a goal for their negotiations. I urge you to fulfill your vow to uphold the constitution's of Indiana and the United States of America and to authorize me or someone to provide a system that would give the poor defendants their right to a speedy trial. I have attached the article and underlined, highlighted the man's statement. Thank you very much.

President Jerrel: Thank you, Mr. Helzerman.

Jane Laib: We need to do a tape change.

President Jerrel: Okay.

TAPE CHANGE:

John Stoll - County Engineer

President Jerrel: Moving on, the County Engineer.

John Stoll: First I'd like to point out, in the signature file tonight there is a letter from the Commissioners being proposed to be sent to INDOT for a proposal to use some dirt from a hill out at the airport as part of the fill needed for the Lynch and I-164 interchange. Basically, what going on is the airport has to cut this hill down in order to do a future extension of the runway 1836 and in doing so, the would ultimately have to hire a contractor to excavate the hill and haul the dirt off. By making the dirt available to the county at no cost, then the county can in turn make it available to the contractors who might bid on the project and thereby there may be some cost savings which in this proposal that's in the signature file, it's requested that some of this be credited as part of the county's local match on the project. So it would be beneficial two ways: one, the airport wouldn't have to pay to have the hill cut down and removed at some future date; and two, we may see a cost savings on the Lynch and 164 project.

Commissioner Mourdock: The only question I have, John, is one of timing, and when you say it might count as part of our credit towards the project, what if a contractor selects not to use that material, or are you saying it ought to be mandated that they use that material?

John Stoll: We're not mandating it because we want to make sure it doesn't affect the bid opening date.

Commissioner Mourdock: Okay, so the county would only get the value of that credit if, in fact, the timing worked and the contractors selects –

John Stoll: Right, it will still be contractor's option, but it would be made available so that way if the contractor wanted to use it, it would be there.

President Jerrel: September 12th is the bid...

Commissioner Mourdock: Yeah, given where the hill is, and I am thinking like a contractor here for a minute, but would there be any problem with FAA regulations as far as getting in there and excavating that material and using it?

John Stoll: Jack Tubbs with Cordino has been working on this and he has been doing all the coordination with the FAA and he says that they either have the approval or are getting all the approvals needed to make sure that could be removed without any problems.

President Jerrel: And environmentally, it's okay?

Commissioner Mourdock: Yeah, I just meant more from the regulatory –

President Jerrel: It's there when you come in, you know, over Oak Hill, that's where...

Commissioner Mourdock: It's a great concept. I hope it works.

President Jerrel: We thought it was worth giving it a try.

Joe Harrison, Jr.: I've got a copy of a letter, did you get that today from the FAA? It indicates that they are on board. It's a letter dated August 14.

Commissioner Mourdock: Oh, it's the last one.

Joe Harrison, Jr.: It seems to indicate that they would be supportive of this effort and it very well could save over half a million dollars if, in fact, one of the contractors (inaudible) of the proposal.

John Stoll: Right, if they use it, it all depends on how much they were able to use then.

Joe Harrison, Jr.: So obviously, the state is interested as well.

Commissioner Mourdock: Sure. I'll move approval of the signing of the letter then by the Commissioners, August 14th, to Rick Whitney of INDOT.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Second, I'd like to recommend that the paving contract VC00-08-02 be awarded to E & B Paving for the amount of \$158,790. They were the low bidder on the project.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: And next I've got the notice of intent letter for the Lynch and 164

interchange. This is a letter that has to be submitted to IDEM. I forgot to bring it last week, but this was the item that was approved for advertising last week. We have to publish this in the newspaper, but I didn't bring the letter for the Commissioner's signature. But this is the notice of intent letter for the Lynch and 164 project. It's recommended it be signed.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: And the last item I've got is a request for sidewalk waiver on the Daylight Industrial Park subdivision. This sub is located at the southwest corner of Boonville-New Harmony and Green River Road. It will be an industrial park, so based on that, the developer is requesting the waiver and there are no sidewalks anywhere in the vicinity of this development, so it's recommended this waiver be approved.

Commissioner Mourdock: I'll move approval of the waiver.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: That's all I have unless you have any questions.

Commissioner Tuley: Give me a call tomorrow if you would. Tom called me last week about a phone call he got from someone out there in a subdivision about their driveway, how it's humped up too much.

John Stoll: Yeah.

Commissioner Tuley: They saw me over the weekend and they talked to me about it and I'd just like to discuss it with you.

John Stoll: Okay. The way I understand it, somebody had previously humped the driveway up to divert the drainage –

Commissioner Tuley: Yeah, what it looks like is –

President Jerrel: New area?

Commissioner Tuley: Well, no it's in the old area. In the years past, we've came in, the county did, and just paved over the roads and stuff so then I guess it raised the road up a little bit, so they built the driveway hump up to keep the water from going down into their basement. Well, this time we milled the road down and paved it like it's supposed to be done, so now they've got this big hump there. And they'd like to put some kind of – way to ease that but according to Tom, if we do that, there is a drainage inlet just beyond this person's house and if we divert that water around that driveway, it's also going to divert it right around that inlet.

John Stoll: Right, I didn't go out and see it. Tom was telling me that the drainage wouldn't go where it was supposed to.

Commissioner Tuley: I mean, this inlet (inaudible) their property line. Just like, take a look at it and see if that's...

Commissioner Mourdock: Keep us from being the respondent to an obstruction of drainage –

Commissioner Tuley: Exactly. Down the line it will still be somebody else coming in here and we'll be the cause.

Commissioner Mourdock: I got your e-mail today on Wittekindt, so you're still talking with him?

John Stoll: Yeah, the best we could come up with was cutting the back slope of the ditch back. I told him we couldn't cut the front slope without eliminating the shoulder along the road and he was willing to give that a try but he did want to be out there whenever Erik's crews were there so he could have his mower there to test it as it was being done. Doing that still resulted in a lot of work for Erik's crews because we will end up having to set his driveway pipe because by the time the back slope of that ditch is pulled farther away from the road, one, we're going to have to skew his driveway culvert so it will have to be reset, but I guess we'll give that a try. We did get the certificate of insurance from Torian today so that part of it is taken care of. I just hope that we can come up with something that will satisfy him.

Commissioner Mourdock: Well, if we don't, we'll have a record that we sure tried.
John Stoll: That's for sure.

President Jerrel: Okay, thank you.

John Stoll: Thanks.

County Highway

President Jerrel: County Highway. Erik isn't here this evening.

Tony Greubel: Erik, called about an hour ago, said he's feeling sick.

Commissioner Mourdock: I do have a comment to pass on to Erik if you would, in reviewing the statistics he gave us in our packet this week, I noticed he did not include Boonville-New Harmony on the road pave list and that was recently paved. And I just, it made me wonder what else might not have been included on there. So would you have him double check that list?

President Jerrel: Are you talking about the percentage list?

Commissioner Mourdock: Yeah.

President Jerrel: Those three, I think, I have that information with me. Those three were done on this second batch of money because I am going back tomorrow for the remaining roads to see if Council will fund the rest of them. You do have the Highway Report and we can make one more (inaudible).

Joe Harrison, Jr. - County Attorney

Joe Harrison, Jr.: I've got some bids that have been received and opened and I'll give you the tabulation of those. The first is the Discovery Lodge. It's VC0007-04. There were six bids submitted and they are as follows:

LMS Contracting, Inc. Madison, IN	\$591,440.20
Deig Bros. Lumber & Const. Co., Inc. Evansville, IN	\$434,836.90
Phoenix Construction Company Evansville, IN	\$462,924.00
Blankenberger Brothers, Inc. Cynthiana, IN	\$416,707.62
Koberstein Trucking, Inc. Princeton, IN	\$534,947.70
NFH, Inc. Evansville, IN	\$486,696.45

I would ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: The next group of bids are the salt bids, VC2001-02. There were three bids submitted and they are as follows – they each have kind of a variation in them so I'll kind of list what I thought was applicable, however, there were some alternates listed in a couple of them.

Cargill Incorporated	\$30.90 per ton \$33.65 conveyor \$32.40 slinger
IMC Salt, Inc.	\$29.95 per ton would include dump delivery
Morton Salt	\$32.91 per ton

Joe Harrison, Jr.: Those are the three that I would ask that these be taken under advisement and review them for their responsiveness.

Jerry Bryant: Right, two years ago we barely kept the county in salt with three suppliers. Last year, we had a warm winter and we didn't need that much, but we want to keep these three suppliers on hand and use from each one of them

in case we have another bad, bad winter. And these are three bonafide sources and I recommend that we use all three.

Joe Harrison, Jr.: Do you want to take a look at them and come back or do –

Jerry Bryant: Yeah, I'd like to come back, take them under advisement this week and come back with an award recommendation at the next meeting.

Commissioner Mourdock: I'll move then that we take the salt bids under advisement.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: And lastly, there were three bids submitted on the concrete paved side ditch repair. This was a bid that was requested, I believe, by the Engineer's Office.

Southwest Engineering, Inc. Evansville, IN	\$5,685.00
Deig Bros. Lumber Const. Co., Inc. Evansville, IN	\$5,512.00
CCC of Evansville, Inc. Evansville, IN	\$4,986.26

Joe Harrison, Jr.: I would ask that you take these three bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: That will be it. Oh, it's my understanding, I think the Sheriff's Department has their county sheriff detention capacity report up through August 13th, is that correct, Eric? And on that report you'll see that this report began – they started keeping track as of 6:00 p.m. on July 10th and this is through yesterday, Sunday, 8/13. And I believe, Chief Deputy Williams indicated that there's 273...?

Eric Williams: Eight.

Joe Harrison, Jr.: In the Jail as of today. So I'd ask that you accept this report and I will do as I've done in the past, forward a copy of this report to Mr. Falk with the ICLU pursuant to our agreement that we signed a month ago.

Commissioner Mourdock: And I'll move acceptance of that report.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: And I'll also add that in our packets, I don't know if you noticed, but I had Tony and Becky take a look at the other set of statistics that Chief Williams also sends to us regarding the length of stay and maximum times, and they graphed it out and can look at it each week.

President Jerrel: Yeah, that looks –

Commissioner Mourdock: A picture is worth a thousand words.

President Jerrel: Yeah, it is. Is there anything else, Joe?

Joe Harrison, Jr.: No, that's it. Thank you.

Tony Greubel - Superintendent of County Buildings
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President Jerrel: Superintendent of County Buildings.

Tony Greubel: Yeah, under – Mark Acker, obtained price quotes to seal coat, crack seal and line stripe the parking lot of the Coliseum and he was requesting if the County Commissioners would help pay for the cost of redoing the parking lot. The price quotes vary from \$2,815 to \$4,071 and the Veterans Council would select a vendor and Mark was asking if the County Commissioners would be interested in maybe contributing a fixed cost like \$1,500 toward that project. I do have sufficient funds in my 1310-4120 line item to do that if you are interested. I might add that the courts, in the Old Court House, they've been using that parking lot, not frequently, but every once in a while and that may start increasing as it goes on.

President Jerrel: Questions?

Commissioner Mourdock: This specific request then is for \$1,500 as a one-time?

Tony Greubel: Yeah, one time up to \$1,500. If it goes over, I mean, the Veterans are going to pay the balance if something happens, if they do a little bit more. We'll just keep it at \$1,500.

Commissioner Mourdock: I would move the appropriation not to exceed \$1,500.

Commissioner Tuley: Second.

President Jerrel: So ordered. Is there anything else?

Tony Greubel: That's all I have.

Steve Craig - Burdette Park

President Jerrel: Burdette Park.

Steve Craig: Steve Craig, Manager of Burdette. Our Discovery Lodge and our

Day Camp has concluded for the summer and the Aquatic Center will be closed all weekdays until Labor Day and it will be open for weekends. It would have been a good day to go swimming today. But other than that, I don't have anything to report right now.

Commissioner Tuley: Steve, I've got something to comment on. We were out there for the school picnic and, unfortunately, I didn't get the young lady's last name but there was a lifeguard up there named Amy that was being, I don't want to say harassed, but bothered so to speak, by four or five young college guys who were trying to be cute and what have you. I just sat there and watched that whole thing. She handled that situation wonderfully. She didn't get excited, she was able to do her job and she was able to do it without getting nasty with them and what have you. But her first name was Amy. If she is still around, I'd like you to pass that on. I told her afterwards that I thought she really did a good job handling the situation.

Steve Craig: Yeah, okay, I will pass it on to her or talk to her. They get in those situations quite a bit, you know, and –

Commissioner Tuley: That's what she said but she really – I saw myself getting excited and wanting to toss them right then and there but she really did a –

Steve Craig: Well, that would have been acceptable, too!

Commissioner Tuley: But under the circumstances, I thought she did a, to be a young lady like that, she really handled herself well.

Steve Craig: Good. Thank you.

President Jerrel: Okay. Thank you.

Commissioner Mourdock: On behalf of the rest of Commissioners and Torian and Dillow, I am glad you didn't toss them –

Commissioner Tuley: Well, it was a little difficult for me.

President Jerrel: You might have used your crutch. Okay, is there a motion to accept all of the reports including Soil & Water and Ozone?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Phil Hoy - Soil & Water Report

President Jerrel: Under consent items, is there any –

Phil Hoy: I thought you were going to call on one of us for Soil & Water. May I have a couple of minutes?

President Jerrel: Sure. Certainly.

Phil Hoy: I am Phil Hoy and I'm a County Councilman, also a Supervisor the Soil & Water Conservation District. Commissioner Mourdock is an associate there and he suggested we come in occasionally and speak to some of our issues. And you've got a report. I would like to add a couple of things and try to answer questions. If they're technical questions, then I'll defer to Mr. Mourdock who is much more technically adept than I am. You blinked when I said that but it's true. And Supervisor Ellison was hoping to be here tonight and something came up and he couldn't be here, so you're stuck with me. I am the third choice. We're very pleased with the 4-H project ditch that we did out at the fairgrounds. We've had a lot of good compliments on that and I wanted to pass that on to you because those are the kind of things that the district does and sometimes you only hear about them if they didn't work. We're also very, very proud that out of the 92 counties, two of our farmers have been chosen as Indiana river friendly farmers. You have to say it slowly. But when you consider that there are 92 counties and only 28 are chosen, we're very pleased with that because as you know, our goal is to get voluntary cooperation. There are some incentives that the government offers to clean up our water, make sure the soil is in good shape. And I do want to name those two people and one of them is Mr. Ellison, David Ellison, who is one our supervisors and the second one is, I am really proud of him because he is a long term friend and he is member of the Board of Directors of the Tri-State Food Bank, get that little plug in there, Mr. Leroy Neihaus. But these folks have worked hard. We had other people submitted, but they were two of the persons selected. That's all I wanted to say unless you have questions and I'll do my best to answer questions, otherwise –

President Jerrel: I appreciate you coming. We don't get a regular, we get the written report but it's nice to have someone representing the office.

Phil Hoy: We won't be coming in all the time unless you want us in but we do feel that and this is at Mr. Mourdock's suggestion and I think it's a good one, that we come in more often and let you know what is going on.

Commissioner Mourdock: Just, I would really suggest, Phil, as I said out there, I don't think it's important or critical that someone be here every meeting, but once a month wouldn't seem excessive and again, we didn't mean to jump over you here as we were going through the agenda. I didn't know that's what you were here for, but it may be that when you are going to be here or one of the other board members that's going to be here to report, just give Tony a call that day so we know that that's why you are here.

Phil Hoy: And I apologize. I assumed that call had been made, – and then I just got a call and said show up. So here I am, T-shirt and all. But it's not political. I wanted you to know. It's not one of mine, let the record show. Thank you very much and I do appreciate this time and we are – I am exceedingly proud of what this district has done and the staff works so well together sometimes we just don't even think about coming in but we will. And Mr. Ellison probably, unless you want Mr. Wathen will have one of the supervisors come in. So you all can let us know.

President Jerrel: Thank you very much.

Consent Items

President Jerrel: Is there a motion on the consent items.

Commissioner Mourdock: I'd move approval of the consent items as filed.

Commissioner Tuley: I am going to second, but I don't know, Tony, if you filled that out for me or if Becky –¹

Tony Greubel: Yeah, I did that.

Commissioner Tuley: I think the estimate is a little low. It says \$300 for my total trip but I think it's going to be a little bit more than that. AIC, that's probably going to cover the hotel only.

President Jerrel: Yeah.

Commissioner Tuley: Just for the record.

President Jerrel: Right, we'll consider that a low estimate.

Commissioner Mourdock: You mean you're not going to be sleeping in your car?

Commissioner Tuley: For a while there I thought I was, they were about out of rooms and I am not getting to stay at French Lick, obviously, waiting this late.

President Jerrel: No kidding.

Commissioner Tuley: I'm like 50 on a waiting list.

Old Business

President Jerrel: Is there any old business?

Commissioner Mourdock: Yes, one item of old business regarding our meetings that we've discussed having to take information in from PMSI. Tony just reminded me that while we did set aside the date specifically for September 11th, 18th, 25th and October 7th for the information, we've not formally acted to announce where those meetings were going to be. We had some discussion whether or not this room would hold the people and we talked about going to the Centre and now would be the appropriate time to make that call. And also, the one of September 25th on Community Corrections, which I would guess will probably take the most time, although the one on September 18th on the Courts and court date as well, both of those nights are Rezoning and Drainage and how we schedule it is –

President Jerrel: Could we meet earlier?

Commissioner Mourdock: That would be one suggestion. Where we skip the Executive Session on the 18th and the 25th and begin both of those meetings at 4:30.

¹See page 23 for a complete listing of consent items.

President Jerrel: Could 4:30 –

Tony Greubel: You could even have Executive Session at 4:00 - from 4:00 to 4:30 if you needed one or you can start the meeting at 4:00.

Commissioner Tuley: I think the more time we allow, probably the better off we will be in the long run.

Commissioner Mourdock: Yeah, because we do have the Rezoning meeting scheduled at 6:30.

Commissioner Tuley: Oh, we better start before then.

President Jerrel: Would four be okay with you?

Commissioner Tuley: Can you make it at 4?

Commissioner Mourdock: Um, I will do my best. This far in advance, I hope, yeah, I ought to be able to schedule that.

President Jerrel: That way we'd be sure we'd be finished and we've advertised those others.

Commissioner Mourdock: Okay.

Commissioner Tuley: What is the October 2nd one?

Commissioner Mourdock: What subject?

Commissioner Tuley: Is that just the final?

Commissioner Mourdock: That's facilities and some recommendations.

Tony Greubel: And Sandie Aaron did say we could use a room over in the Centre and since it's –

Commissioner Mourdock: And that one there will not be a Rezoning or Drainage Board, obviously.

Joe Harrison, Jr.: We can move that meeting.

Commissioner Tuley: I just got permission to travel to AIC and that's right in the heart of that darn meeting.

President Jerrel: Well, it's just –

Commissioner Tuley: Maybe I can keep the rest of all those architects and everybody up in French Lick.

President Jerrel: I tell you what, you'll get that material on Friday, just take it with you and hold the meeting.

Commissioner Tuley: Yeah, I'll just do it up there instead of having to come down

here.

Commissioner Mourdock: I guess first on September 11th which is the information on the juvenile justice system, that meeting we would, the 11th I guess, we would be having Solid Waste beforehand so we're open afterwards, so that one we can probably leave alone. Findings on the court and court data systems will be September 18th, that's our night of Rezoning so shall we start that at 4:00?

Commissioner Tuley: Probably be a good idea.

President Jerrel: Uh-huh.

Commissioner Mourdock: Okay, and where would – do we want to do that one here?

Joe Harrison, Jr.: I think you should simply because Rezoning is already scheduled here for 6:30.

Commissioner Mourdock: Okay, well let –

Joe Harrison, Jr.: You'll need to make a motion to change the time of the meeting.

Commissioner Mourdock: Yeah, let me go ahead and formally change the time then for the County Commission meeting to be 4:00 on September 18th in room 205.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: 307.

Commissioner Mourdock: This is 307, okay. I changed my motion. Then the third one which would be September 25th, the night of the Drainage Board, that one we have a little bit more leeway with. I would move that –

President Jerrel: What is the topic?

Commissioner Mourdock: Community Corrections.

President Jerrel: Oh, don't you think we ought to start at 4:00?

Commissioner Mourdock: Okay. I'll move then, and do you want to do that one here?

Joe Harrison, Jr.: Yeah, again, because Drainage is advertised here.

Commissioner Mourdock: Okay, I'll move then that the regular County Commission meeting be advertised for a 4:00 start time in room 307 on September 25th.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: And last but not least, then, on October 2nd, facilities and summary recommendations. Again, by time we're alright because we have no other meeting that night but do we want to do that one here or elsewhere?

Joe Harrison, Jr.: Or do you want to do it at the Centre? It's up –

Commissioner Mourdock: Here or elsewhere.

Tony Greubel: It just depends on how crowded you think it's going to be.

Joe Harrison, Jr.: You might want to keep it as it is now and you can make that change.

President Jerrel: Since we aren't disrupting anything else.

Commissioner Mourdock: Alright, we'll let that one stand.

Joe Harrison, Jr.: But you can still, I mean if you wanted to change it, you can still do it in September because we have plenty of time.

Commissioner Mourdock: Yeah, and we will see what kind of turnout we will get at the other meetings.

President Jerrel: Joe, just a thought, on the 18th and the 25th, if we do have and we see a larger crowd, Tony could you check and see if City Council meets at 7:00 p.m. on those two nights.

Tony Greubel: Yeah, they do.

President Jerrel: See, we could, if they meet at 7:00 p.m. then it could be a possibility that we could go down there.

Commissioner Mourdock: Sure.

President Jerrel: And ask them if they would mind coming here. We could work, well they wouldn't have to go anywhere.

Commissioner Mourdock: Because we have to be back anyway.

President Jerrel: Yeah, at 7:00 p.m. so we could just...

Commissioner Tuley: We could just use that room.

President Jerrel: Yeah. That might...

Joe Harrison: I would go ahead and advertise it for here. If you have to move then you could...

President Jerrel: Put signs up.

Joe Harrison: Yeah.

President Jerrel: Yeah.

Commissioner Mourdock: Alright that takes care of one item, with PMSI. Second item, that we want to talk about just for a minute is, we in scheduling these meetings have said that we do certainly want public input on everything that we have done. Formally, PMSI's contract with the County requires that all of this information be submitted prior to these specific meetings. So, I have spoken with the County Attorney and I have also spoken through e-mail with Mr. Schaeffer and I think, as a formality, we need to formally extend the term of the contract with PMSI and I will suggest a date of October 10th which would be one day after the meeting. One day and one week after our final meeting so that they can incorporate any comments in the final report that they give us. So, I would move and there is no change in fees or anything else, but I would just move that we direct the County Attorney to send a letter to PMSI as an addendum to the contract giving them the termination date of October 10th.

Commissioner Tuley: I'll second.

President Jerrel: So ordered.

Commissioner Mourdock: That is all that I have.

New Business

President Jerrel: Is there any new business to come before the Board? Okay, so we are going to ask for the appropriation, Tony, for the roads, the additional amount. I have that list for you.

Tony Greubel: What fund for the roads?

President Jerrel: Well, that one would be from...

Tony Greubel: Local Roads and Streets?

President Jerrel: No, it would be from the General Fund because, unless there is unappropriated Road and Street money and there may be unappropriated in there.

Tony Greubel: So, General Fund for both of those.

Suzanne Crouch: There is enough unappropriated.

President Jerrel: Okay, so just Roads and Streets unappropriated. The other would be General Fund and it would come, and we could probably put it in Contractual Services or else, that would be easiest right now.

Tony Greubel: I will see if I can get a new line item and call it USI Bus Service.

President Jerrel: Okay, that would be good. Any other business? Motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

CONSENT ITEMS:

Employment Changes:

Board of Registration	County Council	Coroner
Circuit Court	Sheriff	Prosecutor
Superior Court	County Commissioners	

Travel Requests:

Health/Nursing

Auditor:

A/P Vouchers

Prosecutor:

Declare Surplus

Sheriff:

Submit Weekly Jail Information

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Richard Helzerman	Mike Duckworth
John Connell	Jerry Bryant	Phil Hoy
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
August 21, 2000**

The Board of Commissioners of Vanderburgh County met in session this 21st day August of at 5:38 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners to order. I'm going to dispense with the introductions because they are familiar faces in the audience. At this time I would like to ask you to join me in the Pledge of Allegiance.

Approval of Minutes

President Jerrel: I'd like to call for approval of the minutes of the August 14th meeting.

Commissioner Mourdock: I'll move approval of the minutes as submitted.

President Jerrel: And I'll second and say so ordered.

Certification of Executive Session

President Jerrel: The next item is the certification of the Executive Session.

Commissioner Mourdock: And I'll move approval of the signing of the summary minutes for tonight's Executive Session and in attendance were the County Attorney, the County Auditor, Commissioner Jerrel and myself. That meeting began at 4:55 and ended at 5:30 and dealt with county personnel issues.

President Jerrel: And I'll—

Joe Harrison, Jr.: Litigation.

Commissioner Mourdock: And one point of litigation, thank you.

President Jerrel: And I'll second and say so ordered.

Jerry Bryan - Purchasing Department

President Jerrel: The next item on the agenda is Purchasing, Jerry Bryan.

Jerry Bryan: Good evening. You have before you the bid tabulation for salt. Last week we opened the bids. We have three we recommend to the Commissioners. We have three vendors, Cargill, Morton and IMC. This is because if we have a terribly bad winter we will need all of the sources. Cargill will be our main source with Morton and IMC as secondary sources. Two years ago we used all three sources, right Erik?

Erik Bentle: Yes.

Jerry Bryan: Okay, and then last year we didn't have a bad winter, but who knows what it is going to be this year so I recommend we use three sources.

Commissioner Mourdock: So moved.

President Jerrel: And I'll second and say so ordered.

Jerry Bryan: Thank you.

Long distance price quotes and recommendations

President Jerrel: Tony.

Tony Greubel: I just compiled a spreadsheet of long distance price quotes from several different companies. We've been having some problems with our MCI long distance. It has to do with converting what is called a primary interchange carrier code from 450 to 555. There is more work to do on that. Some codes aren't working and some calls are going straight through without being prompted for codes, so it might be a good time to switch to a cheaper carrier and a carrier that will give us more customized billing to save time on sending out copies of long distance costs to each department. Basically the spreadsheet comes down to probably either One Star Long Distance or Qwest Long Distance. The primary difference between them is that One Star is a reseller so in other words they buy minutes from a major carrier such as AT & T, MCI or Sprint and then they resell those minutes. Qwest on the other hand has their own long distance network. Ameritech...our account rep at Ameritech and our account rep at VanAusdall & Farrar both think with long distance...with as many numbers as we have it might be better to go with someone with their own network such as MCI or Qwest or AT & T, but on the other hand the city which also has a large long distance...they have a lot of long distance calls, too, and they have One Call or One Star and they have been doing fine, too. So it just kind of comes down to whether we really want to stick with a reseller or stick with someone with their own network. The Evansville-Vanderburgh School Corporation has Qwest and they talked to Commissioner Tuley about a week ago on this. The school corporation thought that they were better off going with a long distance company with its own network. With all the schools they do a good job of customizing the billing so that each school...all those numbers are divided into each location and then they can send out a billing to each school so they are aware of what long distance calls are being made.

President Jerrel: What he mentioned, the other day I made a telephone call, long distance call, to Indianapolis and there was no beep, beep, beep to enter in my code which tells me that has got to happening other places. That makes record keeping virtually impossible.

Tony Greubel: We do know where the calls are being made. I mean, there is some policing. For example, after hours if someone would be in your office, for example a cleaning person, you know, they could make a call. But on the other hand it would say at 9:00 p.m. a phone call was made from this number so then you know it would have to be someone with a key such as housekeeping. Records are being kept but there is still the added security of having the prompt codes.

Commissioner Mourdock: Just for the record I would note you said you suggest we

move to the cheapest carrier or cheaper carrier, I think you said.

Tony Greubel: Yeah, cheaper.

Commissioner Mourdock: Yeah, of the three you've quoted here in addition to MCI Worldcom Qwest is the most expensive of the three although just to read into the record the rates, you've got MCI Worldcom at 14 ¢, One Star at 5.9 ¢, Horizon One at 4.9 ¢ and Qwest at 6.4 ¢.

Tony Greubel: And then there is the difference between interlata and intralata. Horizon One is also a reseller and they are out of California. We don't really have a track record of them either.

Commissioner Mourdock: Is there any hardware requirements with this?

Tony Greubel: No, that is through VanAusdall & Farrar. They can program our automatic routing system for the correct PIC code.

President Jerrel: And then will individuals be given another code number?

Tony Greubel: They'll likely be kept the same code numbers.

President Jerrel: So what if we try this? I mean, people change long distance at all times.

Tony Greubel: Yeah, this is just a month to month agreement, it's not a contract, so if we switch to one of the other ones and we don't like what they promise us—

President Jerrel: What did MCI say was the reason that the codes weren't going through?

Tony Greubel: With the new PIC going to 555 they've had a lot of mergers, MCI Worldcom. The original PIC code, or primary interchange carrier code, was 450. When we try to switch it to 555 our automatic routing system doesn't know how to read that and then the MCI network...their computer system can't interact right. So we're going to have to do a major change anyway to get it to 555. VanAusdall & Farrar is going to have to do some more work. This is going to take several hours. Even though it is the same company when you are switching the PIC code you are basically...it's the same effect as getting a totally different long distance carrier.

President Jerrel: Okay, so you are recommending that we move to go to a different one or are you recommending Qwest?

Tony Greubel: Yes. I am recommending Qwest mainly because they're their own network. They have their own long distance system and they have done a good job with the school corporation.

Commissioner Mourdock: And your written comment here is that it has a local office and can customize billing for each department.

Tony Greubel: Yes, One Star also has those features. The main difference is One Star is a little bit cheaper, but they resell time. I will say that the city doesn't have a problem with One Star so I do have—

President Jerrel: Is that going to cause a problem in the system?

Tony Greubel: No. The school corporation, city and county are all on the Centrex phone system.

President Jerrel: Okay. At this point in time we're the only one using MCI?

Tony Greubel: Yeah, we're the only one still using MCI.

President Jerrel: And if we go with Qwest the city will be on one thing, we're on that and the school corp. will be on Qwest also?

Tony Greubel: We'll be the same as Qwest.

President Jerrel: Okay.

Tony Greubel: I just feel taking the advice of our Ameritech account rep and our VanAusdall & Farrar account rep that maybe we should stick with a system with its own network.

Commissioner Mourdock: And it begs the question as well which is would there be further savings if the city and county went together based on the volume of calls? That isn't a question that necessarily needs to be answered right now, but since this is a fairly short-term deal it's something I think we ought to take a look at.

Tony Greubel: I know the city is not interested in changing at this point. It does take...it might be worth looking at. Maybe if we can get them...I guess what I am saying is because of our current phone system situation we should probably change in the next week or two or else tell MCI that we're going to be a few more months and get something worked out with MCI.

Commissioner Mourdock: I'll make the motion on your recommendation then, Tony, that we go ahead and give Qwest a try. For what period did you say was minimum, a month?

Tony Greubel: Yeah, it's a month to month agreement so it's not really a long-term contract.

Commissioner Mourdock: I would make the recommendation then that we have our long distance service through Qwest on a month to month basis.

President Jerrel: I'll second and so order.

Tony Greubel: Thank you.

Commissioner Mourdock: And I will add back to that, Tony, if you would keep in contact with them and maybe between what the city is doing and what we're doing, even though the city is not interested in changing right now, I bet they would be if it was a lower cost for them and if by joining forces with them we can get lower costs then that is something we both need to consider.

Tony Greubel: Would you like me to see if something could be worked out with the school corporation, too?

President Jerrel: Yeah, I think that is the biggest one because that is the largest number of phones.

Commissioner Mourdock: Yeah, sure. It's worth a try.

Permission to close Olivia Road for block party
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President Jerrel: Okay, the next item on the agenda is Mike Lauderdale. Is Mike here? Did you get his request?

Commissioner Mourdock: Yeah, and I have a question on this, but we do have a request from Mr. Mike Lauderdale of 407 Kirchoff Boulevard. He sent us a note saying that he had contacted verbally and is then formalizing with a letter a request that on Sunday, September 3rd, between the hours of 3:00 p.m. and 12 midnight that we close the 10500 block of Olivia Road for a block party. It's a short street located between Kirchoff and County Line Road. It's says:

"Our small subdivision is located north of Creamery Road and east of County Line Road. We will have traffic control barricades set up at each end of Olivia Road as all neighbors within the subdivision will be participating in the event."

The question of insurance is one that comes to mind and I see the Sheriff in the audience and Chief Deputy Williams. Do you have any comments as far as the volume of traffic going through there or is there anything in particular we should be concerned of?

Brad Ellsworth: I have been on the street and it would not be a problem. You can get in and out of there just like that, so I don't think there would be any problems.

Commissioner Mourdock: Okay, since he was off mike Sheriff Ellsworth said he would bet his life, his reputation and his job that we will not have any problem with it. He indicated there is no traffic out there, so, Joe, do you have any comments regarding possible insurance or other things we need consider?

Joe Harrison, Jr.: No, I think that's fine. We granted one a week or two ago under similar circumstance, so I don't think there is a problem.

President Jerrel: Out on Ridgeway.

Commissioner Mourdock: Yeah, okay. In that case I would move that we grant permission for the folks out on Kirchoff Boulevard to have their block party and, Tony, if you would please communicate with them. That's a motion.

President Jerrel: And I'll second and say so ordered.

Any group or individual wishing to address the Commission
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President Jerrel: The next item is any group or individual wishing to address the board.

Joe Harrison, Jr.: I think...I'm sorry. Did you have something, Jerry?

Jerry Bryan: Yeah, I just want to make a quick comment here. I am working with Brad on the towing and abandoned vehicle program. Suzanne put together a cover sheet which gives you kind of a synopsis of the program. I will work very diligently to get this operational for the county. I notice that most people who stand at this podium ask you for money. This program will generate \$20,000 to \$25,000 for the county and I think it is very worthwhile and the sooner we can get it implemented correctly the better and we'll endeavor to work that fast.

President Jerrel: And the reason it will generate money is because it will no longer be going to the State of Indiana.

Jerry Bryan: That's correct.

President Jerrel: But will be coming to the county.

Jerry Bryan: Right, the state would come down, Bettye, about four times a year and hold an auction and then they would take that money in their pocket and take it back to Indianapolis.

President Jerrel: Yeah, so we'll keep it here.

Jerry Bryan: Yes, ma'am.

Commissioner Mourdock: Proceed posthaste.

Jerry Bryan: Okay.

President Jerrel: Is that a motion?

Commissioner Mourdock: That's a motion.

President Jerrel: Okay, I'll second and say so ordered. Okay, department head reports.

Joe Harrison, Jr.: We had one more thing from Cheryl Musgrave.

President Jerrel: Oh, okay.

Joe Harrison, Jr.: She has provided...the County Assessor has provided the Commissioners with a letter seeking approval from the County Commissioners to approve her request to seek a rehearing on a State Board of Tax Commissioners' ruling on an assessment issue. I guess it was a decision. Was it a decision by the Property Tax Assessment Board of Appeals that was appealed?

Cheryl Musgrave: Yes.

Joe Harrison, Jr.: And the statute is a little unclear as to whether she actually needs approval of the County Commissioners to seek a rehearing, but just to be safe I would ask that the Commissioners permit her and give her authority to seek a rehearing. I think realistically the statute was changed in January of 1999 and I do not believe it is actually a requirement any more, but both statutes are still in the Burns book and just to be safe in case the state questions whether she got approval I would ask that the board go ahead and permit her to seek a rehearing. It's

regarding a piece of property, I think it is 7 North Fulton Avenue here in Evansville.

Cheryl Musgrave: That is correct.

Commissioner Mourdock: I would move that the County Commissioners grant the County Assessor to seek a rehearing for petition number 82-029-97-1-4-00013.

President Jerrel: I'll second and say so ordered.

Cheryl Musgrave: Thank you.

John Stoll - County Engineer

President Jerrel: Okay, County Engineer.

John Stoll: First I would like to recommend that contract number VC00-07-04, the Burdette Park O'Day Discovery Lodge site grading contract, be awarded to Blankenberger Brothers in the amount of \$416,707.62. They were the low bidder on the project.

Commissioner Mourdock: I'll so move.

President Jerrel: And I'll second and say so ordered.

John Stoll: Next I've got a travel request to go to Indianapolis tomorrow to meet with Earth Exploration and INDOT regarding the Fulton Avenue Bridge.

Commissioner Mourdock: And Bettye Lou knows how to tell you exactly where their office is. I'll move approval of the travel request.

President Jerrel: And I'll second and say so ordered.

John Stoll: I'll have to get better maps off the Internet next time.

President Jerrel: The thing you have to watch for is when you turn off North High School Road or North Girls School Road the sign where you turn to go to the center for some reason the identifying street sign is down. There is no street sign. So you just have to—

John Stoll: Keep driving until you luck into it.

President Jerrel: Until you find it or look for a pole. There is a green pole, but it doesn't have a sign.

John Stoll: Next I've got an easement that Ameritech has requested that the county grant along Eastland Drive at Pollack Avenue. They want to get another easement. This is immediately adjacent to where they got one from the county a few years ago. I've reviewed the document. Joe has reviewed it and everything looks fine. This is property that was relinquished from INDOT to the county back as part of the I-164 project so we'll give them an easement over whatever rights we've got on that property. It's all outlined here in the easement description.

President Jerrel: Is there a motion to approve?

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: Next I've got a Notice to Bidders that needs approval to be advertised for contract number VC00-08-03, Broadway Avenue Bridge #273 removal and replacement. This is the project that we put out for bid several weeks ago and at that time we had it set up as a box culvert. We think we can save several thousand dollars by putting in a bridge instead and that's the way we're going to draw it up this time and put it out for bid again. So I need approval for advertising the Notice to Bidders.

Commissioner Mourdock: So moved for the advertisement.

President Jerrel: Second and so ordered.

John Stoll: That's the cover sheet for those bridge plans and I need the Commissioners' signatures on that as well. The final item I've got is a sidewalk waiver request for Charlestown Square Subdivision. This is a commercial subdivision that is going to be located on the east side of 164 right on the county line. This would be north of the Lloyd. All its access will actually be through a road in Warrick County. The subdivision itself, a portion of it is in Warrick County and a portion of it is in Vanderburgh County. Warrick County is not requiring sidewalks in this subdivision and given the fact that it's bounded by 164 and Lloyd if Vanderburgh County required sidewalks they wouldn't lead to anything, so on that basis it's recommended that the sidewalk waiver be approved.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: That's all I have unless you've got any questions.

President Jerrel: No, but call us.

Joe Harrison, Jr.: Do you have any more information on the fill issue for airport and the Lynch Road/I-164 extension?

John Stoll: I spoke to Rose at EUTS and she was in contact with someone from INDOT regarding what affect that might have on the overall federal funding on the project. She had not had a chance to talk to them again as of late this afternoon so I am going to talk to her again tomorrow and see. The only issue that sounds like may be in question at this point would be whether or not an actual credit could be granted to Vanderburgh County above and beyond just the savings of the dirt costs. The credit was projected to be over \$600,000 if we got a full credit for the dirt costs. Ultimately it may end up being that we just saved 20 percent of our share and INDOT saves 80 percent of their share of the dirt costs, but the airport would still see a benefit there because they would still have the \$2 million savings by not having to pay a contractor to haul the dirt off. That's what is up in the air right now, what about the credit will take place.

Joe Harrison, Jr.: But as far as INDOT approving the concept it's your understanding that they have agreed to allow this proposal that was submitted to them on Monday

or Tuesday?

John Stoll: Right, it was submitted to them. Rose told me that she thought it was still being reviewed by Federal Highway and then she got involved because of its potential impact to the federal funding.

Commissioner Mourdock: Why would INDOT care if that's where the dirt came from?

John Stoll: They shouldn't.

Commissioner Mourdock: Yeah, as long as the dirt passes spec they could care less if it came from eastern Missouri.

John Stoll: Right, right. It's all just a matter of how it affects the funding for the project. That's their only real concern.

Commissioner Mourdock: From the credit point of view?

John Stoll: Right. We should have an answer on that here shortly.

President Jerrel: Okay, thank you.

John Stoll: Thanks.

Erik Bentle - Superintendent of County Highway

President Jerrel: Erik.

Erik Bentle: Erik Bentle, County Highway. You have my progress report from last week and my work schedule for this week. The only other thing I have is a request for unpaid personal leave for one of our operators. He is having, I guess, it's marital problems right now and he wants a 60 day leave of absence.

President Jerrel: Does that fall under the medical leave?

Erik Bentle: That's why I am coming to you. I wasn't for sure about it.

President Jerrel: Suzanne, do we have a personnel...Tony, can you get a personnel handbook?

Joe Harrison, Jr.: Well, it's in the union—

President Jerrel: Did you hear what he was asking for?

Suzanne Crouch: No.

Joe Harrison, Jr.: —contract.

Commissioner Mourdock: Pardon?

Joe Harrison, Jr.: It's in the union contract.

President Jerrel: What is?

Joe Harrison, Jr.: I think it states in there personal or medical.

Commissioner Mourdock: But, okay.

Joe Harrison, Jr.: A leave of absence.

Commissioner Mourdock: There are two different things. Yeah, but that's not what is on the pink slip.

Joe Harrison, Jr.: Oh, I'm sorry.

Commissioner Mourdock: What is on the pink slip is under Family Medical Leave Act so his insurance would still be covered, is that not right?

Erik Bentle: Yes, he wants it with insurance, but without pay.

Commissioner Mourdock: But he specifically—

Erik Bentle: That's what he has requested.

Joe Harrison, Jr.: Okay.

Commissioner Mourdock: At least on, again, the pink slip it specifically says under the Family Medical Leave Act.

Joe Harrison, Jr.: I don't think that is a Family Medical Leave Act.

Erik Bentle: No, I don't think that...I've got it right here.

Commissioner Mourdock: Maybe we're thinking—

Joe Harrison, Jr.: If it's an unpaid leave of absence that's a different issue.

Commissioner Mourdock: But...okay, here is what made me think it was under the other is it says with insurance.

Erik Bentle: Yes.

Joe Harrison, Jr.: Well, that's up to this board.

Erik Bentle: Yes, that's why...I wasn't for sure about the insurance.

Joe Harrison, Jr.: It's up to this board to decide what it wants to do with that or even consider it—

Erik Bentle: Or even consider it, that's right.

Joe Harrison, Jr.: —next week.

President Jerrel: See, this really won't be under—

Joe Harrison, Jr.: That doesn't matter, Tony.

President Jerrel: Well, I'm the one that asked him to get it. This is not the union contract. Well, if this starts a run—

Joe Harrison, Jr.: Well, again—

President Jerrel: It's allowable.

Joe Harrison, Jr.: It's allowable, but it is up to him as far as whether it is allowable in your office.

Erik Bentle: Employee-wise.

Joe Harrison, Jr.: Is the one fellow gone? The one fellow that took the leave of absence for months?

Erik Bentle: Everybody is back now except for the elder gentleman who has lung cancer.

Joe Harrison, Jr.: Right, I understand, but the other fellow is—

Erik Bentle: Everybody else is back.

Joe Harrison, Jr.: —retired, isn't he?

President Jerrel: Yeah, but now we're in the bumping—

Erik Bentle: Now we're in the bumping stages and hiring stages.

Joe Harrison, Jr.: I understand.

Erik Bentle: For one, yes, but everybody else has returned to work.

Commissioner Mourdock: This is already in the consent items, right? We'll leave it in the consent items and we'll put it there.

Erik Bentle: Okay. That's all I have.

President Jerrel: Okay, thanks, Erik.

Joe Harrison, Jr. - County Attorney
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President Jerrel: County Attorney.

Joe Harrison, Jr.: I don't have anything other than it is my understanding that the count in the county jail prior to this meeting was 292 inmates and the Sheriff's Department has provided me with a listing of the inmates in the jail each day last Monday the 14th through Sunday the 20th and I'll send a copy of this list to Ken Faulk with the ICLU. That's all I have.

Commissioner Mourdock: Are you sending him this as well?

Joe Harrison, Jr.: No. We're required to send him a list of the dates...I mean, the number of inmates in the jail at 6:00 p.m. daily.

Commissioner Mourdock: Okay.

Steve Craig - Burdette Park

President Jerrel: Okay, Burdette Park.

Steve Craig: Steve Craig, Manager of Burdette Park. We're ready to start the dirt work on the O'Day Discovery Lodge. I've said it so many times I can't get it out now that we're starting it. I would like to thank John Stoll for the work he has done on the reviewing of the plans and getting everything in order so that we can get where we are at because without him we probably wouldn't be there right now. We've been staying busy at the park with the chalets, building rentals and the company picnics and that but the aquatic center is slow on weekends and none on weekdays, so that is where we're at there. I'm sorry we didn't have our worksheet. Joyce has been filling them out for Bonita and Joyce had a family emergency Friday and I didn't know they weren't done today until I looked for them. But we'll catch up on them next week. Other than that I don't have anything else.

President Jerrel: Thank you.

Commissioner Mourdock: Thanks, Steve.

Weekly reports

Commissioner Mourdock: I'll move acceptance of the department head reports as submitted.

President Jerrel: I'll second and say so ordered.

Consent items

President Jerrel: The next item is the consent.

Commissioner Mourdock: And I'll move approval of all the consent items as submitted to us prior to this evening's meeting.

President Jerrel: I'll say second and so ordered.¹

Old business

President Jerrel: Any old business?

New business

President Jerrel: Any new business? Is there a motion to adjourn?

¹See page 13 for listing of consent items

Commissioner Mourdock: One item of old business. Joe, if you would maybe you could report back to us if not next week then the following week on the discussion of a few weeks back regarding the possibility of doing something with the ordinance and how it relates to drainage and fill, etc.

Joe Harrison, Jr.: I'll do that.

Commissioner Mourdock: Okay. That being the only thing I would move that we adjourn.

President Jerrel: And I'll second and say so ordered.

The meeting was adjourned at 6:07 p.m.

CONSENT ITEMS:

Employment Changes:

Auditor	Perry Assessor	County Highway
Comm. Corrections	Health Dept.	

Treasurer:

Submitting monthly report

County Clerk:

Submitting monthly report

Coroner:

Declare equipment surplus

Weights & Measures:

Submitting monthly report

Sheriff:

Submitting weekly jail information reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Joe Harrison, Jr.
Suzanne Crouch	Charlene Timmons	Tony Greubel
Jerry Bryan	Cheryl Musgrave	John Stoll
Erik Bentle	Brad Ellsworth	Eric Williams
Steve Craig	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Recorded and transcribed by Charlene Timmons.

**Vanderburgh County
Board of Commissioners
August 28, 2000**

The Board of Commissioners of Vanderburgh County met in session this 28th day of August at 5:33 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners meeting to order. At this time I'd like to introduce to you those people before you. On the far right, Tony Greubel is our Superintendent of County Buildings; Next to him, Joe Harrison, Jr., County Attorney; The far left, Jane Laib is our Recording Secretary; Next to her is Suzanne Crouch, County Auditor; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel, and I'd like for you to join me in the Pledge of Allegiance. Were having a film in here so the flag is on the other side. Suzanne M. Crouch: Oh!

(Pledge was said)

Approval of Minutes

President Jerrel: I'd like to follow through on the agenda before you. The first item is the approval of the minutes of the August 21st meeting.

Commissioner Mourdock: I'll move approval of those minutes as submitted.

President Jerrel: I'll second and say so ordered.

Certification of Executive Session

President Jerrel: The next item is the certification of the Executive Session.

Commissioner Mourdock: And I will move approval of tonight's summary minutes for the Executive Session that began at 4:50 p.m. and ended at 5:30 p.m. Involved solely, the discussion of potential litigation against the county.

President Jerrel: I'll second and say so ordered.

Sheriff - Fire Systems Inspection Contract at VCCC

President Jerrel: The next item is the sheriff's department. You have some material. Were you going to speak to it? There is some material in the packet concerning the contract.

Commissioner Mourdock: There is a contract proposal for us to sign with Fire Systems Inspection or for fire service inspection. That contract is with Tri-State Fire Protection, Inc. and unless the sheriff's department has any comments I'll move approval of the signing of this contract as it's submitted.

President Jerrel: I'll second and say so ordered.

Building Commissioner - Raze House at 5930 Mesker Park Drive

President Jerrel: The next item on the agenda is the building commissioner, and I don't believe there's anyone here for that.

Commissioner Mourdock: Roger was here a minute ago.

Tony Greubel: It was just to raze a structure at 5930 Mesker Park Drive.

Commissioner Mourdock: Right. He had submitted the paperwork here that we go ahead and contract with Floyd I. Staub as the contractor to remove the house only at 5930 Mesker Park Drive. I would move approval of signing this contract.

President Jerrel: I'll second and say so ordered.

D.A.D.S. Instructor Agreement

President Jerrel: The next item on the agenda relates to the D.A.D.S. program. Is there anyone here to speak to this? Seeing no one, would you like to review the services? We do this every year.

Commissioner Mourdock: This is a one year contract for the instructor for the youth alcohol program for the Drug and Alcohol Deferral Service or as it's known, the D.A.D.S. program. It's preformed as a contract service and I'll just read real quickly, it's very short. This is that the contract will allow for the services as follows:

- 1) For the instructor to act in the capacity of instructor for required programs, each comprised of five two hour sessions and to provide curriculum input and development as requested.
- 2) That he'll be paid \$230.00 per five unit series. That would be vouchered through the county as normal process.
- 3) The instructor will communicate with the director of the D.A.D.S. program as the needs or changes related to physical elements of classroom and/or educational materials.

I would move approval of that contract as submitted.

President Jerrel: I'll second and say so ordered.

Crane Addition CO-V-08-00-001 First Reading

President Jerrel: The next two are first readings. One a public hearing, first reading for the vacation of easement for Crane Addition. Is there anyone here who wishes to speak to this?

Unidentified: Do you need someone to speak to this?

President Jerrel: Not unless...It's a first reading and we will set the second reading in just probably a little over a week.

Commissioner Mourdock: Just to define and make sure that you have full opportunity, I presume that you are the petitioner on this? You're requesting the

easement? Okay.

Jane Laib: And we do have all the utilities letters and return receipts. Everything's in order.

Commissioner Mourdock: Is that a question or a statement?

Jane Laib: That's a statement.

President Jerrel: We have them all.

President Jerrel: Do you want to look for a reasonable date while the motion is being presented?

Jane Laib: September 11th.

Commissioner Mourdock: Yeah, it's suggested September 11th. Pardon? I would move then for approval on first reading the vacation of an easement for Crane Addition. That's filed as CO-V-08-00-001 with a suggested final reading of September 11, 2000.

President Jerrel: Is there anyone else that would wish to speak to this or object to it? Hearing none, I'd second and say so ordered.

Tall Timbers Drive Expansion CO-V-08-00-002 First Reading
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President Jerrel: The next is a first reading for a vacation at Tall Timbers Drive.

Commissioner Mourdock: Again, is there anyone wishing to speak for this one? Mr. Shopmeyer?

Michael Shopmeyer: Yes, we spoke earlier today to the auditor's office. We would like to extend this for a couple of weeks to make sure we are square with the utilities. There were some questions because on both ends of this there a 12 foot easement. We want to clarify those. Is there anyone here that was here on this proceeding for Tall Timbers vacation? I wanted to come over...I don't like to extend on the day of and then not see the folks, if there were any remonstrators or people concerned, so that's why I came over. We'll be back then and I should have...I don't think we have any problem with utilities, but I wanted to make sure.

Commissioner Mourdock: Okay, so it's not just the advertised date for the final reading, but you're proposing that we postpone even the initial reading?

Michael Shopmeyer: I'm asking that you continue it in the records so I don't have to send out new notice letters.

Commissioner Mourdock: But not act this evening.

Michael Shopmeyer: I don't think you should act until we have the—I would rather have the utility letters in the auditor's hands. We have a question with at least one of them that I think we will work out.

President Jerrel: Don't forget that we are trying to keep the 11th meeting as brief as

possible.

Joe Harrison, Jr.: Since there's no remonstrators here—since there's no one here this evening, the suggested final hearing date was that date. Was that date—

Jane Laib: The 11th was going to be the final.

Joe Harrison, Jr.: What we can do, since no one's here tonight that can be the 1st reading date, but we will have to have a second reading date the following week.

Michael Shopmeyer: I hope we don't have to renotify, do we?

Joe Harrison, Jr.: Well, that's the thing, since no one is here this evening. Tonight was the night.

Michael Shopmeyer: Legally, I don't think I have to renotify, right?

Joe Harrison, Jr.: Did you send out notices?

Michael Shopmeyer: Yes.

Jane Laib: We have the green cards.

Joe Harrison, Jr.: If, if...All the notices have come back?

Jane Laib: Except there were three that we have—

Michael Shopmeyer: I got one today.

Jane Laib: You did? So there were two that we didn't get a card back on, but we do show where they sent it out.

Joe Harrison, Jr.: Okay, I don't see any problem as long as they were notified. I didn't realize that they all were notified.

President Jerrel: So you want to keep it for the 11th as the second reading, the final reading?

Joe Harrison, Jr.: That would be the first. Then the following week—

Michael Shopmeyer: It doesn't look like we are going to take much of any of your time at all. Anyway you want to do it, just let us know.

Joe Harrison, Jr.: Make a motion for continuance tonight until the 11th.

Commissioner Mourdock: Right. So moved.

President Jerrel: Second and so ordered.

Any Group or Individual Wishing to Address the Board

President Jerrel: Okay, at this time on the agenda, we usually open the meeting to anyone that wishes to appear and speak. We do have one person that was interested in speaking. Yes. You want to come up?

Steve Perry: Thank you. My name is Steve Perry and I'm with the Evansville Rescue Mission Youth Care Center. The Youth Care Center is primarily what I want to talk about tonight. It has to do with the relationship that we've had with the county for the last eighteen years. We've been taking care of juvenile offenders for that length of time and have been involving them in a non-secure program for that length of time. Since 1995, we began receiving juveniles in a detention format in a secure situation. I guess, the reason I want to talk to you tonight is that we've been doing business with the county for eighteen years now, and I think we've had a very good working relationship. We've been receiving income from the county by per diem and not a contractual agreement. It maybe that this is an opportune time to really negotiate the possibilities of entering into a contractual agreement with the county because under the context of a per diem rate, it's not really financially possible to keep X number of beds full on a given night. It may not always be in the best interest of a young person to stay an extended stay but most of the time, we found out that's really an important component of what we do so well. It takes time to develop a young person and to help instill some values and some skills and some incentives for wanting to do better. There's been a lot of discussions in recent jail committee meetings in regard to education. The thoughts were centering on what do we do for young people who have been removed from the Vanderburgh County educational system because of the problems they have imposed while being a student in one of the schools? And the second part is, what do we do to train and educate juvenile offenders who are placed into, in our case, our custody? How do we bridge those two thoughts together? Through the process, it's just been called to our attention again and again that a young person isn't going to have the motivation to be educated, unless he is detained somewhere and you get his attention, and you help him realize that there is a future out there for him. To get his attention you have to get him off drugs and alcohol and maybe some of the other habits and customs that he's been use to in a very alternative lifestyle. So sometimes you need more extensive time with these individuals to be able to make it. We've found this to be true in working with our adult population in our homeless shelter. Sometimes it takes up to two years working with an individual before he really realizes his responsibilities, accepts them, and get back on his feet. It's no less true with the juvenile offender. That he's usually going back home these days to a very neglected situation. He just doesn't have the best of environments going for him that challenges him, and encourages him, and is there for him whenever he falls. But rather, he's accustomed to being in a situation where once he's put down, he stays there and others keep stepping on him until he can't go any further. He violates the law again. He's back into custody, and the next thing you know, he's at the boys school. What I'm staying is that there are times throughout any calendar year that there are individuals that we come in contact with that need to stay longer with us. Then there are other times whenever individuals don't need to stay longer with us, the very best solution is to go home. They've learned their lesson, and it's time to get on with life. During those lull periods, we have no per diem, therefore, we have no income. It seems to me like there is a possibility where we can get our minds together and come up with some kind of contractual arrangement wherein we're not overly burdened such as we have been in the last three years, but we have the ability to keep operating. To maintain the good programs we are accustomed to keeping. Out of those good programs now, since we started the GED lab back in 1994, we have almost 200 GED graduates. There are a lot of schools in Indiana that may not be able to boast of that kind of success. We have an individual that

was pointed out to me who started out in the safe unit a couple of years ago. He was transferred to our start unit for more intensive training, evaluation, input, and encouragement, and he got his GED while he was at the youth care center. Now he has an excellent job. He's a homeowner, and he's a taxpaying citizen. Another example, if given enough time and has enough exposure to the great staff that we share at the YCC, they may be ending up like Brian Cues who use to be an individual in placement in our start unit and is now a staff member, and just eats, sleeps, and breathes taking care of young people in hope that they don't end up getting into some of the situations and circumstances that he had to experience.

President Jerrel: May I ask a question?

Steve Perry: Sure.

President Jerrel: For the record, since our minutes are verbatim, would you tell us how many secure beds and how many non-secure beds you have available?

Steve Perry: Yes. We have ten non-secure beds, and we presently use eight non-secure beds. We have the capacity to have ten secure beds but it's never been utilized enough to make that possible. The problem is that when you work with juveniles, you are required to have X number adults per juveniles. Let's say if you are a ten bed facility in a secure unit, you have to have two adult staff members present at all times on all three shifts to make it work. To make it work to the satisfaction of the Department of Corrections and various other institutions that we have to report to. It makes all the sense in the world because whenever you're dealing with some of these young people, it takes more than one person who's an adult to handle any given circumstance. So when you do it under a per diem basis then it's really hard to pay for X number of staff members per ten. If you have eight, it's even harder. Six, five or four on down the line.

President Jerrel: And how many secure beds do you have?

Steve Perry: We have ten secure beds. We have eight non-secure beds with the capacity of going up to ten.

President Jerrel: On your secure beds, how does that tend to run in terms of how many beds are generally filled? I know that doesn't solve the problem, but how many do you normally use?

Steve Perry: We've established, at the beginning of the year, a break even point. That is we need approximately ten beds guaranteed in the safe unit, which is the secure unit, and we need probably four as a minimum and preferably more for the start unit. When you average that out to a per diem, we can just barely make it. I mean, we've never made any money at all on the youth care center program, and we never desired to do that. It's not our goal, but we do want to be able to pay for expenses.

President Jerrel: Well, I'd like to...You know we're going to have our hearing on the 11th of January–September. We invite you to come back. This will be part of our minutes so we can send this to our consultant, and they can have the opportunity to hear or read your comments so that would help.

Steve Perry: What do you need from us between now and then, anything?

President Jerrel: Richard, what do you think?

Commissioner Mourdock: I know you've had some contact with PMSI. You've been involved in some of the meetings on the jail consultants so, I think, that question might be better address to them at this point. If you have information you want to be sure they are aware of that they perhaps have not asked you for, you need to get that in front of them. Bettye Lou, you just mentioned September 11th. We have the topics scheduled for each of the meetings, is that the juvenile one?

President Jerrel: Yes, the first one.

Commissioner Mourdock: I thought that was courts.

President Jerrel: First one is juvenile. Second is courts. Third is corrections. Fourth is the last and facilities.

Commissioner Mourdock: Okay.

President Jerrel: Do they understand the financial side of it? That you've told them what your break even is and that sort of thing?

Steve Perry: I think they do, but it might need to be re-emphasized.

President Jerrel: Well, that's why we can send this up to them.

Commissioner Mourdock: Take nothing for granted.

President Jerrel: We will send you a copy of the minutes.

Steve Perry: Okay.

President Jerrel: We appreciate your stopping over, and please do come back on the 11th.

Steve Perry: Thank you very much.

President Jerrel: Is there anyone else that wishes to speak to the board?

Richard Helzerman: My name is Richard Helzerman, and I would like to talk to you about the problem of overcrowding at the County Jail. The local paper published an article on the front page, August 19th, titled "Jones pleads guilty in slaying," by Mark Wilson. The article states that Jones agreed to plead guilty about one week before his trial was scheduled. Here is another example of the truth of Superior Court Chief Judge Scott Bowers statement that without an adequate number of court rooms, there is no creditable threat to give a trial to get the parties to agree.

Commissioner Mourdock: We jumped ahead. Sorry, Mr. Helzerman.

President Jerrel: Go ahead.

Richard Helzerman: Circuit Court Magistrate, David Kiely, told me that only 4 percent of his cases went to trial. All the rest, 96 percent, we settled by plea agreements. These facts and opinions should lead us to ask the simple question, Why don't the prosecutors and the defendant's attorneys negotiate an acceptable plea bargain

when the defendant is arrested? Why do they wait until there is a threat of trial? Richard A. Posner in his book titled, *The Problematics of Moral and Legal Theory*, states, "The German jurisprudential tradition has historically been organized around the concepts of *Rechtsstaat* and *Sozialstaat*. The first is the idea that government must operate exclusively through highly abstract laws uniformly enforced. These are laws that in their administration by judges and other officials, as well as in their formulation by legislatures, abstract from the unique situation of a particular persons or classes of person; hence laws which every drop of equitable discretion has been wrung. Now in the last couple of years they took a lot of discretion away from the judges by making mandatory sentences so that's the situation all over the state. His conclusion, so plea bargaining is improper, according to the German jurist's theory. They say that this was established back in the (Inaudible) in 1790 and so was in full influence in the 1850's when most of the people moved from Germany over here to Vanderburgh County. Still the official position of the German legal system such a rigid conception of the rule of law prove politically unrealistic. Again, what we have today is an unrealistic criminal justice system. The people who established and built Southern Indiana were Germans. A look at the names of the businesses, the names in the phone books, the history of Evansville makes it clear that the German heritage is still strong in this city. Is it possible that the unconscious influence of their German heritage against plea bargains is partially responsible for the overcrowding in jail? You and I cannot do anything about the unconscious influences of your attorney's German heritage, but you could do something to provide the courts with a trial scheduling system that recognized the reality of the high percentage of cases that are pleaded out at the last minute just before the trial is scheduled. I've consulted with many influential people in business by means of setting up scheduled appointments. No successful businessman that I know sets up 20 appointments at 9:00 a.m. in the morning and lets all 20 people sit in his waiting room as he sees them one at a time. This is standard practice for the criminal justice system in Vanderburgh County. This practice wastes the time of all the other prosecutors, defendants, and their attorneys. The cause of the overcrowding is poor defendants awaiting trial. The problem will not be solved until the poor defendants are given their constitutional rights to a reasonable bail, or the constitutional right to a speedy trial. In the paper, July 25, 2000, an article stated that 99 of the 277 inmates were awaiting trial. I have a copy of the article and I've highlighted for you, "Jones accepted a plea agreement" and "Jones trial for Norman was to have started next week." On the last page I have an article out of that book, or a page out of that book that I quoted, "Plea bargaining is considered improper." Thank you very much.

President Jerrel: Thank you very much, Mr. Helzerman. Alright, is there anyone else that would like to speak to the board at this time?

John Stoll - County Engineer

President Jerrel: Alright, moving on to the department head reports. County Engineer?

John Stoll: First I've got a street acceptance request for section seven in the North Greens. This is for Greendale Court. The street was built according to the approved

plans. It's recommended that the street be accepted for maintenance.
Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: Second, I've got a change order for \$87,609.60 for the Fulton Avenue Bridge. This is for the piling needed for the retaining wall on the north creek embankment.

Commissioner Mourdock: And timing is?

John Stoll: The contractor said that once they get their materials ordered and everything, they felt that they could get out there and begin work again the middle of next week. They've got a three to four day advanced delivery time for their steel piling and to mobilize the crane and everything. They said it would probably be the middle of next week.

President Jerrel: For the record, who's the change order for?

John Stoll: Pardon?

President Jerrel: Who's the change order for?

John Stoll: It's with Weddle Brothers. Once the commissioners sign off on it, then tomorrow it will be forwarded to INDOT for their signatures.

President Jerrel: They have to sign off on it also?

John Stoll: Yes.

Commissioner Mourdock: With that being the case, I'll move approval.

President Jerrel: I'll second and say so ordered.

John Stoll: The next item I've got is a sidewalk waiver request for section two of Five Oaks Subdivision. They are just wanting to waive the sidewalks along Kansas Road and along Hedden Road. All the other sidewalks within the subdivision would be built, but there are no additional sidewalks anywhere on Hedden Road so they wanted to eliminate on the west side of Lot 1, and on the west side of Lot 28, and then also along the north side of Lots 12 and 13.

Commissioner Mourdock: Do any of the other subdivisions out off Kansas Road have sidewalks? I mean it's good that these folks are putting them in, I'm just wondering if they are going to come back later and try to get a waiver?

John Stoll: To the best of my knowledge, they're not going to come back again later. The only other subdivisions out here are on Hedden: Covington Heights and Five Oaks Section One, and there are sidewalks out there in those subdivisions.

Commissioner Mourdock: Really? Okay. I would move approval of the waiver as requested.

President Jerrel: I'll second and say so ordered.

John Stoll: The last item I've got is a request to increase the offer on Burkhardt Road, Parcel number 48 from \$1,050 to \$1,850. This is to cover some additional costs the property owner said would be incurred for him to replace a couple of trees in the right-of-way take area. They were initially included in the original offer, but the property owner said that based on the estimates he had obtained, the cost would be higher so he asked for an additional \$800.00.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: That's all I have. Thanks.

President Jerrel: Thank you.

Commissioner Mourdock: Are you going to be here tonight for the Drainage Board?

John Stoll: I can be.

Commissioner Mourdock: I just don't know what you know about the continuing Rust Petition. I didn't know if there was anything new?

John Stoll: I don't think that was on Drainage Board this evening, but it is? I didn't realize that. The only thing that we are waiting on...I got a certificate of insurance from Torian and I sent it to Mr. Wittekindt. It was liability only and he wants a workman's comp certificate of insurance so I talked to Bob Dillow this morning and he said he would get that out. Erik's crews are ready to go as soon as we get that certificate of insurance. We've forwarded the temporary easement for the ditch work out to Mr. Wittekindt whenever we sent the original certificate of insurance. Given the fact he wants workman comp certificates, we have not received a signed easement for the ditch work, but we still do have the signed easement for the cutting the notch through the berm.

Commissioner Mourdock: Do we have, between the parties, a signed agreement on what the final profile will be?

John Stoll: No we do not.

Commissioner Mourdock: Is it reasonable to think we could get such a document? I just want to be sure that we don't get into, when this is all over, he said it would be that way. Well, no, it was to be this way. You know, that kind of discussion. I just don't want to go there.

John Stoll: Are you talking about on the pond?

Commissioner Mourdock: Relocated drainage. No, I'm not talking the pond.

John Stoll: You're talking about the ditch.

President Jerrel: The ditch.

John Stoll: What we were going to do is go out and have Erik's crews cut the back slope of the ditch back. Mr. Wittekindt had asked to be present when they were

doing the work so he could have his tractor available to see if he could mow that slope. He may be able to mow the slope, but he still won't be able to mow right up next to the road, nor would he be able to mow the bottom of the ditch.

Commissioner Mourdock: But we'll be taking over that responsibility right next to the road, will we not? Well, that's right, it's just a temporary easement. Never mind.

John Stoll: Right. I don't know if what Erik and I have discussed is going to satisfy him without doing a major realignment and reconstruction of the ditch and moving it further away from the road.

Commissioner Mourdock: I don't know either. It is the very first thing on the Drainage Board agenda so if you wouldn't mind sticking around. He may or may not come in. I don't know.

John Stoll: Okay, not a problem.

Erik Bentle - County Highway

President Jerrel: County Highway?

Erik Bentle: Erik Bentle, County Highway. You have my progress report from last week and my work schedule from this week. The other thing I have is paving. We've finished Red Bank Road from 62 to Upper Mt. Vernon. It came out real nice. Boehne Camp we are 3/4 of the way done with it and should be done, probably, Thursday. We're going to spend the next couple days doing clean up after the storm. So there will be a hold on paving for a few days.

President Jerrel: Did you have a lot out in the county on the roads?

Erik Bentle: Yes we did.

Commissioner Mourdock: Especially around Darmstadt.

Erik Bentle: Got out about 2:30 in the morning and didn't get done until about 9:00 at night. We spent quite a few hours out.

President Jerrel: Well, I figured you had a lot. There was...We even had a lot of trees in our neighborhood down. I guess it was stronger than anyone thought.

Erik Bentle: Yeah. It went through Darmstadt there at Boonville-New Harmony, and Old State was probably the worst area.

Commissioner Mourdock: Did any damage occur...Let me rephrase that. I know there were trees down at the 4-H Center. With the Frog Follies going on I expected to see pictures of hotrods with trees in them. Did anyone hear anything?

President Jerrel: I didn't hear anything. Didn't see anything.

Commissioner Mourdock: Very fortunate.

Erik Bentle: Did you get any reports?

Eric Williams: Excuse me. Not that I'm aware of.

Erik Bentle: Other than that, that's all I have. We'll finish up on Boehne Camp this week.

President Jerrel: Okay, and you remember me telling you about that road that Mr. Ray, those two—

Erik Bentle: Vanness?

President Jerrel: No, Vanness you're going to do. These are the two chuckholes that you fixed a year ago and they've washed out more. Remember, it's way up on the—you know which one I'm talking about? Okay, don't forget those when you're out in that general vicinity.

Erik Bentle: That's all I have.

President Jerrel: Okay, thank you very much.

Joe Harrison, Jr. - County Attorney
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President Jerrel: Okay, County Attorney?

Joe Harrison, Jr.: I have a couple matters. First, we received the report from the sheriff's office on the number of inmates in the county jail during the past week. Also the number of inmates in the jail as of right before the meeting was 302. Also, I received a draft of an agreement, and I'll hand it out, proposed agreement that's been provided by counsel for the City of Evansville. It's an agreement of the Water and Sewer Utility Board and the Board of Commissioners of Vanderburgh County concerning GIS. It's just a proposed agreement that, I think, the utility board is going to consider apparently tomorrow, and I had a couple questions after looking at the draft. I just conferred with Mr. Shopmeyer. The commissioners, if they so desire, can consider this either on the 11th or the 18th of September, but I've got a draft and I'll just hand it out to you all for review. This relates to the 50/50 participation in connection with the operation of the system.

Commissioner Mourdock: On that general subject also, it's in the packet and I don't have my copy right in front of me, but we do have in the packet an appropriation. I'd just like to formally make a request for a council call in September related to GIS for \$101,000 expenditure for hardware. That hardware would be housed at the water department as far as the server. So I would make the motion for the council call at this time.

President Jerrel: I'll second and say so ordered. You're going to get this straightened up?

Joe Harrison, Jr.: Yes. I just spoke with Mr. Shopmeyer just a few minutes ago, and he will make those changes before their meeting tomorrow. Then, if their board approves the agreement, it will come to our board for consideration next month.

Commissioner Mourdock: Tony, would you double check the dates you were talking to me about prior to our meeting and let me know first thing, with e-mail, tomorrow.

President Jerrel: Anything else?

Joe Harrison, Jr.: No, that's all.

Tony Greubel - County Buildings
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President Jerrel: Superintendent of County Buildings?

Tony Greubel: I have nothing additional to report tonight.

Gary Hohman - Burdette Park

President Jerrel: Burdette Park?

Commissioner Mourdock: Before we go to Burdette Park, Joe, you just forwarded this down. This does not require action? It was coming this way just to go into the record?

Joe Harrison, Jr.: Just for informational purposes.

President Jerrel: Just for your information. Okay, Gary.

Gary Hohman: Gary Hohman, Burdette Park. You have before you our work report. If there's any questions, I'll answer any questions regarding it.

President Jerrel: Did you lose any trees out there or anything?

Gary Hohman: One and an awful lot of limbs.

President Jerrel: Yeah. Did not damage any of those chalets?

Gary Hohman: One park grill is all.

President Jerrel: You're still going to be open on the weekend. This weekend is your last weekend?

Gary Hohman: This weekend is our last weekend with the exception of one company party. Our largest one of the year with Bristol-Meyers on the 9th. The only other item I have is that we are looking forward to and anticipating the day that the contractor will begin work on the Discovery Lodge building.

President Jerrel: Right. We feel the same way. Is there a motion concerning the other two reports?

Commissioner Mourdock: We do have the report from Soil & Water Conservation District and from the Ozone Officer so I would move acceptance of all the county department head reports into the record as filed.

President Jerrel: I'll second and say so ordered.

Consent Items

President Jerrel: About the consent items?

Commissioner Mourdock: A full package of consent items but no changes since the original filing so I would move approval of consent items.

President Jerrel: And I'll second and say so ordered.¹

Old Business

President Jerrel: Is there any old business.

Commissioner Mourdock: Just one item. It's already been a year since the original formation of the Public Defender Commission and with the appointments being one year, we need to reappoint Mr. Ross Rudolph to that board.

President Jerrel: And that's a motion?

Commissioner Mourdock: I would move that we do so.

President Jerrel: I'll second and say so ordered.

New Business

President Jerrel: Is there any new business.

Joe Harrison, Jr.: I had something else, I'm sorry, that I forgot to bring up in my report. I have some documents for execution in connection with the Barrett Law Oak Hill Road Barrett Law Project. The closing is going to be this week and I've got those documents for your execution.

Commissioner Mourdock: I would move approval of those documents.

President Jerrel: I'll second and say so ordered. Is there any other business to come before this body? Hearing none is there a motion to adjourn?

Commissioner Mourdock: So moved.

President Jerrel: I'll say second and so ordered.

Meeting was adjourned at 6:09 p.m.

CONSENT ITEMS:

Employment Changes:

Assessor

Sheriff

Burdette Park

¹See page15 for a complete listing of consent items.

Health	Community Corrections	County Council
Prosecutor	Election Office	Highway
Superior Court	Circuit Court	Surveyor
The Centre		

Travel Requests:

SWCD	Health	Assessor
Auditor		

Auditor:

Submit Barrett Law Assessment Satisfaction Forms

Sheriff:

Submit Weekly Jail Information Reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Erik Bentle
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Gary Hohman	Eric Williams
John Stoll	Michael Shopmeyer	Erik Bentle
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

**Vanderburgh County
Board of Commissioners
September 11, 2000**

The Board of Commissioners of Vanderburgh County met in session this 11th day of September at 5:30 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I'd like to call the Vanderburgh County Board of Commissioners meeting to order. I understand that there is a candidate's meeting, and I know that all of the candidates would like to attend. It's at Stringtown Library so this looks like a formidable agenda, but it really isn't because I asked everybody to put their requests in writing. I'm going to begin at the beginning do one, two, three, four, approval of the minutes and go down to item nine. That will give everybody an opportunity to leave. Then we will do all the dry stuff after we're through. So at this time I'd like to introduce to you the people before you so that in case you haven't been here before, Tony Greubel is the Superintendent of County Buildings. Have we heard from the County Attorney?

Unidentified: He's here.

President Jerrel: Coming through the door, right now, the second gentleman is the County Attorney; Pat Tuley, County Commissioner is to my right; my far left, Jane Laib is our Recording Secretary; County Auditor, Suzanne Crouch; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. I would like to ask you to join me in the Pledge of Allegiance.

(Pledge was said.)

Approval of Minutes

President Jerrel: At this time is there a motion to approve the minutes of the previous meeting?

Commissioner Mourdock: I'll move approval of the minutes of August 28th.

President Jerrel: I'll second and say so ordered.

PMSI Juvenile Presentation

President Jerrel: We will now go to item number nine which is Project Management Services, Inc. for their presentation on the juvenile. For those of you in the audience, after the presentation by PMSI anyone who wishes to speak can feel free to speak. As we indicated two weeks ago, any discussion from the audience tonight and the 18th and 25th, Commissioner Mourdock wanted that included in the October 2nd final report so that's clear. You may want to react to some of their suggestions, or you may have some of your own.

Commissioner Mourdock: One other quick comment, if I may, if you do choose to speak to address any of the issues because we keep all of our minutes verbatim, please come to the microphone and state your name and address for the record.

Sorry, Bill.

Bill Shepler: Bill Shepler, President of Project Management Services. What I would like to start with is introducing our teams that we brought with us this evening. I have with us Julie Van Ark who is one of our team members here. So you recognize her. Al Bennett which will be speaking to you in a few minutes on that. Cid McNeilly couldn't be with us here this evening, and myself. I really do want to start, first off, by acknowledging and we are going to do this as we go through each of these pieces of report. We've imposed on your staff, your elected officials, and the citizens at large a lot of time. There has been a lot of time invested in this process and I'm not going to take the time to acknowledge each one of those as we go through, but each week we will tell you who's been involved in that. I cannot tell you how much cooperation we've received since we've been here from everybody. That's a real plus in doing something like this, the amount of cooperation. So I just want to thank those that was involved individually and as we go along, but just in general to let the Commissioners know how much we appreciate it because I know it's a great imposition. A lot of extra work on staff members. A lot of extra work on department heads who are very busy already. With that said, I was going to give a short overview of what we were down here to do. Basically, Project Management Services is focused on several things in here. We had formed several focus groups to talk about different areas here. This was made up of elected officials, staff people, and generally citizens at large who we felt had a stake in what was going on in these issues. These focus groups have met for several months. Many of them on a weekly basis. What we've tried to put together is a compilation of that. We focused basically on three different areas. First was data collection. We spent a lot of time trying to collect information as it came in. Next, we tried to focus on systemic analysis of what may be the problem and some recommendations for short-term and intermediate things that can be done. Finally, we will focus on facility needs for long-term recommendations for the county. Over the next several weeks we thought it was best to look at each of these areas individually. To spend some time on those rather than handing out a report that someone went to the last page and we really didn't get a chance to do that. Over the next several weeks we're going to be focusing on four areas. First one tonight and Al will be speaking on juvenile tonight. Then we'll be talking about court processes. Then we'll talk about Community Corrections, and finally we'll be talking about facility needs and long-term recommendations. One thing I do want you to understand is this problem is not unique to Vanderburgh County. It is a statewide problem. In fact, it's a national wide problem of dealing with overcrowding of facilities. We do want you to know though that your approach is unique. This is the first time that I know of in this state where the Commissioners have taken the foresight to look at trying to bring together several areas. A lot of times they will look at a facility and then back up and look at, maybe, court processes or back up and look at intermediate sanctions. This is very unique in the state, so I applaud you for that. You've shown a lot of foresight and knowledge. I think that's pretty neat. So our report will begin to focus on these areas and try to create some direction to it. I'm going to be quiet there and let Al come up. Al Bennett is a member of our team, as I earlier introduced. Just to give you a little bit of history on Al, Al has served in the adult and juvenile area for over forty years. He's associated with many projects throughout the state not only in implementation of services and programs. Beyond the projects that we've worked on together, there are many other projects in the last several years such as Al's been involved in developing a master plan for Rhode Island's Juvenile Justice System. He's been involved in developing juvenile classifications for projects in South America, excuse me, South Africa. Wrong part of the continent. He's also been

involved in the study and recommendations of solving overcrowding jail problems in places like Kansas City, Kansas. In fact, he's been involved in the evaluation of facilities throughout the country for the Federal Bureau of Prisons. So, Al comes to us with a wealth of knowledge and background in juvenile and jail operations, and I'd like to introduce Al and let him take over from there.

Al Bennett: Thank you Bill Shepler. It's a pleasure to be here. Madam Chairman and Commissioners, I am honored to be a part of the team that was asked to take a look at the county juvenile system and how it can be improved. The team is varied in their background experience, and we've experienced a tremendous amount of discussion and study. I too would like to acknowledge the people that I've worked with so closely in the area of juvenile justice. This community certainly takes care of their children and they have a great deal of concern for their children. I think it should be brought out that the people involved gave of their freewill time and was willing to provide the input for us to do the very best job we could. We had quite a number of people from Judge Lensing who chose to not be on our formal committee but did participate and have input to what we were attempting to do. We also had, of course, Chief of Police Guest, from the Evansville Police Department. Had quite a number of other people from the four candidates for Superior Court and other officials from the department—Sheriff's Department. Also Paul Downing and Jeannie Alverson from the Department of Corrections who provide inspection services for both the jail and juvenile services. I would like to formally recognize those juvenile justice study members who are here tonight and ask them to at least stand to be acknowledged. Sheriff Brad Ellsworth I believe is here. Lieutenant Brad Hill from the Police Department. Bettye Lou Jerrel from the Commissioners. Curt Wortman, President County Council. Reverend Phil Hoy from the County Council. I haven't seen Reverend Hoy if he's here or not. Lark Buckman from the Vanderburgh County Family and Children's Office. I haven't seen him. Gerald Summers who is President of the Evansville School Corporation. Dr. Phillip Schoffstall who is Superintendent of the Evansville School Corporation. Johanna Winternheimer from the Albion Fellows Bacon Center, Community Outreach Specialist. Norm Snyder who is the President of the Evansville Youth Service Center. Is he here tonight? Okay. John Browning who is the Director of the Southwestern Indiana Mental Health Center. Dr. Barbara Jessen from the United Methodist Youth Home. Judge Scott Bowers from the Superior Court. Bart O'Connor from the Probation Department. Bart's back there. Robert Carithers, Juvenile Prosecutor. Jeff Lantz from the Evansville County Public Defender. Our charge, basically, was to provide the study and recommendations on improvements to the juvenile justice programs in this county that may go as far ahead as 20 years. We asked ourselves a number of things. The number of juvenile referrals that may grow or may not grow in this county? What type of services are needed for law enforcement agencies so they can better do their job, whether it be shelter care, detention services, or mental health services? While planning in the future what are the number of detention beds that this county might need and where they might be served best? An important factor, I think, for us to look at was the fact that for the last several years, Judge Lensing has been the juvenile court judge. With his retirement at the end of the year, will there be new practices or those things that the juvenile court may want to do that might be a bearing as far as our long range plans may be concerned? What is the level of community support and cooperation? What are the needs for juvenile females? This came up on a number of occasions, the need for local services for females in this community. What have other communities done to try to handle the problems in a county about this size? One of the things that I want to cover, although not extensively and it will be in the report, are some national issues on juvenile concerns. According to the Office of Juvenile Justice and Delinquency, high risk

youth represent 15% of the national juvenile population and those 15% commit 75% of the violent crimes. That is a high number by a small group. Even if we were able to successfully deal with as many of those as possible, there would still be a number that we would probably not be able to reach. So the problem on a national scale is real, and we've found that it's going to continue in the future. We've found that on the adult side that adult crimes have gone down as far as number of crimes being committed. This is not the case for juveniles. They have continued to rise. We also know that adult and juvenile offenders must be kept separate. In your jail, even though it's an overcrowded situation, you are not able to keep juveniles there. Even though the Congress a few years ago, I'm talking about five or six years ago, did relax and allow juveniles to be kept for six hours. This is not being done here simply because of no space and there is no way possible to keep sight and sound separation from adult and juveniles. We also have found that this community has been existing with juvenile services that very much are a part of the fiber of the community, but they are not, necessarily, within this community. For example, over the years, and I'm speaking over the last eight to ten years, many of the services being provide for your juveniles has been out of county. Detention services need to be a secure facility that was designed and built for those offenders, juvenile offenders, that are violent and are under the influence of drugs and alcohol as well as those that commit the crimes that any adult would provide. There's also a need for providing services for those children that are basically CHINS or status offenders. Those kinds of services are varied and provided at various places in this county. A secure institution is for temporary custody. It is not an alternative disposition which limits the use of detention facilities in a short-term placement only. The decision to place a juvenile in a detention facility should be governed by specific written criteria. We think a detention center will protect the public, provide self-preventing self injury, and insuring the presence of the juvenile and the subsequent judicial hearings. Consequently, we want the public safety to be the most important enhancement of bringing the juvenile before the court. Secure detention is not something that will go away. It will always be needed. Every county of this size should have a facility that will provide the services for the youngster as well as for the public. In this county, the problem is further exasperated, exacerbated by the fact that very few juvenile detention facilities exist nearby. We do have a facility in this community that is run by a private organization. It's a very fine private organization that is a private, non-profit organization. The Evansville Rescue Mission four or five years ago built a facility. They did not build it according to state and national standards. The national standards being ACA standards. It was built, basically, for non-secure children and later adjusted one floor of it for as secure as they could make it. This facility, the Youth Care Center, basically has 20 beds, ten beds on one floor and ten beds on another. All the rooms there are two person rooms. The operation on the second floor is for secure male youngsters, and the first floor is for non-secure. For those CHINS and status offender type juveniles. After that facility was built, the state started an inspection program for all of the 22 facilities in the state of Indiana. This facility until just recently, in fact this week, has had problems in dealing with standards that were required by the state. Until last week, this facility was lacking in coming up to standard. They are now up to 100% of all mandatory standards, and last week of the remaining 400 standards—actually it was 94.8 percent in compliance with the remaining standards. This facility is still lacking in other standards. I think it totals almost 14 standards and could be in compliance with probably half of those. There is still a problem with that facility in that it is not as secure as required. There needs to be single rooms, not double rooms, not two person rooms. There needs to be toilet fixtures in the rooms. What you have are dry rooms. Restroom facilities are in an adjacent part of the floor. The program space is limited. All your

programs, basically, are on one floor, on the first floor or on the second floor, and the day rooms are basically used for classrooms where they should be for day rooms and other activities. There is limited space for programming. Those are areas that that building cannot comply with standards plus the fact that who they take is a problem. They provide good programs for what they do, but they are not providing services for girls. Girls have to be taken to The Village up in Vincennes. The boys that are violent or under the influence also have to be taken to Vincennes. You have to fit a criteria to be able to be taken there. We have found that there is a problem in the system in knowing where to take a youngster. A police officer, and we've heard many stories, may have to not only if he can't find the parents, may have to babysit, literally, for the six hours they can keep them. Sometimes cannot really come up with a solution of where to take the youngster. We would suggest that there needs to be more collaboration between the police department and the juvenile court. Of course, in our recommendations that I will get into later, we have a solution we think will take care of those things. This county and with their juvenile justice under Judge Lensing has provided tremendous services through the years, but we have found that in the last couple years his use of YCC has diminished because of administrative changes and programs that have changed at that facility. Therefore, it has placed YCC in a position of financially unstable. Where they say they are not going to close and they are going to continue operating, they also say they have operated at a deficit to the tune of almost \$100,000 a year. So, if an officer, a law enforcement officer, sheriff, or Evansville PD has a youngster that he needs to have detained, they should first take their males to YCC and if they are violent or under the influence, they must go to Evansville with that male youngster.

Commissioner Mourdock: You said Evansville, Al.

Al Bennett: I'm sorry, north, Vincennes, Knox County. Southwest Indiana Regional Youth Village is a very, very fine facility. They, of course, take the males that can't be taken at YCC and they take all the females. If the male youngsters can't be taken to Vincennes to The Village, they have to go to other facilities. Going back a few years and very recently, they've had to go as far as Clark—counties of Clark, Johnson or even Vigo counties, if The Village is not available. The policemen on the street are confused about where to take a child. If the home is a bad or improper solution shelter care, children in the need of services, girls, are taken to Hillcrest Home and, of course, YCC has ten beds called START for boys for children in need of services. I would like to cover the recommendations that we would make that may take something as rather simple in regards to how quick you can remedy these solutions, or it may take three to five years. I think we need to take a look down the road to what improvements can be made. PMSI recommends that Vanderburgh establish a Family Court. We understand that if the system—of the systems that have pursued the idea of family court, no two courts have built the same structure or developed the same service ideas based on the belief that all family law matters should be guided by the best interest of children. The Supreme Court Chief Justice, Randall Shepherd, of course having been a citizen of this county, is leading the way in establishing family courts across the state. There are three courts presently being run as a trial run supported with state funds. He states that his desire is to explore the family court concept as a place where you deal with the whole family and their problems in a single court issue. He has a staff member by the name of Francis Hill that states that there continues to be a lack of definition, but they are working on these issues like family court in Porter County or the family court that's on a trial in Johnson County. They may have expanded jurisdictions of court to include custody, visitation, juvenile probate, protection and criminal cases affecting the family, coordination of family court litigation through specialized case management and the

use of one family - one judge, or one family - one team models have all been areas that they've studied mostly from out of state. One of them being Louisville. That would be Jefferson County or in Hamilton County. That's Cincinnati in Ohio. In a third area the family court could bring would be informed decision making by insuring notice to the judge of other relevant family litigation as well as family history, assessments, and evaluations. Increase of alternative dispute resolutions, facilitating and coordinating service delivery for families and children. The sixth area would be monitoring court orders for compliance and needed modifications. We think that the time is right for the family court idea to be looked at and brought forward. Judge Bower, who was active on our juvenile justice committee, brought forward to the committee the idea they've been studying and looking at this issue and asked the committee to take appropriate action, and the committee did make a strong suggestion that the county continue looking at this. Now before I go to the others, I want to state that our committee did not feel like they're the ones that were implementing. We were here studying and making recommendations to the Commissioners. That it does take the efforts of not only the courts but also the Commissioners and the Council and other officials to put into action many of these ideas. The second general recommendation of PMSI recommends is the support of a contract with the Evansville Rescue Mission to develop secure and non-secure services. The county should strengthen its private/public relationship. It would be expected that YCC will fully comply with state detention standards and make improvements that the state department inspector may reasonably suggest. The county should guarantee a level of income to YCC in order for this facility to be available to the county for both shelter care and detention services for those male adolescents that qualify for that facility. The third recommendation we make is that the county, with the support of the court, continue to contract with the Southwest Indiana Regional Youth Village for services needed for detention services for girls and for those boys who don't qualify for placement at YCC as expected. Even though this facility is one hour away from Evansville it's an outstanding facility and the closest available to law enforcement agencies, court staff, and families of the youths placed there. The fourth recommendation that PMSI recommends is the county develop its own detention facility here in Evansville. A small facility of secure beds designed and constructed by state standards will eliminate many of the liabilities the county has with YCC and the travel to Knox County to The Village. This facility needs to be available 24 hours a day for immediate services to the law enforcement, court, school and family community. This, of course, the fourth recommendation will take longer. It will take awhile to be a part of the system of design and construction. Starting today it might take as much as two years for it to be available. That's the reason we are saying to give the financial support to YCC and The Village so they can be available and be assured that they are available services to you. The juvenile center would assist in a community to enhance the safety and security in the neighborhoods. It should be geared to help the adolescence to adjust in this community. It is expected that each child will receive an education and learn to adjust by performing on-the-job skills and have an acceptable attitude toward other individuals. A detention center should assist all interested parties and should be centrally located and (inaudible) immediate services to the child and his family when needed. The last recommendation largely comes out of the full collaboration, as you might imagine, from the study committee. We are recommending the development of a day treatment center. This could be in conjunction with the detention center because you're caring for the same children and some of the same programs are needed. We would expect this facility to provide services broad enough to catch many of the youngsters who are sent out of county to girl's and boy's schools or are placed in other expensive facilities. We

have found that there has been discussion between the school officials and many county officials like the prosecutor's office and the probation department, sheriff's department and others on planning such type of operation. While no specific proposal has been made by this unofficial group, there are some general features that appear to have merit. There should be a daytime program that lasts until 5:00 p.m. in the evening, five days a week. It should have many types of programming such as school credit or GED classes, learning life skills, occupational skills, anger management, family skills, supervised recreation. It should be highly structured probably including security personnel but not being a locked facility. Those who are under court supervision on house arrest or a curfew monitored by an adult after 5:00 p.m. This program should operate as a team approach involving at least the School Corporation, another agency providing programs, and the county including the family court. The juvenile court, the family court, could order these under its jurisdiction to attend the program with the alternative being detention. It could use moving from detention to the program as a reward for those that show progress in detention. There are many facets of this daycare program that we think would catch many youngsters before they are in such trouble that they have to be sent to boys school, girls school, or even to other expensive programs out of state. I believe that I probably should stop here, and I would be glad to answer any questions if it's asked. I want to say that it has been a very rewarding experience to work with this tremendous committee. We've met five times. We got tired of Blimpie's over lunch, but we did put Blimpie's in business, at least for the days we were there. We had delightful discussion that many times lasted more than two or three hours. These dedicated people truly do mean the best for the youngsters in this community. Thank you.

President Jerrel: At this time, I'll first ask either Commissioner if you would like to ask any questions or we can begin with the public?

Commissioner Mourdock: Let's go to the public.

President Jerrel: Is there anyone here that would like to come up and offer any thoughts about any of the recommendations or any recommendations of your own or ask questions of Mr. Bennett? You're more than welcome to participate.

Unidentified: I'd like to say something.

President Jerrel: Do you mind coming to the mike and giving your name?

Steve Perry: My name is Steve Perry and I'm with the Evansville Rescue Mission. I want to take this moment to thank Mr. Bennett for arranging a jail committee to discover or to analyze the needs of juvenile offenders here in Vanderburgh County, and I think he's done an excellent job of bringing together a lot of key people in the county to entertain ideas and search for suggestions and solutions for a very important problem as taking place. I just want to echo some of his recommendations and say that they are some good recommendations and have been given to us by a lot of expertise and a lot of study. I also want to say that the Youth Care Center in its 18 years of operation has not had one major incident where a young person has been injured and has had a serious problem because of the management and care and attention that has been given each of those young people who come to our facilities. I also want to say that many of the programs that have been suggested are already in place at the Evansville Rescue Mission. Since 1994 we have graduated almost 200 young people from our GED program. Since 1995 we had an accredited EVSC school teacher who offers accredited courses in subjects in any area that a

particular young person needs to receive credit in order to get back in school when he goes out of placement. I also want to say this that helping young people is a passion for us. We love the young people of Vanderburgh County and Posey County. It means a great deal to us to want to help them in a very troubled situation. We find that in a lot of instances that young people are much better off being at the YCC than they are going any place else particularly in going back home to a mother who's addicted to crack or heroin or alcohol or is inviting their young people to participate in a prostitution ring or someone who's just going to be totally neglected and no one in the house will pay attention to their particular problems. If it's an educational problem or a socially dysfunctional problem or whatever it is. We really want to come here tonight to pledge our support to help the community in any way we can to assist in developing these youths into productive citizens. Through the years it's not been a profitable venture for us and that's not our goal, but we are even willing to entertain the idea of doing some private construction to make the facilities even better than what they are. Our heart goes out to females though we've never been offered the opportunity to help females. We welcome the opportunity to help teenage girls as well. We think a lot of Vanderburgh County, and I think through Mr. Bennett's efforts we've discovered collectively that there are a lot of people who care around here. They are really serious about getting the job done. If we can save the county some money in accomplishing that and in addition being able to comfortably help these young people without having to wonder if we are going to be \$100,000 in the hole this year or next, we're happy to do that. We want to keep on doing that. I just thank you for this opportunity to say a little bit of something on behalf of the YCC. I'll tell you right now, as I said in the newspaper the other day, we got some of the greatest people that you'll ever meet anywhere that serve on our staff, and they're totally dedicated to make sure that these young kids get a better chance in life than what they're getting. They are just a wonderful group of people, and I appreciate and love them from the bottom of my heart. Thanks a lot.

Commissioner Mourdock: Mr. Perry, can I ask a question or two? I want to clarify something first because on the written program we have here from PMSI, item two talks about establishing a contractual agreement with the Youth Care Center and also the folks up in Knox County which, at least in context, is pretty similar to what you said at this microphone a couple weeks ago.

Steve Perry: Yes.

Commissioner Mourdock: When Al Bennett was up here a moment ago, unless I got my notes wrong, I think you said, Al, you thought one of the objectives should be to establish a contract with the Rescue Mission for secure and non-secure services. Is that correct?

Al Bennett: That is correct.

Commissioner Mourdock: Okay, and that's obviously broader than what you are doing now in the sense that it's secure.

Steve Perry: No we're secure and non-secure.

President Jerrel: They have ten beds up and ten down. I mean, they have a secure and START program.

Commissioner Mourdock: For the violent folks that you would have coming in that

are otherwise going off then, that's not considered secure?

Steve Perry: In years past, the policy has been that we cannot handle someone who is arrested for rape, murder, or any of those derivatives.

Commissioner Mourdock: Okay.

Steve Perry: But we're open. We're open to help in any way, any way the youth of the area, I don't care if it's the violent or non-violent, we're open to helping any way we can. If there's some...if we have to conform our facilities to meet the standards, or if we have to think about adding on or doing something different, we're open to that.

Commissioner Mourdock: And that was the second question I wanted to ask you. I'm not in any way asking you on behalf of your organization or your board to make a commitment at this microphone, but you did say today that even the consideration of doing construction for a girl's facility might be something that you all would at least look at?

Steve Perry: Yes. There's so many reasons these days to keep a child in detention and in a secure format. Normally, most people have thought that the only reason to keep a child locked up is because of endangerment to himself or to other people, but I've found out through these years, I've been with the Evansville Rescue Mission now ten years, that there are a lot of kids out there if they are addicted to drugs or alcohol and even other habits and customs in a neighborhood that they gravitate toward. Unless they are given time away from there and are presented some kind of a positive experience by some positive role models, then they will go back to that same circumstance and they will repeat their actions. In many cases they won't just repeat it, they will build on those actions and, gradually, it will get worse. We just—we feel compelled to do something. To do whatever it takes. We've got people who are just willing to spend incredible amounts of time just to make sure that a young person makes it in this life. They'll spend tremendous hours outside the facility to make sure this young person makes it. Appreciate it.

President Jerrel: I have a couple of questions. I have one for you on an issue, and I'd like to ask Judge Bowers a question.

Steve Perry: Are you finished with me?

President Jerrel: Um-huh. Thank you. I have a question about the day treatment center because that's one that has a real niche to feel—to handle the students that are only attending half day at some other facility sponsored by the School Corporation. If we were to collaboratively develop something like this, under what kind of structural requirements would that facility fit? Would it be the same as a school in terms of the requirements that has or is it special? Some special?

Al Bennett: I think it would probably fit best under the court or the probation department.

President Jerrel: That's not what I was asking. I was asking the structure itself, the physical structure. Are there...can a day treatment facility...let's just say what if we had an empty building somewhere? A school building?

Al Bennett: It would work fine.

President Jerrel: Okay, that was my question.

Al Bennett: I know what you mean. At the same time you could place a detention center that needs to be secure because you may provide some of the same programs for the kids in a secure setting as those that are in a non-secure setting.

President Jerrel: You mentioned during that eight to five setting, you know, several programs and said that you thought it should be highly structured. What kind of treatment do you see occurring that you had mentioned there are some other day treatment facilities around the state, what kinds of treatment do they offer?

Al Bennett: Obviously, we consider for youngsters that are suppose to be in school. One type that's a form of treatment is to educate them. The other types of treatment would be anger management, substance abuse counseling, families could be brought in for a certain type of collaboration with problems between the youngster and his family members. I think there's a lot of different areas that you could get into there.

President Jerrel: Judge, you know we talked about the meeting—the juvenile meeting, you discussed and we all agreed that the family court was a very good idea. Listening to your description though, you included all aspects of the child's life whether it would be juvenile, probate, it could be criminal. With the current rotation system how could you do this and make it work?

Judge Scott Bowers: The specifics, I don't know because a lot of that is going to depend on who the new juvenile judge is and what he or she might be willing to undertake. My own feeling is that, and what I mentioned to my colleagues as my personal preference is, we look at having a fixed term of rotation into a family court by specific judges. So, for example, we might have two elected judges go in for a term of one year or two years to be followed by two of their colleagues. I think that this would reduce the potential for burnout which is very high in people who deal continually in family law problems, very high levels of emotionality and conflict. It's very draining for any judicial officer to do that for an entire career so that's one consideration which is purely professional. In terms of court operation which should, of course, be the predominant concern, my recommendation to my colleagues that we have two judges at a time rotate into that kind of situation so that we will all have experience with all segments of the court and will be able to do information sharing. We've gotten a lot of benefits in terms of collegiality information sharing and problem solving from having various judges have similar dockets. Frankly, the juvenile judge has been pretty isolated from the rest of the court. I think this isolation is professionally difficult, but more importantly, it causes difficulties in terms of performance because you can't share solutions as meaningfully with judges who simply don't handle the same kinds of cases. That is my idea of how we might integrate that with the rotation system. That is not something that I'm speaking on behalf of the court, it's just my recommendation. You asked how I would see it done, and that's how I would see it done.

President Jerrel: And the sharing of information brings us the...you all are stressed and maxed out enough now, but the information needs to be...that's a lot of information. You'll be dealing with all sorts of things that affect a family. Everything from small claims to lawsuits, to criminal charges. That's going to take some in-

house administration to get that information on every family that would come before the court.

Judge Scott Bowers: Yes. We have two very important developments that allow us to do things that we haven't been able to do in the recent past. As you know, because of the crush of business we've been one of the busiest courts in the state. We have used the court administrator, who is a licensed attorney, to hear cases. We simply couldn't hear all the cases without having that extra professional in there doing that. She hasn't been doing much court administration frankly. Now, we have two magistrates that have been added. So by going from ten judicial officers to twelve judicial officers, we've got a 20 percent increase in our workforce. So adding two people is a tremendous improvement in terms of how we can handle the cases. That frees up the court administrator, and I'm very hopeful that she'll be, as soon as she's back from maternity leave, heavily involved in starting to coordinate things better and perform more of the classic court administrator position. This would be absolutely essential to implementing a one family - one judge concept where you pull different strands of a family's conflicts and difficulties that are impacting the judicial system together in front of one hearing officer. So there are a lot of efficiencies that strive to come from that. The second thing that would permit us to consider this very seriously in a way that we would not have been able to consider it last year is this, we've got a tremendously improved computer system. With the terrific improvement in what reports we can ask for, what information we can get, how detailed we can get in terms of what our report writing is, we're going to be able to keep track a whole lot better than we could with the previous system. The automation plus the additional people are going to make this possible. It just couldn't have been done a year ago.

Commissioner Mourdock: Judge, you referred and used the same phrase that Al Bennett did, one family - one judge. If you had your judges out there on that one or two year assignment as a family judge, or family court, and then that assignment is over and three years down the future that same family comes to us, does that family still go back to that same judge or does that then go back to who ever is doing the family court then?

Judge Scott Bowers: Obviously, if you didn't you would lose some continuity. I believe we would probably handle it within the family court division simply because those would be the people who would be specializing at that time. However, since even the concept of rotating out after a fixed period of years is simply, at this point, a suggestion, I can't confidentially tell you that we would handle it one way or the other.

Commissioner Mourdock: Have you had the opportunity to speak to any of the judges who are in the family courts in the several counties where this is being tried?

Judge Scott Bowers: Not on this specific topic, but I do intend to do that as soon as we know who our new juvenile judge is.

Commissioner Tuley: Judge, again on this family court, I heard you mention...Betty questioned small claims and what have you and that includes divorce proceedings as well?

Judge Scott Bowers: Well, divorce proceedings would be, naturally, part of a family court. Mr. Bennett mentioned that there were six possible components. A couple of them are supervision of court orders. For example, there is a provision for probationary supervision of really difficult visitation situations. We anticipate maybe

some preventive law along the style of preventive medicine to keep people from coming back year after year into the court and if they have a probation officer they can work with on these touchy visitation situations. Now that's something that could be done for children born out of wedlock or which could be done for children of a marriage. We have almost no court services other than decision making that are available for children of a marriage who are caught up in a divorce. Similarly, you could have some alternative dispute resolution. I think that at least one of our senior judges is qualified to act as a mediator. There could be some possibility of a court administered mediation services that could be available for children either of a divorce or born out of wedlock. Yes, we could have some integrated services there. Often children who are children of divorce are children who are disproportionately, along with the children born out of wedlock, the kids who end up in juvenile court. So you could very easily have a divorce with a hot custody problem and visitation dispute while the child himself or herself is at the other end of the building having one hearing officer aware of the parents disputes and the child's particular difficulty would be very valuable in terms of being able to craft an appropriate situation—solution. Also, it would be much more efficient than hearing the same old stuff in two different places and maybe not getting the whole story and putting it together. Yes, that we do envision having a family disputes put into one specialty court whether they involve marriages or not, and we think that could be of some benefit to children of divorce.

President Jerrel: Did you have a comment about any of that?

Joe Harrison, Jr.: Can I ask the judge one question? Is that okay?

President Jerrel: Sure.

Joe Harrison, Jr.: Judge, on that issue though the answer was no as far as divorce cases would not be in the family court as you envision it? All the divorce filings?

Judge Scott Bowers: My answer would be that divorce cases would be in the family court.

Joe Harrison, Jr.: All divorce filings?

Judge Scott Bowers: Yes, sir. But again, this is not the court speaking just Judge Bowers speaking, and my colleagues may have very different opinions.

Commissioner Mourdock: You didn't hear us say you were under oath when...

(Laughter.)

Commissioner Mourdock: Thank you, judge.

President Jerrel: Is there anyone? Yes. Just come forward and give us your name.

Sue Hanna: My name is Sue Hannah. I live at 1904 S. Werner, Evansville, Indiana. I wanted to address a couple of things that's been brought up because there's a little more to the picture than some of the things I've listened to. The detention facility, there's no doubt if you build it, they will come. The thing I have a problem with is juveniles being in a lock down detention facilities that look every bit like a jail. That

is basically that the lesser the criminality, the greater the victimization. If you get a child in there for an offense that doesn't warrant the punishment at the hands of the other juveniles. When you build a big jail like structure, you're going to have that culture. It's going to take on it's own life, and you're just not going to be able to have enough people to actually protect these children from the punishment they would get certainly disproportionate to the crime. So that's a real consideration I have for that. On the other hand, we do need detention facilities, and we're talking about Gibault School for Boys in Terre Haute. It's private and for \$100 a day average, I'm not sure exactly what the rate is now. My sister is a therapist there so I have a little information as to what goes on there. She is an international certified therapist PhD. They have doctors and all different types of people on the staff administering to the needs of those children. They come and testify in court as to exactly the evaluation of the child. Should they still be there or not there? They have a full range of services. Now, I still like this Rescue Mission because it's great to see in the community that you have people who care enough to take—to do what it takes to get something started like that. It's not easy. The complaint I have with that is when I called their office today and asked for some information and to talk with Steve Perry, he was busy. They have ten lock down juveniles and ten starting juveniles. That's only 20. How many juvenile offenders do you have in the community? How many can you pay \$135 a day for? They don't have these services. I asked what services do you provide for these kids to this young lady who was on the phone? Well, they provide GED training and anger management. I said, "Do you have any certified social workers or anyone working there?" She didn't know who they would be. I'm not saying there aren't any, but I am saying that I didn't get those answers. So this is a real small facility, and if you want to deal with your juvenile offender population, this is going to have to become a big facility. Mr. Perry says something to the effect that they're just in it for the kids, my wording, of course. Who's paying for this? How's this getting paid for? It's wonderful to run out there and do these programs but somebody has to pay for it. We look at the alternatives to a large juvenile facility and those advantages and disadvantages. I think there is a place for everything and if we built a big juvenile facility here it's going to be filled up with everybody else's kids. It's going to be a tremendous burden, tax burden. I mean, states have gone bankrupt over their prison systems because they couldn't afford their prison systems. Once they're there, you've got to pay for them. So it's more than just a structure, we're talking about these kids lives. You know, just how much in the name of big business, because all this is an industry, is that we are losing touch with the kids the bigger we get. So to this Rescue Mission may have it's purpose by being small. That may be that its benefit. The other thing that I think that we ought to look at is halfway houses and group homes. When you institutionalize a kid, how can you send them back home to be a member of the family again? They're not, they're institutionalized. I've taken in foster children that were institutionalized. How did I ever—how could I ever teach them that we do things for each other because the other person wants us to, not because it's in the rule book that we have to.

President Jerrel: Could I ask a question of him and you stay at the mike? When so many...the terminology CHINS, children in need, and detained use, juvenile delinquents, boys school, girls school, and Gibault. Could you come just up a little bit? Gibault is a private institution in Terre Haute. While Sue is here say something about the two facilities.

Al Bennett: Boys school and girls school or the Gibault School are all long-term treatment facilities. They are not local detention centers. What we are speaking of is something small that's not really much more than 20 beds. We are talking about the same size.

Sue Hanna: So you're not talking about a—

Al Bennett: No, no, we're not talking about—

Sue Hanna: How many juveniles do you have here?

Al Bennett: Well, you have, probably enough to...cause now you have five or six girls at The Village an hour away. Then they generally have three or four kids who are violent there that are boys. Then you have upwards of six to ten here of those in detention. Those that have committed a delinquent act. Now, they also have ten beds here that are CHINS, kids in need-children in need of services, and they are step spenders. You know what that is? So they are children of neglect and truants. Those that committed crimes that if they were committed by adults, wouldn't be crimes. We are talking about a local services, a small unit where all the kids, boys and girls can be kept in this community and not taken out for the early disposition of the cases going through court. That's all we're talking about. The long-term treatment, that's another issue. We think we can affect those with the day treatment unit. Not all of them but many of them, if you have more services here.

Sue Hanna: I just can't imagine that's all you have is just--how many total is that?

President Jerrel: You asked the question, how much does it cost? We have various levels of treatment and the boys school and girls school placement are for the severe placements. We have also the Youth Care Center where we have a small number. Tony, is that \$30,000 to \$40,000 a month?

Tony Greubel: The Youth Care Center and The Village average about \$40,000 a month.

President Jerrel: For that level?

Tony Greubel: Combined.

President Jerrel: Then the boys school and girls school is a 50/50 split with the state.

Al Bennett: That's about a \$150 dollars a day.

President Jerrel: And that's what that runs. So, I guess, it's a complicated...This is the first time, to my knowledge, that there's ever been any discussion about all the different levels with the general public. It's the people who work in it that talk to each other all the time but not the people that have to make arrangements for who's going to pay for it.

Sue Hanna: My other issue was the duplication of services.

President Jerrel: You're right. Go ahead and speak to that. It's a good point.

Sue Hanna: The duplication of services we have because of the needs from all these little organizations, but there's no continuity between them and it's the luck of the draw, I guess, where a kid goes. The problem is because of...I'm not saying there's anything wrong with the smallness, in fact, I'm all for it because these kids have to be re-integrated into society at some point. They have to be better off not living in a separate sterile culture then come back and expected to live an imaginary way. I really like the idea about the family court because I think that will unify a lot of

things. My issue was, basically, at \$135 a day, what are we getting other than a nice place to send these kids? I'm sure it is a nice place. I've never been there but for \$135 a day.

President Jerrel: If I said that was probably low. That they charge..Al's nodding and I think you can speak to it better than I can, but it ranges...I can name maybe 12 places around the United States and it runs anywhere from \$150 to \$300 a day.

Commissioner Mourdock: Before you answer, Al, we need to change tapes.

(Tape Change)

Al Bennett: (Began Talking Before Tape Began)

Sue Hanna: That includes? My understanding--the last thing I was told was \$100.

Al Bennett: Lebanon Children's Home in Lebanon, \$230 a day.

Sue Hanna: What are we paying for? Are we paying for them to—

Al Bennett: You're paying for their residential care; 24 hour residential care; All their day care education; All their treatments; Social workers and counselors; The entire staff; As well as all the utilities, food, everything.

Sue Hanna: That includes all of that? Okay.

Al Bennett: Yeah.

Sue Hanna: That includes the building?

Commissioner Mourdock: Everything.

Al Bennett: Wernley Home in Richmond, \$184 a day. Youth Opportunity Center, \$95. So \$135 is right in the middle.

Sue Hanna: If we had more family involvement like the school thing it would be great because they start taking ownership of this problem. They can bring their own resources in.

President Jerrel: Your point about the community is a good one. We periodically have excellent surveys by the United Way. I think the next United Way survey that's done, they would help us a great deal if they would ask more specific questions for the small operations that exist for services such as this to find out whether our dollars are being diluted or whether we can put them more in one.

Sue Hanna: When I was Director of Corrections, I went out and begged money. It was to hire a psychologist to work in my program. The state didn't have to give it to me, people would give it to me. All I had to do was ask. There are ways to generate money if you have to have it. Another thing is some of these services are just exorbitant. It's just ridiculous. I have a contract with the Department of Corrections to do the sex offenders as they come out of prison. I do polygraph monitoring. They are paying me twice what I would ask for. I'll take it. They couldn't get therapist. The Southwest Mental Health Center, is there someone her from there? Because of their billing cost or operation cost, they couldn't do it for the rate they would pay them. So

we have to hire someone out of the Department of Corrections to come out and do it part time to do the counseling. I'm giving him office space to help out. There are just ways that you can make these things happen. To quote you, Bettye Lou Jerrel, in the newspaper, "This is becoming an industry." If you want to make it an industry, why not make it a private industry and let those people who can be a little more accountable and cut cost a little better and come up with some solutions. That's always one way instead of creating another large government entity that you can never shut down.

Commissioner Mourdock: Thank you.

Phil Hoy: I'm Phil Hoy. I'm a County Councilman, and we have a candidates meeting tonight on the north side. I'm sitting here—

Commissioner Mourdock: It looks like it's here.

Phil Hoy: Yeah, I know. Well, they all left except me, I think. Couple of comments. First of all, the amount of money that we are taking about spending has been mentioned. As a Councilman, I can tell you that we are already spending a lot of money. If you add up from what use to be called the Welfare Department, Adoption Services which is a small amount, Foster Family, and Institutional Placements, I believe this year we spent 11 million dollars in this county. What we're talking about and I'm happy Mr. Bennett recommended this. I was the first Director of the Youth Service Bureau in 1972 and we had recommendations then that we needed a juvenile detention center, and we still need it. The time has come, as far as I'm concerned, that we look seriously at that. That's what you all did by signing this contract and the sheriff participated. I commend you for doing that. I do want to make a comment early on about private facilities. I read the New York Times as well as some other publications, and the state of Alabama just severed all of their contracts with private contractors for juvenile services because they cut too many corners, and the children were being abused. We can talk all we want about government bureaucracy, but frankly, there are many times we run things better than the private sector, and I think this is one of those cases where I'd sure hate to let it go to some private entity. I know that's not what we're discussing tonight fully, but you know me well enough to know that I speak my mind, and I think that's a report that needs to be read because they've had enormous lawsuits in Alabama and the horror stories are just awful. If you get a business running it, they are going to cut corners because they have to make money. We're in the business of servicing our young people, and it is going to cost us, but I think we're overdue in allowing that money to be spent. I say that in an election year because I feel it so deeply.

President Jerrel: Council will be involved, obviously, on anything—

Phil Hoy: I did sit in on the committee that you, the Commissioners, appointed me to, and I appreciate that. The committee worked very well and very thoroughly. Mr. Bennett led us very well. The discussions were very thorough. Thank you for this time. I appreciate it.

President Jerrel: Is there anyone else who would like to speak to any of these issues?

Commissioner Mourdock: I have one other quick question or comment then if no one else. I note, as many of us have, from the jail committee review back to the old blue

ribbon committee, if you will, there's a lot of national trends showing crime as going down. You commented, Al, that adult crime is, in fact, going down but you also said that youth crime is going up. Wouldn't that indicate that very shortly adult crime will be going up?

Al Bennett: It certainly could. That has happened in the past. It's kind of an interesting situation to see the adult crime statistics go down in many states, many big cities. It's not going down in the juvenile situation as far as crimes being committed. It's not going down in this community.

Commissioner Mourdock: Youth crime?

Al Bennett: The youth crime is, in fact, on a slight incline. Not sharply but going back several years regarding prosecutor referrals to the juvenile court. They are going on a slight incline. One of the things going back to the adult situation, nationally, yes, we are reading with great interest the decline in adult crimes but the prison population is not going down. People are staying longer. Sentences are getting longer. People are staying in prison on longer terms. The average prisoner is staying about 1/3 longer, whatever his sentence is, than he was ten years ago. So we are not seeing a decline in the need for prisons.

Commissioner Mourdock: The actual detention time versus just not...we hear all the time that people are being sentenced to 20 years but they're out in 17 months.

Al Bennett: They might have been in for seven years before and now they are going in for ten years.

Commissioner Mourdock: They are actually serving that long?

Al Bennett: They are actually serving longer, by 1/3.

President Jerrel: That's legislatively driven.

Al Bennett: That's correct.

President Jerrel: So it may not be a phenomenon. It's the result of legislation.

Commissioner Mourdock: When you look at the big picture it comes back and effects us here because if the DOC facilities are filled, we can't get people out of here and all that.

Al Bennett: One last comment that I could make. As you can tell, I've spent a lot of time with the folks at YCC. That program needs to exist in this community. It was built as a non-secure building and applied on one floor of the three was made a little more secure. It's still not as secure as some kids need. By and large, as the lady said earlier, most children and most delinquents and adolescence are behaved when they get in a structured environment including a building like YCC. But there are some that law enforcement finds that need some type of secure environment including secure cells. This is not what we like to talk about, but there are a few that need that type of environment. Our suggestion is to formalize something with YCC so that you have something available there to have more services to law enforcement and the neighborhoods immediately. With what is needed in the long-term consider a small facility of something like 20 or 25 beds that would be for both boys and girls and for it to be a service in this community, and you don't have to go

elsewhere to provide those services. If that was developed, I'm suggesting that YCC and Rescue Mission could be a non-structured, non-secure environment. That, perhaps, could be a place where you could provide day treatment center. Those services that are needed that do not necessarily have to be a secure detention center. So, I think, we are trying to paint a picture here of some problems we have immediately, but we see a way there could be a marriage between the private and public sector.

Commissioner Tuley: Al, item number three on this summary that we've been given where we are talking about developing a small juvenile detention center for boys and girls, 24 bed-24 hours, I'm sorry, 24 hours a day. This is for those kids who've not been to court yet and have not been sentenced to boys school or whatever, is it not?

Al Bennett: Correct. That's correct. It's needed for a short-term basis. The average detention center in the state of Indiana keeps kids in there on an average between 10 to 14 days. I think, you are keeping kids in detention services a lot less than that at the moment. Yes, it is short-term, and that's all we're talking about. The immediate services that a community needs.

Commissioner Tuley: That's what I thought, but I just wanted to be clear.

Commissioner Mourdock: You mentioned in past, I think the other day when you and I met you said something about this as well, just for the audience as a whole, I had never heard before, not being an attorney and not dealing with this, the six hour rule. That when kids are picked up, effectively they can be held for six hours and then they must be released. Is that correct?

Al Bennett: Yeah. There was a law going way back fifteen twenty years ago that said you cannot place juveniles in jail. That was relaxed three, four, maybe five years ago to where they are allowed to be placed in a jail for six hours. In your jail, you can't keep anyone sight, sound separated. It's not built for that. You don't have room for it. So you would be better off not to place any juvenile there unless, of course, they were there for a hideous crime. In your circumstances, I'm suggesting there isn't really any place to place them.

President Jerrel: Any other questions? Joe, Tony, Suzanne? Anyone else in the audience? Well, this has been a good lesson and a lot of issues that most of us don't deal with everyday, but it fits in the picture. We're going to get the big picture.

Commissioner Mourdock: I appreciate the information and those of you in the audience who came here specifically for this, I really appreciate the fact that you're here. We deliberately, in fact we've said several times in discussing this topic at this board, we want public involvement which is why we've tried to work with the newspapers and media to get this story out so that all of you would be here. So I appreciate the fact that you're here.

Commissioner Tuley: The only comment I wanted to make was to Al, the PMSI Group, and that committee in particular. What I appreciate about this particular segment is recognizing that we are not overnight going to be able to address this problem, but yet you gave us some short range recommendations along with the little longer range planning to get us something that we can do here. I appreciate that because we can start with some of these recommendations right now to address some of these problems.

President Jerrel: And you can help me out on something. While you were talking about that...Of all your suggestions, and they're all good, but the heart of the matter rests with number four with the day treatment. I know how critical that is, and I know what the schools can't do. Yet we're going to have to be partners. The legislature is working on their contracts and appropriations and the budget. Would you do a little checking to see what's out there for us to look for and what we could help with in terms of either...I asked you who should be, where could this be and you indicated it could be any kind of building. It didn't have all the requirements of a secure. Where funding might be available other than I know we're going to have to step up to the plate, but when we do it will involve a lot of agencies and that's sometimes a little tricky to put together.

Al Bennett: We already know. We've already inquired with the Department of Corrections.

Commissioner Mourdock: Excuse me, Al. Would you come to the microphone cause the mike's not going to pick up the sound.

Al Bennett: We have checked in on those matters and we think there are some monies available privately. More importantly, I think, quickly there is money available with the Community Corrections. You are getting some Community Corrections for adults. I think Julie will be speaking to that in a week or two, but you are not getting any for juveniles. We think that is needed and we will be very—

President Jerrel: If there is direction in writing about that sort of thing, we'd like very much to have that.

Al Bennett: We'll take care of that. I think we can do some preliminary planning. Interestingly enough on this day treatment center concept, the state of Kentucky, and I don't know that we want to look at that, but Kentucky has them all over the state. It is not a big thing in Indiana, but it's a fine project and a fine program.

President Jerrel: There's no question that it's a good project to have because I watched the prosecutor try to do something really good for the kids at the Y. He was able to get them from the Christa McAuliffe half day program and take them to the Y, but until there was someone in there...I use to go over there a lot, and I saw these kids running around wild with no supervision and getting in everyone's way, going the wrong way on the track. I grabbed a couple of them and asked them who was in charge of them? Of course, they wanted to get out of my grasp. I did talk to the prosecutor about all this, and he didn't realize all this. We were able to work together, and the Y got another person who watched them.

Al Bennett: Did they call you Mrs. Jerrel?

President Jerrel: They better.

Commissioner Mourdock: They didn't say, "Hey, Jerrel, what's going on?"

President Jerrel: Very well spoken. Always will be a teacher. Can't help it. Is there any other comments related to this issue? If not, I want to thank all of you for coming and we appreciate it. We are going on back to our regular agenda.

Commissioner Mourdock: Just to put an end to that, I'll formally move that we accept the summary information, what's my phrase? I'm trying to say not deferred fraction.

President Jerrel: Taken under advisement?

Commissioner Mourdock: Taken under advisement, yeah. Move that we take the information under advisement.

Commissioner Tuley: I'll second the motion.

President Jerrel: So ordered.

Purchasing - Open bids APA 026-2000
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President Jerrel: The next item on the regular agenda is the purchasing, and you have before you Jerry Bryan's recommendations.

Commissioner Mourdock: I'll move the opening of the bid for county towing APA 026-2000.

Commissioner Tuley: So moved.

President Jerrel: I'll second. I mean, say so ordered.

VC00-08-04 - Bridge #273 Removal & Replacement

Tony Greubel: We also have another bid opening that I wasn't aware of on Friday. It's to open bids for Bridge #273 Removal and Replacement Project VC00-08-04. If I can have a motion to open.

Commissioner Mourdock: Okay, I'll move that we open the bids just referenced.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: With the other bidding information, I just want to confirm the sheet says request permission to being the annual bidding process. I presume that means to begin. These are all advertising dates?

President Jerrel: Yes.

Commissioner Mourdock: I'll do these in one motion. I move that we advertise for bidding APA001 for car washing; APA002 for crushed stone; 003-2001 for sand and gravel; APA004-2001 gas and fuel; APA005-2001 surface materials; and APA006-2001 for oil products.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Appointment of Jeff Goebel - EMA Advisory Board

President Jerrel: We'll move on until they finish opening those. There is a request from the Knight Volunteer Fire Department.

Commissioner Mourdock: I would move the appointment of Jeff Goebel to the EMA Advisory Board.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Crane Addition - Vacation of Easement Final

President Jerrel: The next item on the agenda is the final reading for the vacation of easement for Crane.

Commissioner Mourdock: Is there anyone here to comment about the final reading? Seeing none, I would move on final reading the vacation of easement for Crane Addition as submitted to us. That's ordinance CO-V-08-00-001.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: I think you actually need a roll vote.

President Jerrel: And a roll call vote. Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

Building Commission - Receive Surplus Vehicle

President Jerrel: The next item is a Building Commission item and this is a request to—

Commissioner Mourdock: They have a car they wish to dedicate as surplus. It's APC's 1990 Pontiac 6000 be transferred to the Building Commission, so I would move that we do that.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Any Group or Individual Wishing to Address the Board

President Jerrel: At this time, is there anyone that wishes to speak before this body?

County Engineer

President Jerrel: Moving on to the County Engineer. We asked our department heads to submit their recommendations in writing.

Commissioner Mourdock: Several things here. John Stoll, I understand had a death in the family so he's not here with us this evening. I'm going to read these verbatim. The first item that needs approval is the Lynch - Interstate 164 Construction Inspection Agreements. These agreements have been reviewed and approved by INDOT, so now they must be approved by the county. These agreements are for the amount of \$869,191.00 and will be paid 80 percent by federal and 20 percent with local funds.

Commissioner Tuley: That was a motion to approve? That's what you're doing?

Commissioner Mourdock: Yeah, going to clarify. If there are no questions, I would move that we approve those inspection agreements.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Second item regards North Greens Subdivision storm sewer acceptance. The developer has submitted the \$2.00 a foot acceptance fee for Section 7 of this subdivision. The storm sewers now have all been inspected by the engineer's office so I would move approval of that acceptance.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Third item John submitted is the amended IDEM notice of intent letter for Burkhardt Road. The notice of intent letter that was submitted had one statement omitted. As a result IDEM, being the thorough people they are, sent us a letter stating that the original submittal was deficient since it did not include the required certification statement. The attached letter that John is providing us this evening does include that statement. I would move approval of that letter.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Last is item four which is a change order for the Burkhardt/Morgan Project. The change order is in the amount of an increase of \$5,514.50. The change order is needed due to additional road closed signs, for additional traffic signal items, and for changes needed to address unsuitable soil

conditions under the culvert structure under Burkhardt Road. I would move approval of that change order.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: One other item for the county engineer that's not on his list, but if he were here personally, I would ask him for this. Tony, maybe you can summarize this when John gets back in the office. Would you have him write up for us weekly the status of the Fulton Bridge? I know we are all getting comments and questions about that. We need to make that a regular part of this meeting because the state keeps deferring appropriate action there. Let's make sure John gives us a weekly report.

Tony Greubel: He might even be able to send out a weekly e-mail distribution list to various people.

Commissioner Mourdock: That's fine, but let's accept it into the record as well. So, if you would pass that on, I would appreciate it.

County Highway

President Jerrel: Moving on to the County Garage. You have your report, and they are about to give finished with the paving. Today is the first rain we've had in awhile. Frankly, I know we need it, but I'd just as soon we wouldn't have it because it's going to slow down any other work we're doing.

Commissioner Mourdock: I'll move approval of the County Garage report as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Tony Greubel - County Buildings
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President Jerrel: Superintendent, I mean, County Attorney?

Joe Harrison, Jr.: Still opening these.

President Jerrel: Okay, we'll go on. Tony, do you have anything?

Tony Greubel: There is a claim in the signature packet for PMSI for approximately \$10,000. It has to do with their contract.

Commissioner Mourdock: But that's not an addition? That's within the normal contract amount?

Tony Greubel: Yes.

Commissioner Mourdock: I would move that we add that to the consent items then.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Steve Craig - Burdette Park

President Jerrel: You do have Burdette, Soil and Water, Ozone. Steve, would you want to come up?

Steve Craig: Yes.

President Jerrel: I had a roof put on. That's why I didn't get out.

Steve Craig: That's fine. They haven't done a lot of work since Thursday anyway because of the rain. We've closed the aquatic center down for the season. The second half of the summer was considerably slower than the first half due to the wet and cool weekends. It kind of put a damper on the park attendance. Phil Walters with the Blair Witch Trail has recently informed me that he is not going to do his production at Burdette this year because of putting on an outside production was too big a risk for him. He was always in a controlled environment and last year a couple of his heavily advertised days got completely rained out. I think he's in it to make money, and he sees a way he might not make money. So, you know, it's a gamble for him. The work did start on site preparation on at the O'Day Discovery Lodge. They made good progress until Thursday. No, I think it was Friday it rained them out about noon. They haven't been back since, but if you get a chance, come out and take a look at it. You can get a hold of me and we can get up on the hill. I just want to take time to thank the Commissioners for backing us. I should have got up and said something when they were here because you guys have the foresight to have a preventative maintenance program. That's what this O'Day Discovery Lodge is about. To save the money on the back half. If we can stop these kids from getting to the point where we have to worry about what we are worrying about tonight then I think we are a lot better off. I should have said something to them. I should have said something to everybody because you guys are all backing this, and I think it's a good program and it would make things that they're talking about a lot easier.

President Jerrel: It is a good program, Steve. You guys got meaningful daytime activity. That's what it is.

Steve Craig: We do a lot of programs too. We have the Youth Community Service Program. I didn't know if any of these kids are involved in that, but Officer Combs brings the kids out twice a month for six months and they do work in the park for us. He said they go to other places too, I think the State Hospital and that. He said the kids get more out of doing that than being in some kind of contained area or something where they can get out. In the old days, I guess, they farmed them out. I mean it's a better environment for them than where most of them came from. We've worked with several of those programs and they are really successful. The kids enjoy it. I think they get a perspective on how to do things right in their life where they might not have done that too much up to that point.

President Jerrel: Thank you.

Commissioner Mourdock: Thanks, Steve.

President Jerrel: Is there a motion to...

Commissioner Mourdock: While we are waiting on the County Attorney's report I'll move approval or acceptance of the Burdette, Soil and Water, and Ozone Officer's report as well.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: How about the consent items?

Commissioner Mourdock: I'll move approval of the consent items as filed with the one addition we did a moment ago.

Commissioner Tuley: Second.

President Jerrel: So ordered.¹

Sheriff Ellsworth

Brad Ellsworth: If I have a report, would you prefer that I come up here at "any other" or during the bottom sheriff's report?

Joe Harrison, Jr.: Doesn't matter.

Brad Ellsworth: Just briefly, there's a couple of things I wanted to mention. At least make you aware of. As you probably see in your report, on three occasions this last week we went over the 329 agreed upon limit. Not very far over. Usually in the 335 range, but it certainly causes us concern when we get over the consent—the agreed. We have preliminarily started looking into making other arrangements into some of the surrounding counties of moving inmates. I've got some prices of what they would charge us. Just for an example, we talked to Warrick County and they talked about approximately ten beds they could lend us at \$35 a day. We would be responsible for any medical cost and medical transportation, if they needed to go to the hospital. We will continue to look around the counties. We've been in close

¹See page 36 for a complete listing of consent items.

contact with Joe about this. If it gets to the point where we need to start moving some, we'll obviously let you know.

Commissioner Mourdock: I've got a question, Brad. Here's the story of this meeting despite the news media being out there. To me, this is the real story tonight. If we start down this road, are we just basically just starting down this road? I mean, what has changed in the last week that we had those three or four? I looked through the statistics before Joe called today and I noted that we were bumping the 329. We've made a real nice change. We've been keeping those graphs back there on the blackboard, and you look where we started at 332 and we were at 86 days. I think we hit the lowest daily average, how many days a person is in there, that we ever hit. It's like 60. It's outstanding. We've made great progress. People are spending less time in there. What has happened that we are suddenly back up there? Has there been a change in processes?

Brad Ellsworth: There really hasn't, and that confuses us too.

Commissioner Mourdock: A crime wave?

Brad Ellsworth: Whether EPD is just making that many more arrests. I think you'll see in the next couple weeks some of these reports about the number of filings that our prosecutor's office is making as compared to Allen County with a population double. It's some surprising numbers there. It's hard for us. I don't think those average days are going up. Our CTP Program that's only one.

Commissioner Mourdock: Clearly the average days are continuing to go down.

Brad Ellsworth: I have enough faith in the Evansville Police Department and Sheriff's Office, State Police, everybody that brings people here that they are making good cases, and they aren't adding additional officers here in the last few months that there's that many more officers on the streets. I hate to claim ignorance, but I don't know what the answer to that is. Why there's more. You can say it's the summer months. In August, traditionally, those numbers go up because there's more people outside and they are doing their things outside.

Commissioner Mourdock: Is that a true statement?

Brad Ellsworth: That is a true statement. Traditionally, our numbers go up in the summer. There's a certain population that use to like to come to jail in the winter so they had hot meals and a warm place to sleep, but that wasn't a lot. Maybe a dozen in town. Certainly, in the summer the activity is outside from inside and it's on the street corners and not in the living rooms. It was August of last year that our all time high was - August. I think it was last year or was it two years ago? My years are starting to run together already. When we had that 425.

President Jerrel: And the misdemeanors that are sentenced to the jail? That's a group too.

Brad Ellsworth: Twenty-nine maybe something like that.

President Jerrel: That's a pretty sizable group.

Brad Ellsworth: I think the judges are very...That number even surprised me.

Commissioner Mourdock: Excuse me, let me clarify. You're saying the sentenced misdemeanors that haven't yet—

Joe Harrison, Jr.: They're serving their sentence.

President Jerrel: They've sentenced them to our jail.

Brad Ellsworth: You know. The judges, if there not aware of jail overcrowding by now, I don't know what we have to do. I use to be able to come up here and say that very few people were sentenced. They just didn't sentence misdemeanors to jail anymore. Like I said, 29 is a pretty good percentage of the population. Although, we wouldn't prefer that, that's not something I can dictate to the judges and say don't do that to us anymore. That's going to be their call. I think, like I said, they're aware of our situation, but there's probably some people they just feel they want to put in jail for 90 days and give them the message.

President Jerrel: I want to look at them to see if they're failure to appear kind of things. I think that's really irritates them, and I can understand that.

Brad Ellsworth: Some of these people have five and six failures to appear. They'll let them go and let them go to try and do us a favor, and they keep not showing up. I think I've read somewhere that a person had his tenth failure to appear on the same charge. That clogs it up too.

Commissioner Mourdock: I understand there are people in jail who absolutely ought to be there. That's not the question. It's just, as I say, on the one side of the line we have a trend going exactly the way we wanted it to go and suddenly there's a spurt. Maybe it is just a seasonal little blurb. Maybe it's a Labor Day party.

Brad Ellsworth: Could very well be.

Commissioner Mourdock: I do worry about Pandora's Box here.

Commissioner Tuley: You know what disturbs me too is almost daily you can pick up the paper and read that somebody was picked up on one of this rolling meth labs. Is it that much more prevailing now?

Brad Ellsworth: Finally, I worked dope 12 years ago and we knew the labs were all operating out west, and our people were going out west and driving and bring back five and ten pounds at a time. They finally figured out through the internet and through school house talk and all that, what the recipe was and simpler ways to make it. I might take an illegal chemical I can't go into Ulrich Chemical house and buy and I change it with a lithium battery and I can get the same thing, or I can crush up a Vic's vapor rub and add that. So they, basically, I don't want to say got smarter. They got dumber and decided that I'll make it myself and I don't have to go to the trouble of mulling all the way out to Arizona where it was traditionally sold. Then again, they realized I don't have to build this one big lab with beakers and Bunsen burners. I can do this all in a cooler, in the trunk of my car, or in the back of an 18 wheeler, or in a hotel room. It's like when we use to seize cars and then all the drug dealers started renting their vehicles and driving really old cars, or they signed their

cars over and they paid a person and title in somebody else's name. So it's titled to a little old lady down the street, but they are driving it so when we pull them over and they have drugs in the car. We can't seize it because it's their Aunt Tess, but they are paying her \$300 a month to put the car in her name. As we get smarter, they get smarter and it's just that game that goes back and forth. What they were saying and everybody has said, every dollar we put in prevention is worth ten times that which you give me in law enforcement. Do I want to quit doing what we're doing, absolutely not, but if we can get to those families. Sometimes we are talking about generations of families where that name keeps popping up and I'm starting to see the kids of the people that I came on with. They were in jail and I'm seeing their kids come up. That's pretty scary too. All these prevention ideas are right on with the other needs also.

Commissioner Mourdock: You mentioned Warrick County, Brad, where else are you looking?

Brad Ellsworth: We're looking...We obviously want to stay close. If we have to go up, we are going to send healthy inmates out. That's one thing Joe and I have talked about. If we have to go up and run to the hospital, we want to pick the healthiest ones to send. If we have to make the medical runs, it's taking two deputies off out of our county up to get them, take them to the hospital, and bring them back. That's not always easy to predict.

Commissioner Tuley: There's a new classification you may have to add, non-medical (Inaudible).

Brad Ellsworth: Right. We'll check with Posey. They normally have some beds. At this point, it's not in our budget. If we get to that point, we'll have to start talking about dollars and the billing. We'll work closely with you all on that. Whatever.

Joe Harrison, Jr.: Again, if some have to be moved, it may be those that are serving misdemeanor sentences. It's my understanding that you all have been keeping track of the release date on those that are serving misdemeanor sentences and you can keep track of who's getting out when. The likelihood of them going to court for anything is slim to none, if they are sentenced and serving time.

Brad Ellsworth: We will certainly try to pick the easiest ones to send, and the ones we have to transport the least.

Joe Harrison, Jr.: Also, it's my understanding on some of those that have to go to DOC that you've been having more communication with them and they are going to be a little more receptive to—

Brad Ellsworth: They are working with us and we've asked for their specific guidelines on who we can send and that. So many times the problem is that we'll have an abstract on one, but they will have another hearing or another charge that comes back. Right now, I think we have 11—

Eric Williams: Nine.

Brad Ellsworth: Nine that are ready to go. Like I said, we are constantly beating up

on DOC to let us come up as these trips come up. That varies.

Commissioner Mourdock: I understand the restraints we have under the agreement with the ICLU, and I understand just the practical restraints you have running the jail, Brad. I understand that you're looking for us here to basically make a motion to have you ship people? Is that—

Brad Ellsworth: I don't know if it's that or if we need to call, Joe maybe better able to answer this, if we need to call ICLU and say in this agreement I know we have a cap, but is it time for us to start moving based on that? With knowing what their proposal was in the agreement that they will wait for PMSI to come back, is four over an acceptable amount?

Commissioner Mourdock: Joe, you drafted it.

Joe Harrison, Jr.: No, I just think if in their discretion, if they believe they need to move a few out, they need to move a few out if they have approval from this body to pay whatever cost it may be to get the job done. I think that ought to be the sheriff's call if he thinks there are five or six that need to go, let them go.

Brad Ellsworth: That's one thing Eric and I discussed was that we would list them as in-house but lent out. Then we wouldn't send deceiving numbers to the judges who might then say...We want to show them there, but actually a different category of how many out so it doesn't appear that we have ten less people and ten more beds. We can do that. We'll just handle that in house.

Commissioner Tuley: Why do we put the monkey on the sheriff's back though? Why should he be the one to have to make that call? We are the one facing the lawsuit.

Joe Harrison, Jr.: As far as deciding who can go—

Commissioner Tuley: You didn't say who can go, you said determining if we need to.

Joe Harrison, Jr.: I think—

Brad Ellsworth: Do you say 329? At 329 we start moving people?

Joe Harrison, Jr.: I think that's the number.

Brad Ellsworth: That's when we start paying, and then we've kind of committed to that. Like I said, I don't know if there's wiggle room with the ICLU?

Joe Harrison, Jr.: There's some wiggle room, but it's not a lot and I don't want to go there.

Brad Ellsworth: Okay, if that's what your saying, I'll quit wiggling and at 329 we'll start moving them.

Commissioner Mourdock: I'll make a motion, but as I do this, I'm going to ask for a roll call vote with this motion. That we go ahead and give the sheriff the discretion

to select prisoners to ship to adjacent, I shouldn't say adjacent, to other nearby county facilities to hold people while we are temporarily over our self imposed cap of 329.

Commissioner Tuley: Second.

President Jerrel: And I'll call for that roll call vote. Commissioner Tuley?

Commissioner Tuley: I think they were very generous with the 329 given the fact that we are rated at about 268. I don't want to mess with them. I vote yes.

Commissioner Mourdock: I want to make the point that I'm concerned...I hope what you said is right, Brad, and if August is typically the high crime month this is an anomaly and we won't see it again, but I don't want this to be Pandora's jail either where like Pandora's box we open it up and start shipping people out. I really fear that we may be looking at some subtle change in process here that would cause us to be having this same situation come up over and over again. I don't want to go down that road either, so I'm afraid to start that so I'm going to vote no.

President Jerrel: That's a nice spot to be in.

Brad Ellsworth: I don't know of anything procedurally that's being done. We've watched it every day, and I don't know.

Commissioner Mourdock: I understand. I just want to make sure that everybody is looking. Just asking themselves the question, "Are we doing something procedurally different?"

President Jerrel: Before I vote, I do want...Joe, you and Brad can help the three of us with this issue. If all the facts that we've received tonight are accurate—

Commissioner Mourdock: It's an anomaly.

President Jerrel: There has to be something because Vanderburgh County is not necessarily different than Indianapolis, Ft. Wayne, and St. Joe, so there's something going on here. I'll support your movement and vote yes on this, but I think we need to have some discussion with everybody that's involved in this.

Commissioner Tuley: That's a point well made. I can share your concern, Richard. I do.

Brad Ellsworth: I'll call Chief Guest and check with him and their statistical people and see if there is something we can gleam through their numbers and see if there's something we can pull out of there that shows that PI arrests were up this much because of what I was talking about which would go down in the cooler months.

Commissioner Mourdock: And if all that's the case, that's great. Like I say, I'm just scared that it's the old argument that we've had many times. If we had a 500 bed jail, we'd fill it.

Brad Ellsworth: We've all agreed on that.

Joe Harrison, Jr.: I know one of the things that I sensed was the Labor Day situation

was part of the problem, but it certainly wasn't the entire problem.

Commissioner Tuley: Where they set those check points up in Warrick and Gibson Counties?

Joe Harrison, Jr.: Because of the courts not being open that Saturday and Sunday and Monday.

President Jerrel: They did have somebody.

Joe Harrison, Jr.: That's correct, but we had about 30 or 35 held on arraignment on that Tuesday following Labor Day. Those are just people that didn't bond out. So that was a big number.

Brad Ellsworth: They are usually short stays on those weekends. Usually an alcohol offense or something like that. We did, I assume, get an influx of people that weekend. Usually those check points don't net a lot of people, but the one state policeman brought in quite a few.

President Jerrel: Can you do that though, both of you because you have access and it's easier for you than for us to do it.

Brad Ellsworth: Sure. The other thing. A couple other things. Briefly, the Sheriff's office has completely assumed the job of accepting all non business hours of bonding. We'll actually increase the hours of taking bonds from what they had before due to the clerk's people needing some time in between. We'll be going 5:00 to 5:00. Having a three hour break until 8:00 p.m. and then quit at 3:00 a.m. Hopefully, we'll see an increase there. The only other thing, you know, another bright note. On Saturday, talking about jail maintenance, I won't go into a whole lot of details for security reasons. If you get calls, the jail elevator broke right in the middle of visitation. You may get calls on that. I don't think anyone in the room is an elevator mechanic. We had to cancel visitation on Saturday. Also, at that exact same time, we had mechanical/electrical problems. I'm going to stop there for security reasons, but it's major and it's not fixed yet. We have major concerns about that.

President Jerrel: Did they get an emergency contract going? Did the Building Authority get an emergency?

Eric Williams: Building Authority has been working non stop.

Brad Ellsworth: Like I said, they haven't fixed it yet. We just got a number from a gentleman in the back who gave me a name on his business card of someone who could come down and fix it if the Building Authority couldn't fix it. We'll forward that when we get back. On one quick, light note, the same gentleman that handed the name over, in this glum day he had a couple things circled on his agenda. He said, "Boy, Vanderburgh County's got it all. You got an Ozone Officer and you've got a Pigeon Assessor. You've just have the luxury." He must have been an out of townner. He thought we had a pigeon assessor and Vanderburgh County had it all. Unless you've got any other questions, that's our report for tonight. Also, Richard, we had talked probably within a week and a half to two weeks and we're going to put together a rather lengthy report card on Community Corrections. Kind of a year end review. It's been a year and a month now.

Commissioner Mourdock: When is your next advisory board meeting?

Brad Ellsworth: The 21st, I believe. Maybe that's an appropriate time to bring that out, and I'll present you all with that same document. We're just going to print it up. There's a lot going on and a lot to do yet. It should give you pretty good insight. Things are moving really fast now with the appointment of the two officers out there. That's really going to speed things up. We'll have a yearly report for you by the advisory board meeting. I think we can rest easy or feel good about it.

President Jerrel: The meeting is the 21st of this month or next month?

Brad Ellsworth: I think it's the 21st of September.

President Jerrel: Okay. Then the courts—the corrections is the 25th. It would be kind of nice if you invited the advisory board.

Commissioner Mourdock: I had Tony send out a written thing to all the advisory members.

President Jerrel: They need to take ownership and that's something that has been so fragmented for so many years. Unless you work in the system, you don't know what your role is on that board. Maybe if they'd come, they would hear. We ought to try and get them.

Brad Ellsworth: I'll put that in my letter out to them to make sure to leave that open.

President Jerrel: Tell them we are going to introduce them, and if they aren't here, their absence will be noted.

Brad Ellsworth: Alright, thank you very much.

Joe Harrison, Jr. - County Attorney
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President Jerrel: Are we ready for the bids?

Joe Harrison, Jr.: Yes. I've got two sets of bids. The first is on the towing. There were three bids submitted, I'm just going to name the three companies that submitted bids. They had a various prices for different types of vehicles that would be towed. The three bidders were: Mike's Towing, Dallas Towing, and St. Wendel Auto Parts and Service. I'd ask that you take those bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Who's going to review them?

Joe Harrison, Jr.: Jerry Bryan and, I guess, the sheriff's department. You'll probably look at the towing?

Brad Ellsworth: Yes.

Joe Harrison, Jr.: Will you contact him? This is the towing contract, but I still want you to speak with them. It has to do with vehicles.

Commissioner Tuley: You had some concerns earlier about response times.

Brad Ellsworth: Right. Something that came up this week, and I meant to call Jerry at the end of last week. Part of the bidding process...I get the vendors calling me probably like you do. One of them said that part of the bidding contract was even if they bid on the towing, that all of the towed vehicles from accidents would be towed to Mike's Towing. I'm specifically referring to St. Wendel Wrecker who is one of our current wreckers that we use up in the very northern part of the county. I guess he took exception to that. If he got called out to a wreck, he could make the wreck, but then towing it down to Mike's on the far (Inaudible). Then trying to collect the money for his tow when he's not holding the car, Mike's is. He had a problem with that, and I don't blame him. That sounds–

Joe Harrison, Jr.: Why don't you speak with Jerry. I didn't see the specs in there.

Brad Ellsworth: I haven't either, but I'll check into that.

Joe Harrison, Jr.: Why don't you speak to him, and if there's a problem with the whole thing, we can start over.

Brad Ellsworth: I would appreciate that because it is a big concern of ours. I think it's switched to 20 minutes now which has changed from the original 40 minutes. We certainly appreciate that.

Commissioner Tuley: I will second the motion.

President Jerrel: So ordered.

Joe Harrison, Jr.: The next group of bids is Bridge #273. That's the removal and replacement of the Broadway Avenue Bridge. That's bridge #273. There were six bids submitted. They are as follows:

Ragle, Inc. Newburgh, IN	\$192,002.76
Phoenix Construction Evansville, IN	\$150,262.40
Gohmann Asphalt & Construction Clarksville, IN	\$239,708.36
CCC of Evansville Evansville, IN	\$144,530.66
Southwest Engineering, Inc. Evansville, IN	\$134,874.75
Deig Bros. Lumber & Construction Evansville, IN	\$169,295.95

Joe Harrison, Jr.: I'd ask you to take these bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: That's all I've got.

Old Business

President Jerrel: That leaves on our agenda any old business?

Commissioner Tuley: I want to resend by request to go the AIC Conference since I've already missed so much work.

President Jerrel: We were going to send someone with you to watch you.

Commissioner Tuley: Make sure I didn't get hurt. I think the School Corporation has been really understanding, so I'm not going to the AIC Conference and I'll resend my request to travel.

President Jerrel: Okay. Any other old business?

New Business

President Jerrel: Any new business?

Adjournment

President Jerrel: Is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 7:34 p.m.

CONSENT ITEMS:

Employment Changes:

Community Corrections	Burdette Park	Sheriff
Circuit Court	Knight Assessor	Election Office
County Highway	Superior Court	Clerk
Cooperative Ext. Service	Prosecutor	County Council

Travel Requests:

Pigeon Assessor	SWCD
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Auditor:

Monthly financial, cash and expenditure reports
Submit A/P vouchers

Clerk:

Submit monthly report for May 2000

Sheriff:

Weekly jail reports

County Buildings:

Submit PMSI Claim

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
Sheriff Ellsworth	Al Bennett	Sue Hanna
Phil Hoy	Judge Bowers	
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
September 18, 2000**

The Vanderburgh County Board of Commissioners met in session this 18th day of September at 4:00 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Vanderburgh County Board of Commissioners' meeting to order. I don't see any strange faces in the room, so I am going to dispense with the introductions. I would like to ask all of you though to join me in the Pledge of Allegiance.

Approval of minutes

President Jerrel: At this time I am going to ask for the approval of the minutes of the September 11th meeting.

Commissioner Mourdock: And I'll move approval of those minutes as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered. These items we are going through will not take but a few moments.

Purchasing - Permission to advertise bids APA008-2001--Batteries and APA025-2001--Commercial fuel
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President Jerrel: Is there permission or a motion to grant permission to let bids for two items?

Commissioner Mourdock: I'll move approval of the advertising of bids for the year 2001 APA008-2001 for batteries and also APA025-2001 for commercial fuel with those to be advertised September 27th and October 4th respectively with the opening to be October 23rd.

Commissioner Tuley: Second.

President Jerrel: So ordered.

First reading and public hearing Vacation of right-of-way easement by Tall Timbers Drive

President Jerrel: This also we have a first reading. Would you like to give a motion for that?

Commissioner Mourdock: I would move approval on first reading for the petition for the vacation of a certain right-of-way easement and that on behalf of petitioners who reside at 1230 Tall Timbers Drive, Evansville and the petitioner being Pamela W. and Richard M. Stivers.

Commissioner Tuley: Second.

President Jerrel: So ordered. The next item.

Commissioner Tuley: That's a first reading?

Joe Harrison, Jr.: And it's a public hearing if there is anybody here on it.

President Jerrel: I don't think we have anyone that is interested in vacating an easement in the audience.

Joe Harrison, Jr.: So the second reading will be next month?

President Jerrel: Next week.

<p style="text-align: center;">Health Department Memorandum of understanding with Managed Health Services</p>

President Jerrel: The Health Department, approval of the memorandum of understanding with Managed Health Services.

Commissioner Mourdock: We have in our packets basically a memorandum of understanding or MOU as they are known. This would be between the Vanderburgh County Health Department and Coordinated Care Corporation of Indiana, Inc doing business as Managed Health Services and in particular this is to allow the Managed Health Care Services to provide lead screening for certified and identified Medicaid recipients and also to process blood samples for lead sampling. I would move approval of the acceptance of the memorandum of understanding.

Commissioner Tuley: Second.

President Jerrel: So ordered.

<p style="text-align: center;">Interlocal agreement with Water & Sewer Utility Board - GIS</p>

President Jerrel: The next item on the agenda is an interlocal agreement with the city or with the Waterworks Department concerning GIS. Have you had a chance to look at this?

Joe Harrison, Jr.: Yes, and you'll need a roll call vote on that also.

President Jerrel: Okay, alright.

Commissioner Mourdock: As Joe mentioned, he saw this before. This was before us last week and there were some revisions which Joe had made, so I would move approval of the agreement of the Water...or between the Water & Sewer Utility Board and the Board of Commissioners of Vanderburgh County concerning GIS.

Commissioner Tuley: Second.

President Jerrel: And I'll call for a roll call vote. Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

Any group or individual wishing to address the Commission

President Jerrel: The last item is any group or individual wishing to address the board. I think we'll just hold that and see if anybody comes forward after we have our presentation.

Commissioner Mourdock: Is there anyone here wishing to address the board on any issue beyond the one of the courts and the discussion of the evening? I don't think so.

**Project Management Services, Inc.
Processes that affect management of the jail population**

President Jerrel: Okay, at this time I would like to present Project Management's group and I don't know who is going to be the spokesman.

Bill Shepler: I'm going to start.

President Jerrel: Okay, thank you.

Bill Shepler: Good afternoon, instead of evening. That's kind of nice.

President Jerrel: Yeah.

Bill Shepler: In case some of you weren't here last week I do want to introduce our team again. Al Bennett is here this evening with us. Cyd McNeilly sitting at the back and Julie Von Arx is with us and myself, Bill Shepler, just in case somebody missed that. I think it would be appropriate to see if the Commissioners had any questions that had come up through the week that we need to address on the juvenile issue presented last week before we move on to the next issue.

President Jerrel: There is still a little bit of confusion about one thing and I don't know that talking about it would change any of that, but that is one more thing we need to get clear in everyone's mind. Detention may be something the judge assigns as a sentence for someone, but more than likely the ones that we're concerned about is the more temporary urgent need for girls and boys, particularly if they are under the influence of alcohol and drugs and that has kind of gotten confusing to some people. They, you know, my understanding is we don't need a lot of beds for just...those are six hours, is that right, Al?

Commissioner Tuley: Right.

Al Bennett: That is a common thing to be confused because everybody knows about long-term treatment such as the boy's school and girl's school and other out of county and out of state long-term treatment. What you're lacking here is the short-term and that's the reason it doesn't take very many beds for strictly this community

and for it to be a service to the community as well as law enforcement, and the judge can determine how long they are to be there and he can keep them there for a short period of time, but he has to take them back to court by regulation every so often. Certainly after they are arrested they have to be in court within 72 hours, so it is a short-term program that we're talking about.

President Jerrel: Well, that's what I have been telling people. That is one little item so when you do your final report, if you could tweak that a little bit so it's clear.

Al Bennett: We will.

President Jerrel: Okay, thank you.

Bill Shepler: Anything else? Well, in that case we're going to talk about court processes this afternoon that affect the jail population. Julie Von Arx is going to come and give that report this evening. And I wanted to give a little bit of background about Julie. Julie was the past director of Marion County Community Corrections for 11 years. She has served on the jail overcrowding strategies for 13 years and that is an appointment by the mayor. She is the past president of Statewide Community Corrections Association and was involved in drafting the model legislation regarding community corrections. She actually was one of the people who brought into the state in 1985, the first of the electronic monitoring programs here in the state and currently she serves under contract with Marion County to monitor two of the three jails that are in Marion County. That's beside her consulting services, and she has served in a consulting capacity for not only Marion County, Cass County and Johnson County, to name a few, but she is also the Indiana Association of Counties' appointee or representative to the National Association of Counties for criminal justice matters. She also serves on the American Correction Association to do auditing of jails, and she has done that in Texas, Massachusetts, Chicago for Cook County and in Colorado. She also provides some expertise in legislative matters as a result to or relate to community corrections. So she comes with a lot of experience in the matters she is talking about this evening and I'm going to turn it over to Julie and Cyd. She is running the light show.

Julie Von Arx: Thank you. I think it is imperative that before we begin we...that sounds very loud. Does it sound as loud to you as it does to me? That we acknowledge the efforts of this committee. It's sort of a misnomer, I think, just to refer to this as a court committee because many, many people outside of just the judges and other people that are related to the court system were a part of this committee and I think it is important that we acknowledge their efforts today. The Chief of the Superior Courts, Scott Bowers; Circuit Court Judge, Judge Carl Heldt; Doug Knight, Superior Court Judge; Stan Levco, Prosecutor; Jonathan Parkhurst, who is with the Prosecutor's Office; David Shaw, is a Public Defender; Brad Ellsworth, of course, who is the Sheriff; Eric Williams, Deputy Chief of the Sheriff's Department; John Althoff, a Lieutenant in the Evansville Police Department; Bill Cottun with SCT; Tim VanCleave with SCT; Richard Mourdock, County Commissioner; and James Raben with the County Council. I would also like to acknowledge the other Superior Court judges who did not participate weekly in the committee meetings, but they did meet several times with PMSI and were always, always open to suggestions. That's Judge Maurice O'Connor; Judge Robert Pigman; Judge Robert Tornatta; and Judge Wayne Trockman. I was sort of elated with I saw all of the judges coming through the door tonight because I think that is one of the things that probably makes Vanderburgh County more unique than any jurisdiction I have been in, including my own, in working with jail overcrowding

efforts. To have a team of individuals that are willing to come together even prior to a formal capacity or capping placed on the jail speaks volumes for Vanderburgh County. I think it is important just to give you a few observations that I've had in working with these people. I also found them to be very open and willing to share information about their performance. I also saw them very willing to implement changes and I do hope and do believe that they will take the recommendations that are made here today very seriously. With that, I think we'll get started. When the committee first began, we realized that the two issues that most impact the jail population are how many people enter the system and how long they stay. Realizing that the courts do not control a lot of the reasons why an individual enters, it's important to consider all of the things that affect how an individual can enter the system. Arrest patterns, demographic factors and criminal justice system policy decisions all have to be considered when weighing in on jail population and jail overcrowding. No one entity causes a jail to be overcrowded and no one entity can be looked to to solve the problem. Simply increasing jail beds and simply speeding court processes is not going to solve this problem. The best thing that I can suggest to you is that we create an environment for a shared responsibility among all of the stakeholders in the criminal justice system. Over the last few years several things have complicated the processing of cases within the court system. Prosecutorial discretion in filing cases, the complexity of DNA evidence and the backup of DNA labs at the state level, lab backups in regard to evidentiary matters with drug cases, increases in mental illness cases and the need for assessments including, and probably one of the most important things, is the increase in arrests that has come from adding additional police officers through federal funds. I have already mentioned this fact, but I think there is one thing that I have taken from every jurisdiction, and I believe it is the case with Vanderburgh County, and that is there is no magic bullet. There is no one solution, but there are a couple of universal truths and that is that the stakeholders can never believe that the problem has been conquered. Having been in another jurisdiction and having been a practitioner there I have worn a pager for ten years and actually received the daily population of the jail from the county that I live in. There are about six or seven of us within that jurisdiction that receive that page. Once my particular jurisdiction reaches a level where the jail has been capped, we get phone calls from the sheriff and realize that we need to get all of the stakeholders back together again. I do believe that the stakeholders need to have a permanent committee that is institutionalized and will probably...and probably never should be disbanded. I do commend the Commissioners and the Council for looking at processes that impact and affect the jail prior to entering into any construction process. I think it is very, very important that we insure that the system is as efficient as it can be prior to entering into adding additional bed space because I do believe the more efficient the system, the possibility is that you will need to construct less beds. Historically speaking Vanderburgh County, I think, has had some success in managing the jail overcrowding problem. In 1998 the Blue Ribbon Committee was implemented or started and all of the representatives from the criminal justice system took part in that. Not unlike any other jurisdiction there were immediate changes that were implemented and impacted the jail situation and once that committee quit meeting, the jail population did seem to be affected. I don't say that in terms of being critical of anyone in Vanderburgh County, that is just a phenomenon that happens in every jurisdiction I have ever been in that looks at jail overcrowding and has a committee such as that trying to address the problem. The jail, at this present time, has an informal agreement with the Indiana Civil Liberties Union that has capped the jail at 329 beds and the jail's capacity is 268. In looking at the average daily population for Vanderburgh County there are two significant facts that I felt were important and that is that the average daily population figure has increased almost every year since

1994 and when a collaborative effort is focused on the jail the population numbers decrease. I just mentioned that, but in 1998 the population decreased, the average population number decreased by about 20 inmates. It still was not, however, within the capacity number of the jail. The average daily number at that point was 272. When looking at court processes, it is very important that we consider felony filings and in terms of looking at the volume of cases that the courts are expected to deal with and in looking at felony filings if you remember what I said about the two significant facts that impact the jail population, that the second thing that is important to look at is how many cases the courts are disposing of. That seems to be a relatively easy thing to consider and pretty black and white, but I think a lot of jurisdictions miss the boat when they don't consider that when felony cases outnumber felony dispositions then the pending caseload just continues on from year to year. In order to manage that caseload there has to be, in my opinion, a person in place to advise the courts of their performance and let them know how they are performing in terms of those particular...those three numbers. There are three elements. Excuse me, that's felony filings, felony dispositions and pending cases. Within the final report, we will have statewide information that shows in total that the state from 1990 to the year, I believe, it only goes through 1998. Filings increased about 25 percent statewide. Could you (inaudible) this one. The increasing trend in Vanderburgh County—

President Jerrel: Jane, let's turn the lights down or dim the lights so they can see better.

Julie Von Arx: The trend for Vanderburgh County follows the trend statewide, however, unfortunately I think what we see here is increase in filings from 1992 to 2000. There is an increase of almost 100 percent. I will get to the felony disposition information in just a moment. But, again, as we consider how jail populations are impacted when you consider the numbers and volumes of people entering the system and that is a number that the courts do not control and have no say so over. They have to take what is given them and they have had to deal with almost a 100 percent increase in an eight year period. I think that is significant. Reliable data, however, was not available for us to compare dispositions during this same time period and I see that as a definite problem, but it already has been corrected by you, the Commissioners, the Council and the courts, by having better software available to them that can provide the sort of information that we were not able to get from 1992 through 1998. I believe that new system was implemented in '99, is that correct? Excuse me. However, we were able to obtain some statewide information about some filings, dispositions and pending cases from Allen, Elkhart, Hamilton, Tippecanoe and LaPorte counties. There was one interesting phenomenon that I felt was very noteworthy, but I didn't necessarily want to draw a conclusion about, and that is that Allen County's population is estimated at approximately 315,000. Vanderburgh County's again, estimated, is about 168,000. Vanderburgh County in '97 and in '98 filed more felony filings than Allen County or in Elkhart County. Elkhart County's population being about 172,000. Again, if we go back to the two issues that impact jail population, those entering the system, it has to be considered and very significant that filings in Vanderburgh County have increased at the rate that they have increased. The disposition information that we were able to track for 1999 and the first five months of 2000, again, I think that this demonstrates the work ethic that the court system has shown, if you consider that in the first five months of 2000 Circuit Court and Superior Court have disposed of almost the same amount of cases that they did in the entire year of 1999. We were able to obtain that information because of the software system that was purchased in order to provide that source of information to the court. It's problematic to me that the courts were

not able to track that information prior to the implementation of Courtview 2000, but the fact that it is here now, I think, is very significant for them as judges as they try to consider implementing policy and for you in determining how well they're doing and whether other judges need to...whether we need to fund judges in the future. I think Courtview 2000 will be able to provide that type of information to you now. Some of the other issues that the Circuit Court and Superior Court have looked at and responded to in terms of the jail overcrowding issue, I felt it was important to note specifically and that is they have set trial dates at 70 days from initial hearing and according to statistical information that Judge Bower provided, they are adhering to these set trial dates and not granting continuances. Both courts have implemented holding dates five weeks prior to a trial to act as an expedited court and they call this the holding date. The holding date is used to ascertain the status of the case and at this time a guilty plea can be accepted by a defendant, and the pre-sentence investigation can be waived that is done at this time. I think those are some of the reasons why the disposition rate has increased for this year. Some of the other things that the judges have implemented are increasing the number of trial settings to 100 to 125 per month. In a ten year period this is an increase of 50 to 75 cases per month. They review the jail population weekly. They presently assign trial attorneys to indigent defendants at their first court appearance. They have also expedited hearings for petitions to revoke on probation violations. There has also been a formation of a felony process committee where I don't know if the Circuit Court is involved in that. Okay, the Circuit Court also is a participant in the felony process committee and this committee meets monthly. The prosecutor's office and the judges and the sheriff's department and probation meet to discuss whether there have been any problems particularly with felony filings and with the felony cases. Again, I think we need to acknowledge the fact that that initiative was started by the courts. I do believe that was done as a response to jail overcrowding. This is very hard to read and I apologize for that. We have some additional copies, but this research and data was conducted by the National Center for State Courts and the American Prosecutors Research Institute. This was an effort to examine the efficiency, timeliness and quality of criminal trial courts. If I may, I am going to read directly from the study, and I apologize for that, but I think this is important.

"This study found that the timeliness and the quality of justice are not mutually exclusive either in theory or fact. Expeditious criminal case resolution is found to be associated with court systems in which the conditions also promote effective advocacy. The evidence for this study suggests that well performing courts should be expected to excel in terms of both timeliness and quality."

The data that we have displayed here speaks to the structure of the courts and their case assignment and their calendar systems. The faster courts there really is no common denominator with the faster courts as opposed to the slower courts in terms of how they are structured. So the study resolved that courts...it really doesn't matter how courts are organized, it matters more how they perform so it is very important to Vanderburgh County that Courtview 2000 provides the type of information to let the judges know if they are performing. We very definitely believe that the court's performance is probably much more important than how they are organized as this relates to court rotation though this does not specifically exist in this study or any other court system in the state of Indiana. Again, we feel that the important matter is whether they are performing or not. General recommendations for those processes that impact the jail, several of them have already been implemented and we've already talked to the courts about that in an ongoing basis as we were meeting. But we recommended back in April that there was an immediate change

to the weekly jail reports that the sheriff's department provides. The Chief Deputy, Eric Williams, was already, I think, very sophisticated in terms of realizing the necessity for communication and letting the other players in the system know who was in the jail, but we refined it and modified it a little bit and as a result the other players, I think, in the criminal justice system were able to respond to what inmates were in the jail and what type of response would move them through more quickly. We also believe that this report needs to be distributed weekly and I do not set a time limit. I would suggest that this report may possibly still be around five to ten years from now. I don't see that going away. PMSI also recommends that the former two bail commissioner positions should be reclassified as two pre-sentence investigation writers realizing that this has already occurred, I can't tell you the significance that I think that this small adjustment can make. Once we identified within the jail that there were a large category of inmates who had already made it through the entire process and were just waiting to be sentenced, it is very important that the pre-sentence investigation be written quickly. So I think that the fact that those two bail commissioner positions will be reclassified and be given to Judge Heldt is very important. PMSI recommends a detailed business process re-engineering analysis of the work flow from arrest through sentencing and release and an accurate assessment of available technology solutions. There was so much duplication of time and effort expended from the Evansville Police Department, the booking in of an individual, recording all of the demographic information that a defendant must submit to and then the sheriff's department reenters all of that same information. Part of the problems that can arise and some of the scenarios that we were told about is Jimmy Jones can be entered by the Evansville Police Department and the Sheriff's Department can enter the same person as James Jones creating all sorts of problems. We also believe...I'm sorry, I'm losing my place. SCT did provide a budget recommendation during this year's budget cycle regarding linking all of the technology that is available throughout the system and I do believe that this can be said with some confidence that should that technology exist and be linked that I do definitely believe that can affect jail bed days. Again, those are suggestions that are being made that I do believe can impact the population and we're not talking about adding capacity. We're talking about making the system more efficient and using the technology that is already available. Linkages are much less expensive than suggesting that everybody needs to use the same system. PMSI recommends merging the operation of the booking process with the confining of prisoners. We realize that this is not an easy recommendation to make since we're talking about two different levels of government that are responsible for this function, however, we definitely believe the speed with which inmates enter and leave the jail would be impacted if one agency was responsible for booking and confining. There are only nine jurisdictions within the state where this function is split between city and county. Vanderburgh County is probably the largest jurisdiction where the phenomenon is still occurring. I walked through the booking process myself and was waiting to be photographed and realized that we may not be providing the most safe and secure environment for the employees who are charged with the duty of booking in inmates. I believe that needs to be looked at immediately for the safety of the employees of the Evansville Police Department. PMSI recommends that the courts need to have personnel allocated to take the information that Courtview 2000 provides, monitor the activities of the courts and help them handle technology needs as related to Courtview 2000 such as training issues, maintenance, use oversight and software integration with other agencies. I can't emphasize strongly enough how important it is for the courts to have the information available to them and if Courtview 2000...the expense was already realized by the Commissioners and by the Council when you funded Courtview 2000, and I think it is very important that we use it to our biggest advantage and get the biggest bang for our buck, so to speak, and let it

provide the accountability that it can provide. The Chief Judge for the Superior Court currently acts as the case manager of that information and with his tight court calendar I believe it is...I can't overemphasize enough the importance of utilizing the court administrator to manage that information. PMSI recommends that the courts adopt disposition time goals as a management tool to inspire court performance and reduce delays. In the court study, if you could put that back up, that National Courts conducted, one common thread was available with all of those courts and that is they had all adopted some sort of performance measure and time goals for disposition of cases. The most important thing about coming up with time goals is making sure that those time goals are communicated to the prosecutor's office and to the defense bar because the courts are not only setting goals for themselves, they are setting goals--they would be setting goals for the prosecutor and for the defense bar. PMSI recommends that the county continue the collaborative efforts of the jail management committee to insure that committee's function regarding intermediate sanctions, court processes, juvenile issues and additional capacity. Again, I cannot overemphasize the importance of keeping the stakeholders together. We've seen that it makes a difference, and I think that we have to create an environment where people feel comfortable coming together and discussing solutions. PMSI recommends that the courts strategically plan to implement pre-trial conditional release programs. Other jurisdictions have found that these programs enhance pre-trial community supervision efforts and impact jail overcrowding efforts. These programs range from drug monitored release to electronic monitoring and simply monitored release. The courts would need to continue planning who would run these, how they would be operated and rules for operation. It is suggested that a pre-trial services fee be assessed to fund the program. In the event that litigation formally caps the Vanderburgh County Jail, I believe the next two recommendations will become very important. PMSI recommends that the system devise an emergency placement protocol that responds to the capacity by identifying inmates that can be moved out of the jail and a time frame to accomplish the moves. It's important that the criminal justice stakeholders continue to meet, if for no other reason than this recommendation. I think it is very important that prior to sending any inmate out of county, we insure that all of those inmates that are in the jail presently shouldn't be somewhere else. We don't want taxpayers to pay for inmates in another county if we have inmates sitting there ready to go to DOC, or if we have holds for other jurisdictions or even if we have inmates that have been sentenced as a felony, and all we would have to do is have the court change the abstract to say DOC. I think it's just very important that we identify those categories of offenders that can be served elsewhere. It is also important to, I think, to have a classification system for inmates that are possibly work release ready, misdemeanants that may be serving less than 30 days, civil contempt inmates and by talking about having a classification system, I think the stakeholders and the Commissioners and the Council have to decide if there are certain inmates that can and should be served in a community supervision program rather than a maximum secure bed and whether Vanderburgh County has reached the point that we have to determine who belongs in those maximum secure beds because we have to manage our resources. I will say that those counties that have implemented an emergency placement protocol have not spent one dime on out of county placements and public safety has been maintained. PMSI recommends that an initial hearing process be utilized during weekends and holidays when and if a court imposed capacity is placed on the jail. I realize that the courts are working very hard right now and the thought of working on a weekend or working on a Monday holiday or whenever is not something that everyone wants to consider, although they are currently running a paper court and come in on Saturdays and consider inmates in setting their bail, but I do believe that if and when the jail is capped a new day is here and everyone is

going to have to work a little bit harder and when I talk about the courts having an initial hearing process that also means the prosecutor's office and the defense bar are going to have to deal with that situation. In closing, again, all I can emphasize to you is the importance of keeping this committee together. I feel that they are very much committed to continuing to look at themselves and they are very open to suggestions for improvement and I commend you for looking at this before you enter into a construction process. I have been brought in before in other jurisdictions after the decision has been made to build beds and the population has been capped and the county is being penalized and, for instance, in Cass County they were spending about \$70,000 a month on out of county placements and a new jail was being built. We were able to get that out of county cost cut back to nothing, but it took all of the system stakeholders working together in order to have that occur. The jail did open and that's how they were able to, I think, keep their heads above the water until the new jail opened. Again, I cannot...I want to make sure that you understand that the courts have worked very, very hard and I think that they will continue to do so. I don't know if you have any questions.

Commissioner Mourdock: Before we do anything, we need to change the tape.

Tape change

President Jerrel: Well, first of all, thank you very much. It was very interesting and I would hope that we have some open dialogue from the audience, particularly those people that are part of the system and may have a question or some issue that they are not comfortable with that they'd like to discuss because I think that's what this forum is all about. Is if there is something that has been recommended that at this point doesn't have comfort level, we need to look at it and talk about it.

Commissioner Mourdock: If I may make a suggestion with the several recommendations that were made, since I suspect there are people here who want to speak to more than one of these issues, what we might do is just kind of hit each one and ask anyone who would like to speak, if you would like, on that issue and then go to another one. Work through the list.

President Jerrel: That would be fine. Go ahead.

Commissioner Mourdock: The first recommendation that PMSI made, of course, was regarding the daily and weekly jail reports which Chief Deputy Williams has been making. I guess, first of all, since much of that has already been implemented as Julie pointed out, are there any comments or questions about that?

President Jerrel: Well, first of all, just a question just to clarify, are all the stakeholders receiving those reports? All the judges, prosecutor, everybody gets them? Okay.

Commissioner Mourdock: So, I am not seeing anyone rush to the microphone, we'll assume that everyone is happy with those. Okay, the second recommendation that Julie or that PMSI made recommends that the revised report continue to be distributed to all criminal justice players, Commissioners and Councilmembers on a weekly basis. And again, I am going to assume that everyone is okay with that one. Third recommendation, PMSI recommends that the former two bail commissioner positions should be reclassified to two pre-sentence investigation writers. And I am sure there will be some comments there either from Councilmembers or whoever.

President Jerrel: That's already been done.

Commissioner Mourdock: I know, but the recommendation – come on up, judge, please.

Judge Carl Heldt: Carl Heldt, Circuit Court Judge. Those two positions were funded for next year by the County Council at the last meeting. I would say in all fairness, though, that when they did that they also took away \$20,000 from my budget to hire part-time people to do that same work. So we gained two full-time employees and we lost \$20,000 worth of part-time employees.

President Jerrel: Judge, before you leave can I...this is just for information, but – and it might help Council to understand better, too, who oversees the day to day completion of the forms, I mean, oversees the employees to see that the system is moving.

Judge Carl Heldt: Well, the ultimate responsibility is mine as Circuit Court Judge of the Circuit Court probation department. The probation, the Chief Probation Officer is Allan Henson and the person under him that supervises the pre-sentence reports is Karla Claybrook who is a probation officer.

President Jerrel: So she is the one that actually –

Judge Carl Heldt: She is the supervisor.

President Jerrel: Have you all set some goals for moving the numbers along in that particular category? Judge Bowers indicated something about using the short form. You're nodding your head, so...

Judge Carl Heldt: First of all, a couple of years ago we started scheduling sentencing for in-custody inmates on a twenty day cycle and to trade off, we scheduled sentencing for out-of-custody defendants on a forty day cycle in the hope that we could process the people in custody more quickly obviously and get them out. I think that Superior Court is going to that as well or has gone to as well, and we're hopeful that with the two new full-time investigators we can perhaps even shorten that twenty days down to a lower number. There is a certain limit you reach as to how quickly you can move pre-sentence investigations reports simply because there are people that need to be contacted such as victims, their records need to be checked, there may be mental and physical reports from physicians or psychiatrists or psychologists, so you can't give us a hundred pre-sentence investigators and turn them out in one day. I mean, there is just a certain limit as to how quickly you can move them. But this will certainly help. Also, as you mentioned, Judge Bowers and Karla discussed, and I think they're implementing now, doing short form investigations where they are only required to be short form. I think we can move more quickly that way as well. I think the system is moving more quickly. I know it certainly is in Circuit Court because we're getting them back more quickly.

President Jerrel: Thank you.

Commissioner Mourdock: And just to clarify, this may not be you, Judge, but you're welcome to answer if you know, what we originally had as a result of the Blue Ribbon Committee, the two bail commissioners, I understand, were reclassified. How are we doing what they were initially or supposed to be doing? The bail commissioners?

Judge Carl Heldt: We didn't think, and one of the reasons why, it was Judge Bowers' idea and I thought it was a great one, to reclassify these two. We don't think that the bail bond commissioner idea worked very well as far as reducing the jail population. The idea was for those people to be able to have the authority from the court, which they did, but then to release more people on cash bond than they were. It didn't work out for a number of reasons and so that's why the idea was broached. Let's take that money and put it someplace where it might work. It was an idea that simply didn't pan out, and that function is being taken over by the sheriff's office. It was just a matter of bonding them out if they've got the bond money and there's not that much difference.

Commissioner Mourdock: Yeah, I know the numbers that we saw from the results of those two folks, clearly what you said is the case. They weren't making any difference at all so they're being better used –

Judge Carl Heldt: It wasn't helpful. It was money spent in the wrong place, but it was a good idea at the time.

Commissioner Mourdock: Worth a try.

Commissioner Tuley: Can we follow that up with a little bit – not the bail bond, but the other, the pre-sentence investigators, Superior Court, I assume, has a similar function or...

Judge Carl Heldt: Okay, the Circuit Court probation department serves both the Circuit and Superior Courts. Our probation officers are their probation officers. They're under Circuit Court jurisdiction but serve both courts.

President Jerrel: And is, I am assuming too, we're making a lot of assumptions, but that's why it's important that all of you are here, you're getting adequate information, both courts get adequate information regularly, if there is some holdup or other on these abstracts.

Judge Carl Heldt: On the abstracts?

President Jerrel: Not on the abstracts, on the pre-sentencing prior to the abstracts being given.

Judge Carl Heldt: Yeah, I mean, if for some reason the pre-sentence can't be ready by the sentencing date, I hear from the probation officer and he or she tells me why and we go from there, but it's been pretty –

President Jerrel: Is there, maybe Mr. Henson could come up and answer a couple of questions regarding that because I think it's important that everybody knows who is in this system and is doing –

Judge Carl Heldt: Sure.

President Jerrel: How do you feel, Allan, about the system moving along better on the short form and --

Allan Henson: I think the short form has definitely improved the rapidity of which we can get out the information. I wouldn't speak to the quality of what we're putting out

at this point. You just don't get as much information in a short form as you do a long form. As long as the judges feel they have enough information to sentence the person correctly or accept a plea bargain, I think that helps. The two people that have been converted to interviewers are going to help, and we have two permanent part-time 39 hour people but that still leaves us – if you divide those up, we're still basically at four part-time individuals and we normally ran six part-time individuals, six twenty-hour a week people. And with what we're allowed and what we have now, we have two full-time and two 39 hour which basically equates just four part-time. So we're still short.

President Jerrel: Well, you've got 30 more hours a week to work with.

Allan Henson: Yes, and we have \$20,000 less, as the Judge pointed out, to bring other people in. We're doing real well right now, I believe. When the Christmas shoplifting season, as I call it, comes up we'll get a lot busier and we'll stay that way through mid-summer. There is a slack period when the weather turns and people don't want to be out in the winter time and in the summer time, too. So right now we're doing well. When the Christmas rush comes, it's going to be a lot harder to produce like we're producing now.

President Jerrel: I was happy to hear there's some sort of goal setting with the people that are doing this work so that –

Allan Henson: Trying to put out so many in so many days. We're reaching for the goal, trying to get them out in 14 days, two weeks, on those in custody. But as the Judge pointed out, what we're really concerned – and by statute, we have to do certain things. The victim has to be contacted and that's not a phone call away. That's four or five phone calls over a period of two or three days. And if we can't reach them then we're required to send a letter and that letter has to be returned, so it's not something we can just say we did, and oh well, we tried. We have to contact them first. As you probably know getting a medical report, psychiatric record, from a doctor is not a matter of me walking down there with a sign releasing it and have them turn over it. It's going to take time to process, to find it, so we're doing, I think, the best we can with what we have at this point in time.

President Jerrel: So we're counting on doing at least one a day, each person do one a day. Is that what you were saying?

Allan Henson: We're looking at, we figure it takes about eight hours to do a –

President Jerrel: – short form?

Allan Henson: Well, to do a pre-sentence depending on the information required. Contacting the victim can stretch it out but it's not simply a matter of taking X number of pages of written material, interviewing Joe at the jail and sitting down eight hours to put the information down. Because, there again, if you can't get hold of the victim, you may be one, two, three, ten days down the line. If he's got a psychiatric evaluation, it's important for the judge to know the sentencing time, it's days down the line. We do a record check locally that shows he has an FBI record, NCIC. That record is in Montana and it's a felony and they're not part of the NCIC. We have to call them, write them, trying to get that felony record out of this other state. So not everything can be done in that eight hour time frame. But it does take basically eight hours to do the job, if you have all the information in front of you.

President Jerrel: So you can do approximately 20 a week then, or not? I am just trying to get a feel for – and you don't even have to answer because there is no way you probably would know now, but my point is, I think if we set goals and try to maintain reasonable goals, not overwork anyone, but reasonable goals, then that will be one part of the system that won't – that's the part that gets them to the abstract, that gets to DOC, and that's where I want to see them go.

Allan Henson: I understand.

President Jerrel: Okay, thank you. Anyone else?

Commissioner Tuley: Yeah, this is kind of hypothetical since you didn't – had you received that \$20,000, I mean, how would you use it? Would you...

Allan Henson: We'd go back to hiring more or additional part-time individuals.

Commissioner Tuley: Regularly scheduled or kind of as needed or how –

Allan Henson: With \$20,000 it would have to be as needed.

Commissioner Tuley: Okay, so when you get into your Christmas shopping season–

Allan Henson: Yeah, we'd have to bring more students in then and, you know, at one time we had sixteen individuals. Sixteen interns which would equal eight full-time people to get the work out, and we're talking about we're doing as much in this five months as all of last year. This has been a growing problem and our staff just hasn't grown, so we hire more and more and more part-time people. But as you well know, you get them trained, get them up and running and then spring break is here and they're gone, and I am not going to work during my Christmas holiday and they're gone or they graduate, go to law school. So the turnover rate was just atrocious.

Commissioner Tuley: Then what Joe, what we have in our packets, Joe, is as of the 14th, we had 67 people who had been convicted awaiting sentence. At twenty a week, that's three weeks, more than three weeks, just trying to get those 67 out of there at the rate of twenty a week as Bettye kind of –

President Jerrel: Well, if you're not going to be able to do – I guess, is it really true, Allan, that most of them have all this contacting other states and that sort of thing or are most of them filling out the one page back to back form?

Allan Henson: No. It's true that most of these people are long term, hard-core individuals. That's why they're going to go to DOC. If they were just penny-ante, something from Wal-Mart the first time, they're not even going to get to us. They're in deferred prosecution. If there's a first time that's a felony or the first time it's a misdemeanor and they get charged, they're not deferred, they're in misdemeanor court. When they get to us, they've got a record and in order for the judge to make an appropriate sentencing, the prosecutor to order a plea bargain, we need to find out what that is and a lot of that is not in any – people are very mobile now.

President Jerrel: So most of them are what you are describing then?

Allan Henson: Yes, have records other places. Not out of the state necessarily, but from other places. We're getting more and more –

Judge Carl Heldt: I might mention this, if they were just first time class D felony offenders, they wouldn't be in jail. They wouldn't be held in jail. People in jail are people the judges don't want to release, they have the records.

President Jerrel: Or they can't make bond. Okay, questions? Thank you.

Commissioner Mourdock: Okay, and having completed much of the first three bullets now, I suspect people are going to slide forward on their seats a little bit here, to want a piece of each of these. PMSI recommends that detailed business process re-engineering analysis of the workflow from arrest through sentencing (including jailing) and release an accurate assessment of available technology solutions that would enhance and create greater efficiencies in managing the same process. And let me kind of start off this one, I was surprised, maybe shocked is a better word, at one of the committee meetings that I was sitting in over in the courts building probably three months ago now, when the discussion about how the booking took place starting with Evansville PD and the information is taken to this person and then it's taken to another person and then it's taken to another person, and while not in total, certainly the workflow issue is part of what this is about. And I would be curious to comments from any of the stakeholders as far as how this is either impacting them so that they would strongly support the recommendation here or any other comments they might have. Alright, I knew we'd have people coming forward on this one.

John Althoff: Good afternoon. My name is John Althoff. I've been in charge of the police department record room since 1992. Let me say up front that everything that you've heard here today is true. The system, as far as from arrests through booking to detention in the jail, is a mass of duplication of effort. It's incredible. It should be, I agree, done by the person, by the facility that's going to be detaining the individual. There is at least four interviews with the arrestee that are exact duplications. Our computer systems don't talk to each other. The imaging system doesn't talk to any of the other systems. The fingerprint system doesn't talk to anything. And our arrest numbers keep going up. We booked through 816 new prisoners last month – or 816 prisoners. Of those, 213 were new prisoners, so we're seeing essentially, 3/4 of the people we see are the people we see over and over and over again. And every time they come in we have to verify all the information on them. They're very mobile, they move, they get tattoos, they have scars, they lie about their personal (inaudible). So they get interviewed by the arresting officer. He does his initial paperwork in our computer system and brings them to the booking window. The booking clerk re-interviews them, same information, enters it into the records computer package. The same information has to be entered in the imaging system, our mug shot system. The same information has to be entered in the fingerprint system and none of these things are talking to each other. Then they go upstairs to the jail, if they are lucky and don't die of old age during the booking process, and they're re-interviewed. I have written letters, I have begged, I have pleaded for the past several years that we need to eliminate the duplication of effort to make the system work better. It's bad for the employees, it's bad for the prisoners, it's bad for the people that work in the jail. It's dangerous because every minute that prisoner it downstairs in a low security area, it creates a safety risk for my civilians who are doing the booking, for the jail personnel who have to come down and take the people upstairs and process them, and for the prisoners themselves. So, I implore you, please heed what you have been told here today because there is a lot of truth to it.

President Jerrel: John, don't answer this if someone ranking above you – if you'd

rather not say – I mean, I don't want to put you on the spot – if you could, and I'm a little bit familiar with your Tiburon system and some of the imaging that's been, like I kind of know what happened to it, but maybe the rest of the people in the audience that don't deal with it, don't know, but what would you like to see happen if you could make it happen right now?

John Althoff: I think we have to revise our technology. We've put together a technology system in this county in bits and pieces and sometimes without regard to how another entity, another office, will interact with that system or the people using it. I think it's critical that we sit down together which we're working on, that's known as Project 42 currently, and devise a system that will work for everyone with the ability of systems interacting with each other. That's not so far fetched anymore. We need a system that talks to other offices, other departments, and I think that will eliminate a good deal of problems. Another thing that has to be considered is if you adopt a new system, and I hope you do, is that adequate training takes place because so often we "improve our technology" by buying something that's bright and shiny and has lots of bells and whistles and then inadequately train our personnel on the use of that piece of equipment, and I think we need to standardize our equipment, our training and our procedures and I think that will help a lot.

President Jerrel: Who specifically, now, are you talking about? You and the sheriff's department, that's two, but what software package does the city have that the county doesn't have or vice versa that doesn't work?

John Althoff: Well, currently, our records management system is through Tiburon and –

President Jerrel: They're not even supporting it anymore, are they?

John Althoff: We do have limited support, not like it used to be. The sheriff has a new jail package and these two systems do not talk to each other, nor can they.

President Jerrel: Could you, if you adopted the courts package, have you ever done any cost analysis of any of this?

John Althoff: The committee has attended several meetings by SCT and we are beginning demonstrations of new systems to replace all of these current systems next week as a matter of fact and I believe we have between ten and fifteen vendors that are coming in to do demonstrations.

President Jerrel: I can't see the sheriff behind you, but does that mean that you want a different system than the one you've got?

Brad Ellsworth: I am going to let Eric defer some of that. I agree with everything John has said. Probably a little historical basis, and we'll go back to this, I believe when they had a city lockup prior to the opening of the current jail, there was a gentlemen's agreement that because they were getting out of the business of running a city lockup, that they would handle booking and that, but it's grown to that. But I agree with everything John has said but this is coming in bits and pieces. Like I said, we were facing the Y2K thing and were given the money that we had to replace at that point, that there was no way that we were going to be able to talk to – replace that with a system that came and talked to the booking procedure, the CAD or the records manager system. Now we're looking at, and I am going to let Eric come up in a second and talk about records management and how that might

be able to interact with the new jail project we just put in last year. There have been joint projects with the city police and that depended on chiefs and sheriffs who were there. I know, like on the imaging system, we split that \$60,000 a piece I think and tried to make that jibe between the jail and that and have had limited luck on that. But, Eric, why don't you –

President Jerrel: Yeah, Eric, is this new system going to be able to, let's say, is that going to be obsolete, this new one if the police, EPD...

Eric Williams: Well, the data system that we're talking about, the Tiburon records system, is jointly controlled by the city and county. The city, just by the agreement the sheriff mentioned, does the booking process. We enter information into it also. The new jail system we purchased in mind knowing that we were going to have to upgrade the record system at some point in the future. However, we didn't know what that was going to be so we tried to purchase the most open ended type of jail system we could get. The previous jail system, the record system, did not communicate either. You know, ideally, you'd have a CJIS system, you know, from dispatch to booking to detention to courts, that all use core similar data files. The problem that we run into is if they make an error in the record system and then we make an error in the jail system one letter difference, the error is not consistent through all the systems. It's one thing to make a mistake as long as it's wrong everywhere because then at least you can find it, correct it one place everywhere. But when it's only wrong in one spot, that's where problems all develop. Now our hope is that with Project 42, we'll purchase a CAD record system that is designed with the same open ended socket, so to speak, that we can plug the jail into that and have some form of linkage. We'll never probably use, at the rate we're going, a core database that all of them feed out of, but hopefully, we'll have a system that the databases do talk to each other and correct one another.

President Jerrel: Because you and I had a long conversation about this about what you were going to buy, was not going to be so specific that you couldn't interface with other – and so...

Eric Williams: That was one of our primary criteria we established when we selected a new jail system. We would loved to have been able to wait and include the jail system in with the records, CAD and do it all at once so that we knew before we bought anything that they definitely were going to communicate. However, we were under the Y2K crunch with the jail system and it was going to cease to operate so we had to do something when we did it. But we did try to leave it so open ended that any good program or any decent system would at least be able to communicate with the data and at least talk to it.

President Jerrel: Well, who else talks to these two – who else do you all have that needs to talk? Let's assume that yours can talk after you get new things and –

John Althoff: Who needs to talk to them?

Eric Williams: Ideally, the big key player in there that it would be ideal to communicate with these two systems would be the courts because right now we are entering arrest information and jail information and then we're going back and manually entering information which came from the courts, dispositions on cases, bond reductions, changes. A lot of times, you take for example, personal data, the demographics and stuff like that, the courts are dealing with them ongoing and they'll get changes, and the courts records sometimes on ongoing case will be the most

current. That's not reflected in our system.

Commissioner Mourdock: And does the Courtview 2000 that we recently purchased have that upgraded capacity to bring this type of the booking process into it?

Eric Williams: There again, because we bought separate vendor systems, you are never going to have a core database that has one person file, one case file, one – but, the Courtview 2000 in my judgement is open ended enough that yes, linkages will be able to be created and talk with another because they do share some common denominators in the style of their design.

President Jerrel: And they were one of the approved software systems that – this isn't the only place in the state that's had this problem. Okay, well, getting to those, who else, the courts...

Eric Williams: Well, obviously, everybody in the system. If dispatch had the information and it all related, –

President Jerrel: What about the prosecutor's office?

Eric Williams: The prosecutor is definitely an issue, the new public defender's office, they would have information. If everybody is updating information, that way everybody in the system shares the most current information.

President Jerrel: And you've got a committee and you're going to report next week?

John Althoff: We start demonstrations next week.

Eric Williams: Project 42, SCT has, you sit on the Data Board, hired Clifford to be the project manager. We've got several entities and all of those people are together and we are going to start reviewing. We've narrowed it down to thirteen vendors to provide us with a records and CAD system and one of the main criteria in narrowing it to those thirteen were that they would be able to at least communicate with the jail. We're hoping that they will be able to communicate with Courtview 2000.

Commissioner Mourdock: What does the 42 mean?

Eric Williams: That was just the number, the sequential number of projects assigned in SCT, I think. It was just one of those things that just happened like –

President Jerrel: One other area, and I've seen these so I know that it's pretty common, you may have a person with four or five different possible names on a sheet, a docket sheet, I mean, if we could pull these up by either the cause number or the birth dates or the social security numbers or something, but they have names that are all different. Is there any way you can get everybody that enters to enter--

Eric Williams: Well, there are two different problems there, consistency of entry and that is setting up entry fields that have what they call input mass on them that will only take numbers if they are in a certain order with certain characters. That's one problem getting that accomplished. The other problem is that I may find that there was a problem with Jimmy Jones and it was entered as James. I change it. By then the courts have already started their information on that and they've got it wrong, so now that change may or may not be reflected there. Then the prosecutor gets a file, it may or may not get reflected there and that's the problem with having them all stuck

together or communicating. When one of us finds an error, we change it and we all know about it instantly so we're not all traveling down different paths.

President Jerrel: I couldn't agree with you more. Well, this body is here to help. That's why we're doing this, so –

Commissioner Mourdock: Let me ask one radical question and I'll venture towards that dreaded C word here, does it make any sense to have both Evansville PD involved with this and the sheriff's office? I heard the Chief say a minute ago this was kind of the history that had developed from the day that there was a city lockup as well, and I think I heard Cyd even make the comment, or I am sorry, Julie during her presentation, that it was a pretty rare thing that we have both Evansville PD doing part of this and then having the sheriff's group get involved. Doesn't that –

John Althoff: One thing you have to consider is regardless of who is in your chair, who is on the bench, the guys in blue and brown will always be working together on the street and our system should always work together from start to finish.

Commissioner Mourdock: And it seems to me right now, we've got, especially guys in blue who are doing this, who might otherwise be doing other things.

John Althoff: We need to clean up our act.

Eric Williams: And I guess our radical answer to that is that no, it doesn't necessarily have to be the separate people as long as everybody is communicating. There are probably things that could be done procedurally that would streamline this but it would require actions of both the city government and county government to say we're going to shift this to the sheriff and shift this to the city so that Y people are doing Y things. My detention people are there doing detention things and if they're booking into the detention system, if these systems communicated, it could populate into those – traditionally and historically in almost every county in the state and probably everywhere else in the nation, you'll find that the sheriff, the ones that run the jail, do the detaining and the booking. It just goes hand in hand because so much of the functions are the same. We happen to be an oddball, I think we've done a marvelous job making it work but there are a lot of inefficiencies with that system.

Commissioner Mourdock: I think you're turning politician on me, Eric.

President Jerrel: But this is the time to do something that is a significant improvement and change. This is the time and we need to do it.

Commissioner Tuley: You're talking about procedurally as in when they say the person or agency responsible for the detention maybe should be doing the booking? That's what comes to mind to me on the county side. If we absorb those people as county employees, that's a lot of money. How many employees do you have, John?

John Althoff: I have –

Commissioner Tuley: In the booking facility area.

John Althoff: Well, everyone down there is a jack of all trades. There are multi-task positions. They may be booking prisoners one night and taking reports –

Commissioner Tuley: In that area that you're responsible for, that's what I am talking about.

John Althoff: There is a total of 25 right now.

President Jerrel: But you also go through the same process, don't you?

Eric Williams: A very similar process. Not in as great detail because we do have a relationship that allows us to share the images that they take, so we do not recapture the images unless they substantially change their appearance between the time they get captured downstairs and when they get upstairs.

Commissioner Tuley: Well, as long as it takes, they may, from what John said.

Eric Williams: We try not to duplicate as much as possible, but there is also the issue that with a new system there may be a lot streamlining that just comes to life because we may be able to populate a lot of the jail's system with information gleaned out of the new records package.

President Jerrel: How many people do you have working on this?

Eric Williams: Our detention officers that are working the floor, traditionally, I'll have eight to nine people on the floor. Not only are they the guards walking the perimeters and doing all the other things, they're also the ones that go down and pick the people up from the city once they're booked, brought upstairs and then processed into the system, assigned a cell, issued their clothing, and all that kind of stuff and sent on. My people are jack of all trades just like his are. They perform the (inaudible) functions.

Brad Ellsworth: There's additional things that go on in the jail. For instance medical, John doesn't concern himself as much with medical questions, but if the system could communicate, I don't care if they wear blue or brown, we're kind of color blind to that, but in John's field, he had the name and the change and everything, then when they got upstairs, our guy clicks on and those fields are already filled, my guy may just ask the medical question. That's where...but to fill out their booking sheet, get all the book information, that's where the big problem is, not who owns the people, that we're duplicating over and over again.

Eric Williams: And then the final step in that process is the courts because right now we have no record of disposition. So we arrest a person, book him, go to jail, blah, blah, blah, we don't know what the courts do with them in any of our systems. We don't dispose of them. Then you have to go to a third system to find out. You look in the record system to find out about the arrest circumstances, the probable cause. You go to the jail system to see what cell they were in, what they did, their time in there, the medications, those kinds of things. Then you turn to the court system to find out what the courts did with them, whether they dismissed it, whether they are going to file charges, whether they got DOC time, or anything. There's three separate systems all doing the same thing but different segments.

Brad Ellsworth: This stuff coming back, we have problems with this. There have been people who were released from jail, you know, a handwritten notice come back. We tried going to color coded slips for different releases on different charges, something that simple when that could be electronically done. If it wasn't for our CSX calendars that they provide yearly at no charge, and that's the thing that could

be electronically sent back so that it pops up when somebody is due to be released, that his name pops up and you get a release date on that.

Commissioner Mourdock: I'm curious, on this issue beyond the police work that goes involved and all of the jailing, from the court side or the prosecutor side, any of you have any comments regarding this part of the process as far as Julie's comments or recommendations?

Jeff Korb: My name is Jeff Korb and I am not a judge, but I do understand what the C word is, and that's for consolidation so my two questions are directed to Julie specifically. In dealing with all of these individuals, did you sense as you were discussing possibly merging this, and that's the nice thing about having an outsider come in, did you sense any turf battles going on or are we to believe Lieutenant Althoff when he says, you know, I am pulling my hair out and then you have Sheriff Ellsworth and Chief Deputy Williams saying we're pulling our hair out, but typically this county does not do real well when you talk about merging. Business sense is not common sense here. It's just throwing money, and as an outsider, that's the first part of the question, did you sense that and/or can that be merged? And the second part of the question is, you have some pretty heavy hitter cities listed there. What computer programs are available so we don't have to go back and reinvent the wheel without charging the county more money because I realize this isn't a question on your thing, so I am asking you to stretch here just a little bit. Would you be willing to work with these two agencies to recommend what you think would be the most effective, efficient system that would save us some money? And I realize what you are saying, Pat, if the county takes this on, it's going to cost us a ton but Maggie Lloyd had a great comment, we could talk about this all day long but where is the mayor going to sit on this and the chief of police? I think the key is getting the people on the streets. Taking a business approach, number one, do you sense turf? Number two, are there programs out there that are already in place that are efficient and working that we could adopt?

Julie Von Arx: In terms of the turf issue, I had Lieutenant Althoff and the sheriff in the room, I didn't have the mayor or the chief of police and there wasn't a turf problem there whatsoever. But I don't know what it would be with the higher-ups.

Commissioner Mourdock: Let me add to that, in that committee meeting John Althoff said as much there as he said here. I don't suspect there's that turf –

(Inaudible)

President Jerrel: Oh, I don't think so. I think this is too big of an issue.

Jeff Korb: You would hope so.

Julie Von Arx: And in terms of making a recommendation about the technology, if you would look at the recommendation, I suggested that there be a study because that is beyond the scope of my expertise and I am not familiar with anyone's technology that answers that question.

Commissioner Tuley: But you could put us in contact with people that have systems in place?

Julie Von Arx: Yes.

Commissioner Tuley: That's what we need to do.

President Jerrel: Judge?

Scott Bowers: I just want to on behalf of the courts say that we would be extremely supportive of having the better technology integration. I've noticed that having the jail reports has been immensely helpful in terms of us changing the way we manage case flow, that's just a small example. Probation and arrest data could be merged and I think that would be very useful for both functions. One thing that I did wish to point out is that the Indiana State Supreme Court has a current initiative with the courts technology commission to standardize court computer systems throughout the state and any kind of standardization that we do, I think if you're going to link the courts to it, you should keep an eye on what is happening at the state level, and I certainly would hope that the court systems would be more fully integrated so that we can share data with these other entities. I think earlier I had mentioned to you making a hop between the jail list and the Courtview which would be a tremendous time saver in terms of what we refer to as clearing people for takeoff, making sure that all the legal entanglements with small claims and misdemeanor court and so on can be taken off of that fellow that has just been convicted of murder and need not be delayed here, for example. Thank you for your support.

President Jerrel: Anybody else?

Commissioner Mourdock: Okay, the next bullet was PMSI recommends merging the operation of the booking process with the confining of prisoners, which we spoke of there in essence. The next recommendation, PMSI recommends that the courts needs to have personnel (Court Administrator) allocated to: monitor court statistical information – specifically filings, pending cases, and sentencing disposition rates, disperse reports reflective of court activities, handle technology needs as related to Courtview 2000, (that is security and training issues, maintenance, use oversight, software integration with other agencies) and aid in scheduling court staff and courtroom allocation. I guess the court, specifically, any judges wish to address that one?

Scott Bowers: It's an excellent proposal, we'll be implementing it. Our Court Administrator is currently off on maternity leave and we'd rather not violate the Family Leave Act to implement this proposal. No, this is an excellent idea and for a number of years we had to use our Court Administrator to help hear cases most of the time because we didn't have enough folks, and since we've hired two new magistrates just in the last year, then the Court Administrator now has a lot more time to devote specifically to court administration issues and the improvement in information that we've got has been a big help so far. I think there are a lot of things that we can get out of the system that we don't have yet and ideally would be procured by a Court Administrator, and as Ms. Von Arx mentioned, the chief judge has been a hands on case flow manager and it's hard to keep a regular case load and do that adequately and having somebody who is a specialized professional –

President Jerrel: Is she on Family Leave?

Scott Bowers: Yes, at this point. She will be returning at the end of September.

President Jerrel: Do you have someone replacing her now in that line item?

Scott Bowers: Not at this time because the – although the salary was open at that

point, the other – well, I am not sure that there was because I am not sure if there is an unpaid leave segment to her leave. In any event, it's the kind of position where you would get – some of the leave is her taking vacation and I think some of it is unpaid leave. As to the portion that was unpaid leave, it was a matter of a few weeks and since it would involve extensive training of somebody to become familiar with the Courtview system and then leave right at the end of September when the Court Administrator returned. It doesn't seem like –

President Jerrel: Is Kelly trained?

Scott Bowers: She is familiar with the Courtview system. I do not know the extent of her familiarity with report writing which is something that I would like to see the Court Administrator involved in to a much greater degree because we can find a lot of solutions from more sophisticated understanding of the problems and that is what we want to do. That is good stuff, that paragraph.

Commissioner Mourdock: Is there anything that you feel is under that, I'll call it a job description, though it's really not that, is there anything that's here that you think ought not be here or are there other duties that you think specifically here in Vanderburgh County our Court Administrator ought to be doing?

Scott Bowers: Uh...

Commissioner Mourdock: Or are there things that person specifically, absolutely, positively should not be doing?

Scott Bowers: The Court Administrator needs to make reports to the state, and I think the sophistication and adequacy of the reports we have been making could be substantially improved, so I'd like to see the state court administration level data upgraded and that will also be helpful to us. We have talked about getting the court staff into some regular information sharing sessions and if there were some training money budgeted, maybe have a little more formal training for particularly reporters and having the Court Administrator ride herd on that would seem to be a natural. In terms of occasional uses, a pro tem, I would think in terms of meeting extreme emergencies, that would be good, but I'd like to move away from using the Court Administrator as a pro tem to the extent that we could to facilitate these other issues. However, I have not specifically addressed the scope of the pro tem role in talking with my colleagues. I have talked within the judges' meetings about these other issues and everyone is comfortable with this.

Commissioner Mourdock: Okay. Julie, in the other jurisdictions or Bill that you've worked where court administrators are there, would you happen to have a formal job description for those types of positions?

Julie Von Arx: I'll provide one.

Commissioner Mourdock: Okay, and just please send it to Judge Bower, too. That would be very helpful, I think. Okay, any other comments on this one before we move to the next one? We need to change tapes. One second.

Tape Change

Commissioner Mourdock: Okay, the next one is PMSI recommends that the courts adopt disposition time goals as a management tool to inspire court performance

and reduce delays. Anyone from the courts who'd like to speak to that one? Back by popular demand.

Judge Scott Bowers: We already do some of that in view of the limited kinds of data assemblies we've had. We haven't done a lot of it. What we primarily do is, and we've been doing this for year, is we check on how soon we are setting hearings. That's reviewed each month. We also monitor disposition by chronological age. Obviously, knowing specific disposition times will be helpful and now that we can do that, we can maybe start adopting our own version of the Trial Courts Performance Standards. Judge Knight and I have discussed those, and there are some national standards and some various state standards that were alluded to in the transparency that Cyd McNeilly put up on the various courts that had exceptional performance. I think that's useful. I'd be happy to discuss that, and I can't see that there would be a serious problem in terms of adopting them.

Commissioner Mourdock: Let me broaden that one cause I don't know the process well enough, but PMSI's recommendation on that was specific to the courts. Are there things within either the sheriff's side of that, the police department or the prosecutor's office that might also benefit by any sorts of—

Brad Ellsworth: We're perfect, Richard.

Commissioner Mourdock: You're perfect? Okay, that's good to know. Any other parts of this process where having such time goals in place would be helpful? Julie, maybe you can jump on that one, too from again what you've seen in other jurisdictions. If there are any?

Julie Von Arx: Since the courts sort of sit at the center of all the criminal justice stakeholders, if they adopt those goals, in essence, the prosecutor's office is having to adopt them as well. I agree with you, the success of those time goals hinges upon the other players following them and adhering to them. I'm not sure that they have to be any different from what the court would adopt, but they would have to agree to abide by them. Does that make sense?

Commissioner Mourdock: Yeah.

Brad Ellsworth: One thing I would add on the question, I was kidding about being perfect, obviously we're not perfect.

Commissioner Mourdock: We knew that.

Brad Ellsworth: The one thing that we look at, and we've been looking at ever since the Blue Ribbon Committee started, is asking are we doing everything we can do? If there's one area that we constantly banter back and forth is the transfer of inmates to DOC and the trip officers. I've got a full-time officer assigned to that. There's days that I could use four people in there, and there are days that I don't need the one I have. That's the thing we constantly battle is, could I use a second full-time? Would that really help? A lot of these trips take two officers. Some we make with one just because...right now we are robbing, shouldn't say robbing, that's probably not a good word to use. We have to go to roll patrol and pull from there, we go to the courthouse and pull from there for trips. Like I said, if there was that perfect world, I'd have another officer assigned. That's something we are looking at our manpower. Would a second full-time officer in trips do that? Like I said, ask

five of my administrators and we get five different opinions. That's one area we are looking for improvement in is getting those people out of jail and working with DOC on how many they'll let us bring up. I know, right now, were down to four wasn't it, Joe? Four DOC inmates? Last week it was in the teens. Week to week that goes from not even an impressionable number to where it's a certain percentage of our jail. That's an area we are looking to improve from our side.

Commissioner Mourdock: Okay. PMSI recommends the county continue the collaborative efforts of the jail management committee to insure that the committee's function regarding intermediate sanctions, court processes, juvenile issues and additional capacity needs. I'll make a comment here. Julie, in your early comments you said something about once the Blue Ribbon Committee quit meeting. I guess that one kind of rubbed me the wrong way. We didn't quit meeting; we hired all of you. I say that not to be frivolous with it because that clearly was the last thing we did as a committee because we felt we were at that point where we needed some outside influence. I don't think the committee in any way, at least I hope it does not, feel that it's been disbanded. Right now we're just kind of waiting for all of this to soak in. Having said that, others on the committee especially regarding the intermediate sanctions court process, juvenile issues and additional capacity needs open that up to the floor.

Brad Ellsworth: I'll impose on Julie, again, to explain the intermediate sanctions, and if I can skip down to the next recommendation when it talks about—

Commissioner Mourdock: Pre-trial conditional release programs?

Brad Ellsworth: Exactly. If Julie would approach again and explain that a little bit, maybe some of the down sides of intermediate sanctions—explain intermediate sanctions and then if there are down sides or positives and negatives of those pre-trial releases and how that might affect failure to appears, which we seem to have a large number of, and any down sides of that for the community and for the benefit of everybody in here.

Julie Von Arx: When I refer to intermediate sanctions, I'm talking about community based programs. Particularly, we are talking about pre-trial conditional release programs. Those usually are drug monitored release types of programs where offenders would be urine tested probably monthly, could even be as frequently as weekly, pre-trial electronic monitoring or even curfew monitoring. Part of the dichotomy or the problems you have with pre-trial release programs are they give you more information that you may want to have about particular people that you have taken out of perhaps a jail setting and put them back in the community. For instance, if you are doing drug testing, you may be finding out that those people are continuing to use. Again, I think it goes back to the county managing their resources. While a person that is using drugs you probably would want to put back into a jail setting, would the courts perhaps want to even consider even getting someone into treatment and continuing them on an electronic monitoring program while their in a pre-trial phase? We have to remember that when a person is in a pre-trial status, they have not been convicted of anything and bond or pre-trial placement is to insure that they return for court. I'm not suggesting that it's appropriate that all inmates are eligible for any type of pre-trial confinement or supervision in the community. It's much like the community corrections program. You have to determine what types of offenders are appropriate in those kinds of placements. I do think, when you consider the number of outstanding warrants that

Vanderburgh County has and we really have no place to put those people, if there was an effort made to try to arrest people on those outstanding warrants, I think pre-trial conditional release programs could be used. I do think it could enhance supervision for those people that are already out in the community. We would be able to insure that they are home by 11:00 every night or 10:00 or, as I said, drug testing. I just think that when a community is looking at all of their options and all of their alternatives in regard to jail overcrowding, pre-trial conditional release has provided additional supervision. I don't know if I've answered your question, Sheriff?

Commissioner Mourdock: As long as you're there, Julie, I have another one, since we are tying those two bullets together. You mentioned the collaborative efforts of the jail management committee, and certainly that includes a lot of different stakeholders, in the statics you were giving us earlier, particularly where you were comparing us to Elkhart and Allen Counties, you said the number of felony prosecutions were higher here than either of the other two.

Julie Von Arx: Yes.

Commissioner Mourdock: Comments? Stan, you're certainly welcome to jump on this one too. Comments as far as why you think that is or what other statistical comparisons you may have made that we haven't heard about yet?

Julie Von Arx: I'm glad you asked me about other statistical comparisons because one thing I forgot to mention is when considering those additional filings in those counties, those counties also have larger jails. Allen County's jail capacity is 462.

Commissioner Mourdock: Is it full?

Julie Von Arx: It's full and they're building a new one. Elkhart's jail capacity is 344 and they are also beginning conversations to build a new jail. So when you consider the volume of cases we have coming into Vanderburgh County, I don't find it odd at all that we must consider adding additional bed space. I don't know why there are more filings here. I don't know how to answer that question. The prosecutor is probably much better able to answer that.

President Jerrel: Let me ask you a question because I wrote notes, but I'm not sure. Allen County is 315,000; Elkhart is 172,000; and we are 168,000, and we have more than either one of those?

Julie Von Arx: Felony filings, yes.

Commissioner Mourdock: And a filing, obviously one person does not necessarily just have one filing against them. One person could have three or four filings against them. As far as the actual number of people who are named in filings, do you have any ideas as to that?

Julie Von Arx: I sure don't, but even though one person may have three or four cases, the courts still have to hear those three or four cases.

Commissioner Mourdock: I understand. Right. I'm just trying to get a better hold on the numbers. The number of filings versus the population.

Julie Von Arx: We saw a big increase in filings in, I believe, in the year 1994 to 1995. There was federal funding that was supplied to Vanderburgh County for additional police officers.

Commissioner Mourdock: That funding didn't go to Elkhart or Allen?

Julie Von Arx: I don't know.

Commissioner Tuley: You're quick on the draw because that was my next—the first thing that wanted to come out of my mouth.

Julie Von Arx: I don't have the answer to that question. I don't know if the Prosecutor would.

Brad Ellsworth: One thing to add there about the filings is that not all filings, and Stan maybe knows, not all filings—well, they might go to jail eventually, but there isn't always a body with a filing.

Commissioner Mourdock: A bed isn't filled in the jail is what you're saying.

Stan Levco: Stan Levco. I'm the Prosecutor, and I don't have the answer to that question. There are a couple of theories, I don't know which one is true, but I don't think it's really relevant. I think the question is, how many people are we filing against that we shouldn't be? That would be one question. I checked a few years ago and possibly 95 percent we are filing against are convicted in one way or another. I'd even argue that some of those five percent are probably guilty too. In any event, which people that I'm filing against that are guilty of crimes would it be a good idea for me to stop filing against? I think the answer to that is none of them. Not only that, although there may be some relation, surely there's some relation to the overcrowding of the jail and the number of cases I file, there's not a direct relation. If I'm filing, some people say that our office files too many shoplifting cases, they don't have to go to jail. This is not at all critical of the other “C” word, the courts, because I think they do a great job. It's not the Prosecutor who puts the people in jail. Although a lot of people seem to get excited at the figures we're filing. I think, number one we are filing against the appropriate people, and number two, it's another body who's looking at them to decide which ones, if any, of the ones we file against should be in jail. The ones that are spending significant time in jail are the more serious cases which is not to say that nobody we file against is in jail longer than they should have been. Occasionally, people are found not guilty, but I don't think it's very many.

President Jerrel: It's hard to believe though that 336,000, twice our population right now, is about the same as Allen County. Twice, just think about that. It's hard to believe.

Stan Levco: I think, and I don't have the statistics statewide, I think it's true that filings are going up statewide. Part of this was a big drug increase. Maybe they're not filing enough. I don't know.

President Jerrel: That would be something that, Julie, it would be interesting just to get some statistics from Allen County and take a look at them. That's a lot bigger place than Vanderburgh County.

Stan Levco: It's interesting, but I don't...if it turns out that another jurisdiction, I would assume that Lake County probably files more, but if another jurisdiction files differently, that doesn't say to me—it certainly says to me that I should look at it, but it doesn't say to me that I should decrease my filing by 25 percent.

President Jerrel: No, but you should look at it.

Stan Levco: I have. That's one reason I looked to see how many people were being found guilty. If I had found that we were filing and 30 percent of the people we were filing against were found not guilty that would tell me that we're filing cases on people we shouldn't be filing against.

Commissioner Tuley: Statistically, do you have available or off the top of your head, the conviction rate, how many of those are actual court convictions or plea bargains? Just out of curiosity.

Stan Levco: Well, by court you mean by jury?

Commissioner Tuley: By jury.

Stan Levco: Very few. Fewer than 100 a year. Most are either plea bargains or people plead guilty. I would guess more plea bargains than people pleading straight up to pleading guilty.

President Jerrel: That brings up another question. It isn't one that I'm necessarily informed about so when I ask my question, it may not be intelligent. Are you utilizing all of the software that we purchased for the prosecutor's office in order to interact with the other systems that have Courtview?

Commissioner Mourdock: Is that part of Courtview?

President Jerrel: Yes. Oh, yeah.

Stan Levco: You'd have to ask somebody else in my office. I personally am not.

President Jerrel: Could you check on that? And let me just say it because, as I said, I may not ask an intelligent question, but I keep hearing from the other jurisdictions that the software training that was given to the prosecutor's office isn't being utilized. When Pat asked that question is what made me think of it. That's the kind of information that Courtview will give you, if somebody uses the new software. We trained everybody to use it, but I don't believe, if you'll check, I don't believe you're using it. That would be a major, major help to everybody, if you would use it.

Stan Levco: Actually, I can't answer specifically, but I don't think we are and I think there's a reason we're not. I can't really articulate. I have discussed this with somebody in the office and I got an answer, but I would be hard pressed to repeat it.

Commissioner Mourdock: Stan, let me take Allen County and Elkhart out specifically for a second, given the population differences they are what they are, and you make a good point saying that if 95 percent are being convicted or otherwise pleading, they are the one's who should have had the felony charges

brought against them in the first place. If though, as Julie's numbers were showing from 1990 to 1998 the felony filings across the state in all 92 counties went up 25 percent and ours went up 100 percent, how do we take a look at that data? You said that you would take a look between here and Elkhart and Allen, and I can understand why you'd do that given the populations, but I'm just curious, are the other 91 counties not being as aggressive in their prosecutions and felony filings?

Stan Levco: Is that what you said, 25% in the eight years statewide?

Julie Von Arx: That's an approximate.

Commissioner Mourdock: From 1990 to 98 which I understood was the last year, statewide it's gone up 25 percent.

Stan Levco: I don't know what percent our police have gone up. I think that's certainly one factor is we have more police.

Commissioner Mourdock: We may have increased police more rapidly than the other counties possibly.

Stan Levco: A very small percentage of it would be people committing crimes while there out on bond while they ought to be in jail.

Commissioner Mourdock: Would that not be true in all the counties?

Stan Levco: Other counties don't have as much of a jail overcrowding problem as we do, but that would be a small percentage.

Commissioner Tuley: There does seem to be a lot of that around here for some reason. It seems like every time I read about someone being rearrested, particularly in the last month or two, particularly when it's meth or something like that, they're out on bond.

Stan Levco: Right. With a jail that wasn't overcrowded, they wouldn't be out on bond—not all of them. Some of them would be.

President Jerrel: Just the discussion is healthy. You're an important part of the whole process, and we all need to know statistically. This information that we've been getting from the sheriff's department has been very valuable to all of us. If you could help us out too by just...we need to look at the prosecutor's office information also.

Commissioner Mourdock: Yes, come to the mike, please.

Bill Shepler: You asked the question, if we had seen raises in this throughout the state? I can't say it happened throughout the state, but if you look at the overall state numbers and the counties we've been in, there has been a significant increase of activities in late '95 and '96. I think that primarily was due to some federal funding for police officers on the street, and I think you can relate a big bunch of that. Everywhere we've been, that has been the phenomenon. If you look at the statewide numbers, that also seems to hold there.

Commissioner Mourdock: So are you saying the statewide increase of 25 percent may be actually coming from—

Bill Shepler: You specifically asked from '95 to '96 whether that was normal or not? I'm saying, as far as the state is concerned, in Indiana it seems to be normal. If you look even larger, nationally, that also seems to be normal. So they did get a bump in those areas.

President Jerrel: Everyone got a bump.

Commissioner Mourdock: And it is entirely possible, as Stan was saying, that where the jurisdictions had, meaning the larger counties, if they had more police put on the streets for whatever reason, the larger counties might have gone up 100 - 125 percent and the state average still comes out to 25 percent because a lot of the smaller counties haven't changed. Statistics, statistics, statistics.

President Jerrel: Or garbage in, garbage out.

Commissioner Mourdock: Garbage in, garbage out, right. Next bullet, PMSI recommends that the system devise an emergency placement protocol that responds to the capacity by identifying inmates that can be moved out of the jail and a time frame to accomplish the moves. I think that's an interesting suggestion and I'd like to hear about how it might be implemented from those who would otherwise have to do it. I think one thing you've mentioned, Julie, is having some sort of classification system in this regard, as far as the people in the jail and some way classified long before we hit the cap. I presume it's part of the booking procedure that there's some sort of scoring done so they would be classified? Is that correct?

Julie Von Arx: Yes (Inaudible).

Commissioner Mourdock: And what are the principle things included in that classification process?

Julie Von Arx: That's really...I guess, I don't feel that I should probably attempt to suggest what a classification system should be for your jail. That's why I think the system stakeholders have to discuss that. Who they're comfortable with. It's an easy call for those people that need to be moved to another facility such as DOC, holds for other jurisdictions. Simply changing a sentencing abstract on a felony serving time in the jail changing that to DOC. That's a very easy call. It's the other harder decisions though about those other inmates that might be put in some sort of community supervision program that I think the stakeholders have to talk about who they are comfortable with.

President Jerrel: Specifically though, I feel it should be the prosecutor and the judges but who else? Probation department?

Julie Von Arx: And community corrections.

President Jerrel: And community corrections. We are going to do community corrections next week? Well, okay, I won't mingle that.

Julie Von Arx: Did that answer your questions?

Commissioner Mourdock: Not totally. The specific criteria that are looked at as these people are being evaluated without...can you talk about those things?

Julie Von Arx: Well, what's been done in some jurisdictions is it's not a complicated criteria and a complicated point system. Many times it's just looking at what the instant offense is or category where the inmate falls in under. Misdemeanants serving their last 30 days of their sentence. Could that be served in a home detention program? Civil contempt and again, I don't know how the prosecutor here would feel about that, but in terms of looking at level of risk to the community, a civil contempt charge is not necessarily one that would pose a threat to the public. Many times those are categories of inmates that are looked to to place again in an electronic monitoring situation. The benefit that provides specifically for a person who is a delinquent father provides them with the ability to work. Again, that's just a category that is chosen a lot of times.

Commissioner Mourdock: Okay.

Stan Levco: I'll speak on this because this is totally the judges call and not my call. Legally, that's true. They are the only one's that can make that decision. I think it's a good idea, and I will be glad to meet with them, if they'd be glad to meet with me. We could come up with some sort of protocol for this. We've done this a number of times anyway. If we don't have an emergency, we can always get together on a semi-emergency basis who to release first. Certainly, we could put some official plan so we don't need to be consulted on who gets released first.

Commissioner Mourdock: That brings up a key definition, emergency. Does that mean 330?

Joe Harrison, Jr.: No.

Commissioner Mourdock: What does emergency mean then?

Joe Harrison, Jr.: I'm not going to say much but anything close to 329. I'd say 328, 327, 326, 325. You've got 29 people, if I can just, that are serving misdemeanor sentences in the jail as of, what is this date, the 12th? I think today there is 26 in there. I mean, I've got to believe that the first people who might be potential candidates for electronic monitoring or a space at the Safe House, they are going to be adding 25 beds in the next few days, might be someone coming off the end of that misdemeanor sentence. I may be wrong. To me, they are probably not going to have a court date coming up in the near future. Probably none because they've already been convicted and sentenced and waiting release. So they are probably a perfect candidate. To me, 29 or 26 or whatever sentenced misdemeanors is quite high. I don't know, maybe Julie thinks that is normal. I don't know, but that's a substantial number for the county jail, I think, but that's just my own thoughts. Wouldn't that be an area to look at first?

Stan Levco: I haven't looked at these 29, but I know that when we did look at the misdemeanants in jail, if there is such a thing, they were very aggravated misdemeanants or they wouldn't have been in jail. So that maybe some of the one's that we'd want to get through first, but I feel comfortable, although I literally don't know who these 29 are, that the judges wouldn't have put those 29 in there unless they were some extreme case or very repetitive behavior. I think the overall question, I think it's a good idea that we ought to get together, if there is some sort

of thing and the number is not 329, it's something under that. That when the Sheriff tells us we are at 320 whatever that we get together, and if we can't get together and say here's the specific seven or eight people we want to release, we've got a sheet that we've already agreed on that is the first one's that go. I think we ought to be able to do that.

Commissioner Mourdock: Okay. Very good.

President Jerrel: This is a little off the wall, but it is also another possibility. Just relieving, if you didn't have the beds ready at the Safe House, let's say we will eventually have more beds but let's say we don't have those. Just to take them out there in a secure setting during the day would relieve the numbers during that period of time in the jail. So there's some other things we can do.

Brad Ellsworth: We have to be real careful in that with Paul Downing and the State DOC cause when we start calling it secured getting into (Inaudible)

President Jerrel: I realize—

Brad Ellsworth: Then when you say it's a jail and secure then we have to meet a lot more standards by his standards because, again, that area we're opening up they will have a door that they can push bar open.

President Jerrel: But if a judge determines that they are—I didn't say any of us or you—we don't have anything to do with it, but if a judge determined that somebody's been over there for 80 days and acting okay, maybe for the last five or ten days they could go to the Safe House. That would be entirely up to the judge.

Commissioner Tuley: We could start looking there to release some of those to take some out of the jail to put out there. If you're going to have to release some.

Bob Pigman: I'm the Misdemeanor Court Supervisor, Bob Pigman, Misdemeanor Court Supervisor for Superior Court. Since Eric started sending around his jail reports, I've been reviewing those at least every other week to do two things. To look and see which misdemeanors are being held simply on misdemeanor charges. There aren't very many. But if they are in jail at the time I review that report, I have them brought into court immediately to see either whether they can be released, and that's a discretion I'll leave with the magistrates. I don't tell them to release them or to hold them either one but just to review it. If they cannot be released, they are set for trial in front of me on my docket on Friday afternoons fifteen days from that date. So those people are handled as expeditiously as we possibly can. Now, for the 29. I haven't reviewed those 29, but I have throughout the summer, periodically taken a look at the individuals being held on misdemeanor sentences only. What you have there is a population of offenders who have repetitively disobeyed the courts orders. Either they've not done their community service, or they've not come to court when they are suppose to. They are not there on the first offense. Multiple offenses. I had one case I reviewed where the guy had 33 pending misdemeanors. Now, it's time for that young man to be in jail for awhile. That's an exception, but it's not unusual for them to have eight or nine pending matters. So if their in jail on a misdemeanor, my investigation of the matter has determined that they are not the kind of people that we can release. It has come to the point where they are defiant and they've failed the various treatment programs that are available through that court and other courts, and they're just not

the kind of people we can release. Twenty-nine does seem high. That's a momentary fluctuation probably but still I've looked at that repeatedly over the summer and those are not the kind of people. Really, they've ignored every other opportunity that's been given to them. They are not there as a first time, second time, or even third time, and that's why they're there.

Joe Harrison, Jr.: I wasn't suggesting (inaudible).

Stan Levco: And we can't send them to the Safe House right now because there is a six week waiting period.

Joe Harrison, Jr.: Again, they are going to be adding 25 more beds in the next week or so.

Stan Levco: Okay, then we will have a three week waiting period.

Joe Harrison, Jr.: What I was suggesting is if there are available beds, you would at least consider the possibility of serving two or three days? Not releasing them on the streets but having them go out there for a couple days?

Stan Levco: I'd consider anything, but they are usually there because they've not taken advantage of the situation similar to that before. They busted their sentence from probation or house arrest or Safe House. Okay?

Commissioner Mourdock: Judge Knight?

Judge Doug Knight: I just wanted to mention what a great job Judge Pigman did in answering that question. I'm not surprised at the 29 number. I think Commissioner Jerrel sometime back cited 30 different prisoners in the Vanderburgh County Jail on misdemeanor charges that in most other jurisdictions wouldn't be in jail. I got a list of those thirty and specifically went down each and everyone of them and concluded that each and everyone of them would be in jail in any other county in the state of Indiana.

President Jerrel: Judge, before you go any further, that was before we corrected the reporting form. On the reporting form those 33 had very simple misdemeanor charges like failure to appear and nothing else or check deception under \$200 dollars. They were minor, but what we didn't see is there were multiples which I didn't see which is what you're talking about.

Judge Doug Knight: Which brings me to the point that with an enhanced computer system all those will be more visible and we will be able to see what we're talking about before we even start talking about them. That will help the process that Joe's talking about. If you look at all 29 of those individuals, you are going find that they are there for additional charges that are serious felonies for which they are not going to get bonded out on the felony charge. You're not going to take a serious batterer or attempted murderer or manslaughter pre-trial detainee and say, well, you can go out to the Safe House and stay a few days. It's like it was summer camp. That just doesn't work. If they're on a petition to revoke and other serious charges, which they are, or there's a serious domestic violence, or 12 prior failures to appear. If you let him go to the Safe House, you know that person isn't going to be back. A couple of those included mental-prisoners with mental problems that

just refused to attend court period. Just refused. So that's the kind of population that you're dealing with. It's a Hobson's choice when it gets to that emergency situation, it is a public safety issue that's why we have to make a decision quickly about how big of a jail we need.

President Jerrel: Question? I just asked him and he said to ask you because I don't know the answer. If there are so many that are that bad and have that...potential murderers. Why were they sentenced as felons, and why weren't they sent to the DOC instead of in our jail. They are awaiting sentence in another case. They're awaiting a hearing on a petition to revoke. We are just talking about this sentenced misdemeanants. If they're as bad as you all are saying, they probably should have been convicted of felonies. They have pending felony cases. They haven't gone to trial on the other cases on which they are being held. All 29 of them, you think, do have that?

Judge Doug Knight: No, not all 29 of them. I'm sure there is a handful of them over there that have failed to appear in court some 12, 15, 28 times and you've got to nail their foot to the kitchen floor or their not going to come back. You've got some that are there on petitions to revoke because they escaped from the Safe House and now there's an escape charge pending against them in another case, and the misdemeanor charge they are in there for is for resisting the arrest when the police officer tried to apprehend them after they had escaped.

President Jerrel: I think I'm hearing the rumblings over here too. It is hard to—

Judge Doug Knight: It's a multi-criminal personality you are dealing with. I don't think you are going to find people there for one single thing.

Joe Harrison, Jr.: Do you have a chance to look at the classification breakdown?

Judge Doug Knight: Um-huh.

Joe Harrison, Jr.: There are those classifications already in here. For instance, those that are in there on petitions to revoke, and those—

Judge Doug Knight: And it may be the same individual that's in there on a petition to revoke and in jail serving a misdemeanor sentence.

Joe Harrison, Jr.: I don't think he's got them listed in different spots.

Judge Doug Knight: We'll have to ask them.

Joe Harrison, Jr.: It's certainly possible that some of these sentenced misdemeanors might be in there on some other charges.

Judge Doug Knight: Well, Joe, there are people listed occasionally, due to human error are listed there as awaiting trial when they've already been convicted and they are ready for shipment to the DOC. That's a matter of human errors. You're not going to eliminate that.

Eric Williams: If I could add, as the author of that report that you are looking at, this is a diagnostic tool. It is by no means, totally accurate. We put those classifications on there based on what we happen to know at any one moment in time from the

handwritten information be get back from the courts. We go back to the link together. If the courts were updating that, then it would be what their true status is. We have a great rapport going with Terry Maurer in the court system. He reviews that list every week, and he finds errors in it because errors do occur. We may have somebody listed as a sentenced misdemeanor and do not realize that there is an open felony charge on there. So, yes, this week there may a handful of those people that are listed as sentenced misdemeanants but also have an open felony charge in there. We do our best to keep that from happening, and we rely on the courts and everybody else that sees that report to say double check inmate XYZ because you're going to find that there are some other court cases open or something else. So that is...all those classification codes are always in flux. They change from day to day, and those people shuffle around from category to category. That was really the goal of that report to get the information, what we think they are, in front of everybody else so they can relay back to us that's not what they are, they are really this, change it to that. We change those all the time.

Commissioner Mourdock: Just a comment regarding this bullet before we move on to the last one. It's perhaps ironic that I should be asking this question given our little vote last week. It says, as written by PMSI, "identifying inmates that can be moved out of the jail." Is that meant to infer as well, Julie, to another jail? Are you suggesting that there be a ranking process so that if we use another jail for overflow that we are talking about those beyond just the Safe House?

Julie Von Arx: That's a good question. The protocols that I've done in other jurisdictions did not include that, but since the community here has decided that is an option, that probably should be part of the classification system. Again, I would emphasis that it be the last option.

Commissioner Mourdock: I would agree with that. Okay. Final bullet, PMSI recommends that the court system should also be ready to respond to fluctuations in the jail population by holding initial hearings on weekends and holidays. I know no one wants to talk about that one, right?

Judge Scott Bowers: I would first note that's in the event that there is litigation which formally caps this, which means the violation of the cap is the subject of a contempt ruling by the federal district court, which is a pretty drastic situation. I think that's a good recommendation for two reasons. One is, if it comes to the point where we are under federal district court order that's a hard cap subject to contempt rulings, then you need to really take some strong emergency action. That's something that could be strong emergency action which could have an effect. I think it's also good to have that in there as a contingency based upon such a hard cap because, frankly, that gives the courts a strong incentive to make sure we stay under the soft cap.

Commissioner Mourdock: Why do you read that as only being in effect after that federal action comes down?

Judge Scott Bowers: Because it says in the previous sentence, in the event that litigation formally caps the Vanderburgh County Jail, the following recommendations are given, colon, and the two recommendations are set forth.

Commissioner Mourdock: This is what happens when you have one piece of paper lying on top of the other so you keep all the bullets in order. I'm sorry.

Judge Scott Bowers: I had three years of advanced education which made me a colon freak. Most are real big on semi-colons.

President Jerrel: And I have a red pencil up here.

Commissioner Mourdock: Any other comments regarding that one? Where do you want to go from here?

President Jerrel: I'm sorry, I was using my red pencil. Is everybody in here that has a stake in this of the same mind that we...if you weren't here for our juvenile, we did the same kind of questioning and discussion with the juvenile side and now this side. I do have the sense that there is going to be a lot of cooperation and the biggest issue tonight that surfaced is accurate information from everybody and reduce duplication at all costs. So, yes?

Unidentified: Can we speak?

President Jerrel: Sure.

Clark Field: I'm Clark Field and I'm not official. I'm a lay person so I'll speak as one less wise. I do go back about 25 years to working in the jail as administer and as counselor. I led some groups in the jail and in the old half-way house when it was on U of E campus. I led some counseling groups so I have some inside information. I'm not here to beat the dead dog or to live in the past, but I do have some observations about the past that may help us in the future. I going to commend the Commission on what you're doing and the study that's been made. I think this is exciting, if we act on it now. I don't feel like you are the only one's responsible, nor the court officials, nor the jail. I think we all are in this community. I feel that I have a stake in this, too. I haven't spent that many nights in jail here, recently, but who knows what will happen in the future. Captain Moers, Commander of the Jail earlier used to tell us when I was active in PACE which was a volunteer group that visited the jail. I was president two times for that. He told us that anytime the occupancy got over 200 in the jail that bad things happened. He never wanted to get over 200, and he tried to keep it under 200. Of course, we know what's happened in recent years. Traditionally, as far as I know, 50 percent of the people in jail are innocent.

Stan Levco: What tradition are you going by?

Clark Field: They are awaiting trial. So, we say if you're awaiting trial, you're innocent.

Stan Levco: You're presumed innocent.

Clark Field: Alright. I stand corrected. I like to use the word "residents" talking about people in jail. I like to use the word resident because we do say that those awaiting trial are innocent--presumed innocent. Twenty-five years ago, a very well known defense attorney told me, when I first started working the jail, he said I can say this because I'm a Southern Indiana Dutchman. He said that you won't find much compassion in the courts in Evansville. Of course, I'm not talking about any of the local "J" people, but it does seem like we get a awful lot of harsh sentencing. I mean, first time offenders...I'm amazed when I read of terrific sentences. To me

it's unreasonable, but again, I don't know all the ends and outs, and I'm sure there are reasons for that. I've really been ashamed to be a part of this community when we haven't acted on the jail and the half-way house. I really have been ashamed. Again, I don't think it's any one person's fault. I think all of us share the responsibility. Going back, and I know you are going to talk about this next week and I won't be here, but going back 25 years when I first started working with the half-way house then, it was seriously flawed. I think it was a good idea. I think it was creative, but it was seriously flawed, and I think it's been flawed throughout its history. Again, I'm not blaming any one person, but I've kept up on this fairly well. What I think...if we could follow the state of Minnesota, they have at least 20 years ago led the nation in community based corrections. They had terrific programs. They took people and trained people and helped people and kept them at home and did all these things that we aren't doing here. It seems that we need to do a couple of things. I've got two main ideas. One is to really get serious about community based corrections. Putting people in an empty warehouse that's falling down is a poor excuse. Why spend any money on something that people are falling through floors, the ceiling is leaking, and big beams are cracking. I think we ought to have a first rate community based correction program. And, I think, the judges, again, not speaking of anyone here, of course, in general the judges should be more creative in their sentencing. When you read about other cities, I've been reading about it for years, and the other courts have terrifically creative sentencing. It seems like we don't do that here. We just kind of put people in jail or prison. Again, I'm speaking of one less wise because maybe some other things are going on, but one of the problems, I think, is we don't use community services. Again, looking at other cities where if somebody comes up before some misdemeanor or some maybe first time offense where they could be ushered off to a community based—a community service like AA. I know we do use AA here. At least, we use to. I think there should be lots of other community services where we can, you know, delay maybe sentencing like we do with alcoholics and get them into some of these services so we don't have to put them in jail. Again, if we want to keep the families together, if we are family oriented, and I think all of us here would say we were, then putting people in jail and prison is a real good way to break up a family. It seems like we should do other things, if at all possible. I think those are my main ideas, and I appreciate the chance to say them even though it's getting late. Just one final thought, if we build a new jail, they will come!

President Jerrel: We've been told that.

Clark Field: They will come, and we will fill it. We will fill it for sure, and then we'll need another one. So I would, again, commend the Commissioners on looking at options to building a new jail. I think community based corrections may be the solution. Thanks.

Tape Change

Richard Helzerman: My name is Richard Helzerman and I would like to talk to you about overcrowding at the county jail. I appreciate all the things that were said today, but none of them change my opinion that the primary cause of overcrowding is failure to give the accused his constitutional rights to a reasonable bail and a speedy trial. The primary group of people responsible for this failure is the judges. The fact that the judges have the power to control the population of the jail should be obvious to all, but at least one of them admitted it. In a Courier and Press article titled, Youth Detention Under Fire, July 12, 2000, page A-10, Roberta Heiman

writes, "Lensing said he could keep it filled, but my job is to do what's in the best interest of the child, not to keep a facility filled so it can break even." Judge Lensing has 25 years experience, so why does he fear that it is not in the best interest of his criminals to be put in jail after they are found guilty, but the other judges are flooding the county jail with inmates before they are found guilty? The oldest known body of criminal law that I know about is the Code of Hammurabi. It identifies many crimes and specifies the punishment for each. None of the punishments involve holding someone in jail. The next oldest written body of criminal law is the Mosaic law as found in the first five books of the Old Testament. None of the punishments for crimes defined there involved holding someone in jail. In the next few paragraphs, I will be quoting by page number from a very recent issue of one of the premier scientific journals, Science, Volume 289, 28th of July 2000. "Many scientific studies of our modern criminal justice system show that the practice of holding people in prison does nothing to reform people. Even the legislators recognize that serving the time in jail does not cure the criminal of his tendency to do evil. Requiring sex offenders to register with local police and notify the neighbors. If they believed putting them in jail would cure the problem, when they were out they would presume they were not going to do this again. We all know that they do. Most gun control regulations forbid people who have been found guilty of any felony their right to bear arms even though they have served their time in prison. The National Institute of Mental Health held a meeting of experts in the field of violent criminal behavior. At this meeting evidence was presented that indicated that some well-meaning programs designed to control aggressive children may be worse than useless. They may be doing them harm. For example, collecting young people in group homes or sending them to boot camps or on wilderness ordeals may intensify rather than reverse antisocial behavior. Page 573 of the issue I talked about Clinical Psychologist Thomas Dishion and colleagues at the Oregon Social Learning Center in Eugene, Oregon, for example, studied the development of a group of about 200 boys over five years. They found a consistent pattern. Rule-breaking children trained others in misconduct. The same thing is true of adults. When you put somebody in jail, they learn new behaviors. Boys who did not smoke tobacco or marijuana or abuse alcohol before age 13 or 14, but who became friends of boys who did, advanced in a statistically predictable way to become substance abusers two years later. The researchers found that this deviancy training produced boys that at age 14 to 16 who admitted to acts of delinquency. The same process, they argue, molds criminals and violent adults. Dishion's group believes that it's a terrible mistake to house young delinquents together. They claim this practice has the iatrogenic effect of magnifying the problem. I'm saying this to confirm what Judge Lensing has said in the article, that he'd rather keep the people at home than put them into a group home. Government supported programs are heading in precisely the wrong direction. By aggregating delinquents in group homes or sending them through the adult justice system, as many localities are doing, we are sending them to a graduate school for violence and delinquency. There are some programs that have been scientifically demonstrated to help the problem of reforming youth. One program is described on page 573. The approach is simple but demanding. The researchers recruit and pay foster families to accept the delinquent child into their homes for a period of about seven months. The delinquent, rescued temporarily from jail or confinement to a group home, must follow strict rules. The parents are drilled in rule enforcement and provided with access to round-the-clock professional support. Boys in foster care were less likely to get into trouble, spending 60% fewer days behind bars in the year after treatment. The therapeutic foster care costs \$1,934 per delinquent. It's a bargain. The economists calculated that standard law enforcement costs an additional

\$27,000 per delinquent mainly because the boys held in juvenile detention are more likely to go to prison. One case where the judicial system has failed to protect society, and we are talking about protecting society, has happened very recently. Joseph Weldon Brown has confessed to killing Ginger Gasaway. Dismembered her with an electric handsaw and scattered her remains in three Southern Indiana counties. The slaying is the unimaginable, yet predictable, ending to a pattern of abuse seen countless times by those who counsel abuse victims. In April 1999, Gasaway petitioned Vanderburgh Superior Court for a temporary protective order. She wrote that Brown had stolen her car, tried to cash her personal check, and that she was fearful. Brown pleaded guilty to misdemeanor battery, was given a suspended jail term and ordered to complete a domestic abuse intervention program, which he never did. Brown is reported to have said that he killed her to get money to support a gambling addiction. I appeared before the County Council and asked them not to approve both riverboat and horse race gambling. In 1977, Brown was sentenced to life in prison and was out on probation. Now the question we have to think if in April 1999 he was accused of stealing her car, cashing her personal checks and fearful, is that not coming close to a violation of probation, and he should have been back into the custody of the state penitentiary? It would seem to me that beating a person, stealing their car and check should be sufficient to cancel a person's probation and send them back to prison. When Brown did not complete the court ordered domestic abuse program, he should have been arrested and dealt with instead of being out free to murder her. It is possible that with an adequate computer scheduling system, Brown would have been sent back to the state to serve out the rest of his life sentence last year before he murdered. I'm willing to provide such a system, and I might say that in my original proposal to deal with the problem, all of the things they've recommended would have been included in solving that. As far as getting the systems to talk together and giving you the information you need, most of the benefits that you've gotten in the reduction in the jail have been because of data processing improvements and getting you better information, but there's still a lot more information that you need to know. In fact, the judge should have known that he didn't complete his programming. I'm willing to provide Vanderburgh County for \$6,000 per month for six months and \$3,000 per month thereafter for maintenance. It would provide for follow-up to determine whether or not court ordered milestones were met. This case possibly could be considered a failure of the probation system. Mr. Henson told me that his department did not put probationers back in jail after minor failures because it took too long to fill out the paperwork required. I am willing to provide a computer system to easily fill out the paperwork required by the probation department to get people like Brown back in prison when they commit a minor failure and before they commit major crimes for \$4,000 a month for four months and \$1,000 a month maintenance thereafter. If I could, I'd like to comment on the increase in number of filings. The number of criminal cases that happened in Vanderburgh dropped 20 percent last year, but the number of criminal filings went up. You mentioned something about they doubled here but they only went up a quarter of the time. I believe the reason they went up so much dramatically here is because those other two counties had significant gang activity from Los Angeles, but the gang activity only came into our county about 1991 and got into place where it was really affecting things in 1995. I say that from direct experience with people—young kids that were affected by it. So, I would like to say again that I'm not wanting to be soft on criminals. The system is not hard enough on criminals. I'm only concerned with people who are accused should be treated as innocent until proven guilty by trial and get them their trial. I'd like to comment also on what the prosecutor said. He thinks, and I don't say that he's not filing things properly, but I don't think he really

studies and understands probable cause and I don't think the judges do either. What I am saying is that...I lost my train of thought. I shouldn't accuse them. I don't mean to be critical. I know they have such a big, big load and it's impossible. As I've told you before, you've got 10,000 arrest warrants out there. A lot of them are very dangerous people. I'd like to comment on what this gentleman said. The cap on the jail should not be 329. It should be 200. It should be below the capacity, not above the capacity because when the policeman finds someone doing something wrong, he is inhibited from bringing him in and putting him in jail that night. A couple months ago, we had a guy who was drunk. He was picked up Tuesday drunk and Thursday drunk. Thursday his brother killed him, but Tuesday he hit someone over the head with a bat. Tuesday the police were involved, why didn't they put him in jail? He was drunk. If you watch Andy Griffith, you know that the primary purpose of the city jail is to put drunk people in until they calm down and let them out again. Now a man is dead there because the jail was too full. When I talked to the Sheriff, he said that very day back in February, they had a teenager, a great big tall guy. He was as big as a man, but he was a teenager. He was so drunk that they didn't know what to do with him. There's no place to put him. They can't put a juvenile in the jail. Unless, unless...there's a whole bunch of regulations about it, and you've got to have some empty slots, if you're going to do it. You and the judges have taken an oath. You've taken an oath to give the people their constitutional rights. They have a constitutional right to a reasonable bail. The judges are using bail to keep who they think is dangerous in jail before trial and there are other methods to get them in jail besides using bail.

President Jerrel: You know, we always appreciate your comments and we're a team here. We all are on exactly the same wavelength, but we're all Evansville or Vanderburgh or Southwestern Indiana residents and we want the system to work. We have a small part of it, and the people in this room have a part in it—a much larger part, but the goal is the same for all of us. I'm confident that everyone in a chair that is occupied by a person that is responsible for the system, feels the same way we do. We're going to find a solution to make this work better.

Richard Helzerman: I appreciate that.

President Jerrel: And thank you Mr. Helzerman—Reverend Helzerman. Okay, let me ask, first of all, is there anyone else that has a comment concerning this? I think this has been very challenging. Yes. What we're going to do because we have an advertised...come up, David, we have an advertised zoning meeting so we are going to have to recess this meeting so we can proceed. Yes, David.

David Coker: My name is David Coker. I heard you making reference to a new computer system that apparently was given to the prosecutor's office. Is that correct?

President Jerrel: Well, not just the prosecutor. The whole...we spent 1.7 million dollars on a new Courtview System for the courts and the prosecutor and everybody. We had lost support for the old one.

Commissioner Mourdock: It was a Y2K deal.

President Jerrel: It was Y2K but it was going to happen regardless.

David Coker: Someone may have already asked this question, and if it is, excuse

me, but I haven't seen anything in the Press about it, and that's the only way I get my information about what goes on at these meetings. You would think that over about a five year period of time that there would be a running average of the total number, the total gross universe population of people that interface with the criminal justice system in the county on a routine basis. You've got so many filings, and you've got a certain finite number of people that are there. Now, it would seem to me that after you come to grips with that, you would start asking, why are these people interfacing with the criminal justice system for one reason or another? As the seven part series that was in the newspaper last week indicated, the juvenile aspect of it alone is incredible. You have the thing of children having children and you've got broken homes and just the disintegration of civil society for all intensive purposes at one level. The thing that I saw over and over and over again brought up is the concept of alcohol and drugs. As a member of the recovery community, I don't think that any of us have done enough, to be honest with you. Surely the insurance companies haven't done enough in terms of providing the money that should be there to provide treatment for substance abuse programs that people have. Same holds true for gambling addiction as ridiculous as that might seem to some people. Then you have to begin to ask, by what percentage will just dealing with that reduce this total universe of people that are involved in this? To my way of thinking there are many different things—inputs shall we say, that are creating this problem. One of which is broken homes. One of which is education. One of which is the fact that we don't have neighborhoods anymore where people know one another. I don't know any of my neighbors in my neighborhood, very few anyway. I know a few people, but most of us don't if we live in an urban environment. Perhaps there is something about the geographical location here in Southwestern Indiana that might have something to do with this. Gordon Durnell in his book, *The Making of a Conservative Environmentalist*, a couple of years ago wrote that one of the things that we ought to be paying attention to is the extent to which certain chemical pollutants that are put into our atmosphere are functioning as endocrine blockers. Endocrine blockage can facilitate all different kinds of things including cancer. Maybe it might have something to do with behavior as well. I can't tell you that it does or it doesn't, but I know from my experience with the recovery community, that these kids are getting sicker younger. The laundry list of chemical abuse that I hear the kids are using in some of these treatment centers are truly horrendous at earlier and earlier ages. We've got to come to grips with why these kids are doing this and why they grow up to become adults that do such horrendous things to one another.

President Jerrel: I think you've raised the points, and I think one of the places, David, that I suggest you do it and bring it back to us is to deal with the recent survey that the United Way did last year about this very issue that you're talking about. I'm going to have to stop now, or they're going to come get me because of the advertisement for zoning people. We are going to have a brief recess.

Commissioner Mourdock: I suspect that a lot of the folks won't be coming back afterwards, and if you're not, I just want to say to all of you from the courts especially and Julie made the point about cooperation and the way the numbers have changed over the past several months. I really do appreciate everything that's been done.

President Jerrel: County Council President wants to say a word, and he controls the money and we're going to let him talk.

Curt Wortman: My name is Curt Wortman, County Council. My little brief remark is this. When we eliminated the hickory stick, we created a lot of problems. Thank you.

President Jerrel: Thank all of you for coming.

The meeting was recessed at 6:45 p.m.

The meeting was reconvened at 7:02 p.m.

President Jerrel: At this time, I'd move that we reconvene the Board of Commissioners' meeting.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered. We are now ready for item five, department head reports. County Engineer?

John Stoll - County Engineer

John Stoll: First, I'd like to recommend that we award the Broadway Avenue Bridge #273 replacement to Southwest Engineering for the amount of \$134,874.75. They were the low bidder on the project.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got a change order on the Gregory Court slope stabilization project. It's contract VC00-04-02. This is for an increase of \$50,328.56. This is to repair the additional areas that failed back on August 24th after the heavy rains. This is primarily extra excavation and placement of riprap.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got a change order on the Fulton Avenue Bridge project. This is for an \$18,108 increase. Actually this isn't on top of the previous change order amounts. What happened was the last change order which was for \$87,609.60 was a lump sum price that was turned around and converted to a linear foot price per piling. The problem that was created in doing that was a portion of the piling is always cut off and it's not left. The way INDOT pays these projects is they're only paid for the piling driven and remains in the ground rather than the cut off length. In doing so that messed up the lump sum price so what we have to do is the piling that's driven will still be paid at the linear foot price from the previous change order

which will be \$74.88 per foot. Then we are adding back in on top of that an \$18,108 mobilization charge for the crane. The net result is rather than paying \$87,609.60 it's probably going to be a couple thousand dollars less. All things considered, it's the same work.

Commissioner Mourdock: So we're paying to remob to have them come in to cut off that additional?

John Stoll: It's not really to remob to cut it off. They are only being paid on the basis of what's driven so the cut offs were like 10 to 15 feet in length on each pile that was driven. Since Weddle had submitted a lump sum price and it was converted to a linear foot piling price, when you turn around and take the amount of piling driven times the unit price, it comes up less than the \$87,000.

Commissioner Mourdock: Okay. So I'm not sure what I'm moving here. I don't know that I can describe that all back.

John Stoll: It's just to approve the change order for \$18,108. The end result would be that we are going to pay the same, it's just going to be put on two change orders instead of one.

Commissioner Mourdock: I'll move the approval of the change order as stated by the engineer.

Commissioner Tuley: Second.

President Jerrel: So ordered. Before we leave the Fulton Street Bridge, I went out and looked today. There were two men working with piles. I wanted to see what they were doing. It took them a long time to do it. Is there a project director out there?

John Stoll: I'm not sure if he was out there today.

President Jerrel: He wasn't out there. Let me tell you who was there so you know. There were two men putting chains on the pilings and turning them over and then they were soldering back in the pieces where the holes were on the sides.

John Stoll: Right.

President Jerrel: There was a man in the crane, and he would lift it up so they would turn over. There was some lady that looked like, I don't know what she was, but she was standing at the base of the crane and she was an employee too. I just think we need somebody. I don't know, maybe they were working fast or maybe they were hardly working.

Commissioner Tuley: Let's take it a step further. Why, now that we know what the problem is, why can't we put that—and you may have to answer this, on an accelerated schedule to get at least that area where the concern is, the rising of that creek, done. Even if we have to work second and third shifts around the clock. What do we have to do to at least get beyond that point before the fall rains come in? So that even if it starts raining, at least we can be working up on the decking. How do we do that?

President Jerrel: That's the reason I said that. I didn't see anything moving very fast.

Commissioner Tuley: Now that we know, let's go in and get that done and get out.

John Stoll: The work that's going on today that you saw, that's all part of setting in the plates needed for the tie backs that will be put in the retaining wall. Weddle Brothers told me today that they expect to have all the piling driven by Friday or Monday. That work is still on the schedule that they originally said. The work that you're talking about, Pat, we've got to have the retaining wall design done before we know exactly how much of that dirt has to be pulled back out and things like that. According to what Earth Exploration told us, they should have that design done the middle of this week, and then they are going to turn around and submit it to INDOT. They are going to submit it to the Material and Test Department up in Indianapolis. That's the people that I met with several weeks ago. They have to approve the design. Then we can come back and get a change order for that design, for the construction cost of that design. Weddle Brothers is already piecing that together right now on the basis of what they know about the design. I spoke to Bill Ludlow this afternoon about that. He was trying to estimate how much of the dirt he was going to have to remove and how it was going to be paved. Some of it's going to have to be hauled off the job site. He was getting a subcontractor lined up to do the work to put the tie backs on the retaining wall and get that all in. So he's trying to piece together what he can based on the information he's been given to this point, but it all hinges on getting the complete wall design.

Commissioner Tuley: Okay. Having said that, and I understand all of that, but while all of that is taking place, why or how...I'm not sure if I want to say why can't we or how do we put in place the mechanics or whatever so that once we have all that done that we don't have them working around the clock to get that done so that before that creek starts rising with fall rains, that we're out of there? It won't be a bearing on us. We can be done by the end of the year. So I don't know what that would take.

Commissioner Mourdock: I can restate it more simply perhaps. What can we do prior to having all that design work done and approved?

Commissioner Tuley: So that once it's all done and ready to go, we have people out there 24 hours a day finishing it up.

John Stoll: As far as the 24 hour a day stuff goes—

Joe Harrison, Jr.: We need a motion to that effect.

Commissioner Tuley: So moved.

Commissioner Mourdock: To?

Commissioner Tuley: That the mechanics be put in place, and I don't know if that's changing of a contract or exactly what it is, so that the things you talked about, the design and all this, once it's in place and it's all been approved by the state and who all has to approve it, that the crews begin working more than four or five people and working one shift. They work two shifts, three shifts, whatever to get everything done below the bridge decking so it doesn't make any difference how high the creek

comes up. This isn't a really good motion, and I'm having a hard time putting it into proper words.

President Jerrel: We understand. We understand.

Joe Harrison, Jr.: The thing is, the contract again is with Weddle. It's not with the county, it's with the state. You need some direction to the state that this is what you want to do.

John Stoll: A lot of that will hinge on the costs because to work two and three shifts is going to be overtime cost instead of straight time. Then it comes back into the change order issue that the county will be paying more and so will the state. I haven't spoken to Weddle Brothers about that, but I can talk to them.

President Jerrel: Find out so we can...we can make a motion here, but we need some more information to take a look at.

Commissioner Tuley: Right, subject to cost and funding available. I guess my point is that I don't want to wait until all that's done and then start down that road. If there's anyway to do that.

Commissioner Mourdock: I'll make a motion then that we direct the county engineer to discuss with the contractor and the state to find out what elements can be completed prior to the completion of the design so that we expedite the project.

Joe Harrison, Jr.: Well, no. I think you're saying the whole thing.

President Jerrel: Yeah.

Commissioner Tuley: Well, it would be nice, but at least get us...what I say in the paper the other day was it looks like we could get it done by the end of the year, but it all hinges on everything down along the water level. Once Pigeon Creek comes up due to fall rains, if that doesn't get done before that happens, then we are delayed, and delayed, and delayed until that water goes back down.

Commissioner Mourdock: Okay. So you are suggesting possibly that even once that design comes in that we have crews working 24 hours a day?

Commissioner Tuley: Up to a point that no matter how high that creek gets, it won't affect us completing that project before the end of the year. It may not require after you get to that point, second and third shifts. I just want to make sure that we don't have as an excuse...let me put it this way, I don't want to see as a reason--I don't want to say excuse, but as a reason that's not completed is because we couldn't get down there and get everything done before the fall rains. At least assuming that it doesn't start pouring down rain tomorrow.

President Jerrel: And that is what I saw today. We have actually two motions on the floor.

Commissioner Tuley: I'll rescind mine so he can tweak his.

Commissioner Mourdock: So I can rescind mine.

President Jerrel: I think the message we're—

Joe Harrison, Jr.: We need a motion.

President Jerrel: We need a motion.

Commissioner Tuley: We need a proper motion, but.

Commissioner Mourdock: I'll rescind mine, so go ahead and take a shot again.

Commissioner Tuley: I would like for the engineer to work with the state so that we can get some cost estimates and their willingness to participate in the increased cost to put crews out there 24 hours to bring that project up to a point that everything structurally underneath the bridge is completed and done before the fall rains begin to avoid that being the reason this project cannot be completed by the end of the year.

Commissioner Mourdock: I'll second.

President Jerrel: And I'll say so ordered. Now explain something to me. Why were those holes—when I went out there and looked at those beams, why do they have holes in them?

John Stoll: That's where they're going to anchor—they are going to have steel bars, I believe it's steel bars. The tie backs are going to be anchored to the piling at those locations. They will anchor it back to the north approach of the fill.

President Jerrel: Okay. They looked like they put another cap back in it that stuck out a little ways and soldered it in. I didn't ask them because about the time some woman wonders up there and says what are you doing and why, they'd probably throw me off.

John Stoll: That's what it was. According to what Weddle Brothers told me this afternoon, they are going to have 36 tie backs on that wall. So there's 18 piles that are out there. They're going to have two rows on each pile anchored back into the north approach.

President Jerrel: If we...somebody from “our side” needs to be out there to take a look at what's going on. If it's somebody from Bernardin Lochmueller or somebody from your office—somebody needs to get out there and take a look.

John Stoll: Bernardin Lochmueller has been trying to minimize some of their hours as of late because due to the delays, their agreement is about maxed out and they are going to be submitting a supplemental agreement as well.

President Jerrel: What about somebody on your staff?

John Stoll: I really don't have anybody to put out there all the time.

President Jerrel: Could someone just to by there and stop in and see what's going on?

John Stoll: I think we can get Bernardin to do that. They are going to prepare a

supplemental so any increased hours required from their staff could be reflected in that supplemental.

President Jerrel: Well, I just had that feeling when I was out there.

Commissioner Tuley: Based on what you say, I don't blame you.

John Stoll: I saw the same thing. I was out there about 11:30.

President Jerrel: Okay. Alright. Is there anything else?

John Stoll: Yeah. I've got a sidewalk waiver request for Eagle Plaza West Subdivision. This is located on the west side of Boehne Camp Road, south of Lloyd Expressway. They are requesting a waiver. There are no sidewalks anywhere along Boehne Camp nor are there any sidewalks over here on Pearl Drive. Sidewalks were not requested anywhere during subdivision review process.

Commissioner Mourdock: I'll move approval of the sidewalk waiver.

Commissioner Tuley: Second. I was going to say that they don't walk anywhere. They drive from place to place.

John Stoll: Next, I wanted to let you know that Norfolk Southern Railroad will be closing Burkhardt Road, north of Morgan starting next Monday. They are going to close it for a week for the installation of the new railroad crossing as part of the Burkhardt and Morgan project. It should close around 8:00 a.m. next Monday. So if you get any calls, that's what it's about. The new crossing will be installed.

Commissioner Mourdock: Do they have to post a performance bond with us as far as the number of days the road will be closed?

John Stoll: No. That was all federally contracted and contracts with the state.

Commissioner Mourdock: It is my fervorant hope that they are done within the timetable they say they're going to be done.

John Stoll: Mine too with all the other detours out there.

Commissioner Mourdock: Do you know, did they have to post a bond with the state?

John Stoll: Off the top of my head, I'm not sure.

Joe Harrison, Jr.: How long is it suppose to be again?

John Stoll: One week.

Commissioner Tuley: I got a...it's not related to the county, it's inside the city, but the work they're doing on Second Street, did you see it today? They're drilling holes all down through Second.

John Stoll: No.

Commissioner Tuley: I got on it at Walnut going all the way down to Vine. So they had one lane of traffic. I wonder if that's tied directly to what they're doing on (inaudible). The timing of it just kills me. We've got Riverside blocked off rerouting everyone down to Second Street. Now we got Second Street, on one side of the road, blocked and down to one lane.

John Stoll: I saw that Friday.

President Jerrel: I'm sure someone said, "Don't those people ever talk to each other?"

Commissioner Mourdock: Back to the other one, I hope if they go long that the state would make the bond or something.

John Stoll: I'll check into that, I'm not sure off the top of my head.

Commissioner Mourdock: This is one of those strange phenomenon when the state bids it, we have very little control. I guess you weren't looking for a motion, that was just advisory.

John Stoll: Just to let you know it's coming up here shortly. Next, I've got street plans for Quail Hollow Business Park and a sidewalk waiver for Quail Hollow Business Park. This is located on Green River Road, just south of the Timbers Apartments. The Timbers are right here. The street would be a curb and gutter street. They're going to stub it out to the south for future connections to the properties to the south.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Then you need a separate one for the sidewalk? I'd move approval of the sidewalk waiver for Quail Hollow Business Park.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The next set of street plans I've got is for Section II of Five Oaks Subdivision. This is located on Hedden Road, south of Kansas Road. Here again, they'll have curb and gutter streets. I believe they are going with concrete streets. We've reviewed the plans and would recommend that they be approved.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The last set of plans is for Keystone Section 7. This is at the southwest corner of Green River and Heckel. It's a continuation of the previous sections.

They will all be residential except right at the corner of Heckel and Green River there will be a small area of commercial at that location. It's recommended that these plans be approved.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I'd like to request approval to go to County Council to appropriate \$30,000 to account number 216-3930 the Other Contractual account. This is to cover the cost increases we had on the contracts for repair of West Haven Subdivision.

Commissioner Mourdock: I'll move approval.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Last. I just wanted to let you know that the Lynch and 164 project, the bids were received on that project last Tuesday for \$7.1 million. Seven million one hundred and ten thousand some odd dollars. The contract was awarded by INDOT. The second lowest bidder was \$490 less.

Commissioner Mourdock: On a seven and a half million dollar bid! Four hundred and ninety dollars difference.

Commissioner Tuley: That close?

Joe Harrison, Jr.: As far as the estimate was concerned, it was what?

John Stoll: Substantially under. Consultants estimate was \$9.2 million. So it was about two million under.

Commissioner Mourdock: Rumor had it that the second place bidder went home and hit his hand with a hammer continuously just to take away the pain.

President Jerrel: That's close. Have you heard anything confirming the sewer and water movement?

John Stoll: No, I have not.

President Jerrel: I did contact...I was going to tell you because we may need to enlist your help. There was some concern that they had not followed through and included our cost of moving the sewer and the water. Anyway, I did a little talking around in various places. Anyway, they're going to do it, but we have to make sure that it stays on track.

Commissioner Tuley: Who does "they" include?

President Jerrel: EA2.

John Stoll: The utilities that Betty Lou's talking about are located in the right-of-way so, since they are not in an easement the Utility Department should be responsible for the relocation cost instead of the county. Bernardin Lochmueller wasn't having much success in getting any cooperation from the Utility Department.

Commissioner Tuley: I can't imagine who she talked to.

President Jerrel: Actually, I talked to Norb, and I talked with Russ, and he did the talking, but at any rate—

Commissioner Tuley: I thought he might have been in that puzzle.

President Jerrel: He is, he was in the puzzle.

John Stoll: I've got two other items on that Burkhardt project. First, I need to request approval to have the county attorney proceed with condemnation for parcel number 7, parcel number 8, parcel number 26.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The second item is a supplemental agreement for \$9,000. This would be for the survey and design of a right turn lane on Lynch Road at Burkhardt Road. The traffic study that was done by Bernardin Lochmueller showed the need for an eastbound right turn lane on Lynch at Burkhardt. That was never addressed in the original design agreements with Bernardin Lochmueller. It appears, based on their estimates, that funding will be available for that based on the amount we already have budgeted. I'd like to recommend that this supplemental be signed.

Commissioner Mourdock: Question, John. Are we approving this because funding is available or are we approving this because we think there's a need?

Commissioner Tuley: Traffic study, I think, justified it, and there is money available.

John Stoll: Both. There's definitely a traffic need for it.

Commissioner Mourdock: Or will be.

John Stoll: Right.

Commissioner Mourdock: I'll move approval.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Originally when we were looking at it, we didn't know if there would be enough funding available. Their estimate for this turn lane because of the concrete

pavement and shoulder that's required out there will be around \$50,000. Since it's all locally funded, we didn't know if there would be money available. Based on the way the design is proceeded, it looks like we do have enough in the accounts to cover the cost.

Approval of Department Head Reports
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Commissioner Mourdock: I'll move approval of the County Highway's report, the Soil and Water Conservation District report, and the Ozone Officer's report, and Burdette Park.

Commissioner Tuley: Second.

President Jerrel: So ordered.

President Jerrel: How about consent items?

Commissioner Mourdock: How about attorney and superintendent report?

President Jerrel: Oh, I forgot about them.

Joe Harrison, Jr. - County Attorney
--

Joe Harrison, Jr.: The only thing I have, John, is the utility reimbursement agreement for you to look at for the Ameritech issue. I made some changes to that draft so I'll let you have that. That's all I have.

Tony Greubel - Superintendent of County Buildings
--

Commissioner Mourdock: I don't know if Tony?

President Jerrel: Tony?

Tony Greubel: Permission to advertise a notice to the public in the Courier about the Vanderburgh County surplus vehicle auction to be held October 12th at Wolfe's Auto Auction.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: Consent items?

Commissioner Mourdock: One questions on the consent items. Who is this person?

President Jerrel: I'll tell you who that is. That's the Soil and Water, isn't that who that is? Sondra Schmitt in Vanderburgh County changes?

Tony Greubel: That's the clerk's for overtime bond department.

President Jerrel: And overtime is in our budget. That's what it is.

Commissioner Mourdock: Do you have a question too, Pat?

Commissioner Tuley: Who is—

Tony Greubel: That's the woman that—

Commissioner Tuley: That's the one lady that they...for some reason I had her coming from way out west.

Tony Greubel: Yeah. She's up in Goshen, Indiana right now. She must have been in Oklahoma.

Commissioner Tuley: But that is the one that they wanted?

President Jerrel: And Council approved it.

Commissioner Tuley: Okay, so that's going to be added to the consent.

Tony Greubel: Yes.

Commissioner Mourdock: I'll move approval of the consent items then with that addition .

Commissioner Tuley: Second.

President Jerrel: So ordered. ¹

Old Business

President Jerrel: Old business?

New Business

Commissioner Tuley: I've got a question under new business, I guess. I'm not sure what I've been trying to read about what's going on with this health insurance through Welborn and St. Mary's and all that. Is that, I mean, is that us? Those of us that are on Welborn HMO don't have health insurance on January 1?

President Jerrel: No, you're just going to have to go to their doctors.

Jane Laib: They are dropping certain physicians.

¹See page 55 for a complete listing of consent items.

Tony Greubel: The St. Mary's doctors are being dropped from Welborn HMO.

Commissioner Tuley: It will be through St. Mary's HMO?

Jane Laib: As long as you have a Welborn doc, you'll be okay. But all the ones that were under St. Mary's are gone as of December 31st.

Commissioner Tuley: My doctor is under Welborn.

Jane Laib: Then you're fine.

Tony Greubel: You'll just have to go to Deaconess instead of St. Mary's.

Commissioner Tuley: Same doctors, different hospital.

Jane Laib: Except like for me, I had a lot of St. Mary's doctors so mine are all changing or I have to change.

Commissioner Tuley: That's going to be weird because the guy doing my surgeries is a St. Mary's doctor.

President Jerrel: Which one is it?

Commissioner Tuley: Heinrich.

President Jerrel: I think he's both.

Commissioner Tuley: He's both, okay.

President Jerrel: He's in that surgical group and they go both ways.

Commissioner Tuley: I kept reading this and asking what in the world does this mean to us?

President Jerrel: When the smoke settles, we'll get everything settled.

Tony Greubel: Should we get quotes from another like for example, St. Mary's is starting a new HMO called Advantage HMO which will have their doctors be their HMO, and they were interested in submitting price quotes to us.

President Jerrel: I think we'll want Tony Flittner to do that because we know there's going to be changes everywhere. I mean, the shake out is not through yet.

Commissioner Tuley: That was just a question. I just didn't know what to expect.

President Jerrel: You're probably okay. Is there any other new business?

Commissioner Tuley: Not by me.

Adjournment

President Jerrel: Is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 7:30 p.m.

CONSENT ITEMS:

Employment Changes:

Commissioners	Circuit Court	Election Office
Health	Knight Assessor	Centre
Highway	Veterans Services	Sheriff
Soil & Water	Burdette Park	Commissioners

Travel Requests:

Knight Assessor	Health
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Commissioners:

Erin Breetzke Pink Slip

Sheriff:

Submit Weekly Reports

THOSE IN ATTENDANCE:

Betty Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Judge Scott Bowers	Judge Doug Knight
Clark Field	David Coker	Richard Helzerman
Judge Carl Heldt	Cyd McNeilly	Julie Von Arx
Bill Shepler	Al Bennett	Stan Levco
Judge Bob Pigman	Allen Henson	Allen Henson
John Althoff	Brad Ellsworth	Jeff Korb
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Betty Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
September 25, 2000**

The Board of Commissioners of Vanderburgh County met in session this 25th day of September at 4:07 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Vanderburgh County Board of Commissioners meeting to order. We do have a Commissioner on his way, but I think there's one thing we'd like to begin with and that is the Pledge of Allegiance. I'd like you to join me now. At this time I would like to introduce the people before you this evening. Most of you have been here before, but there are some new faces. On my far right, Tony Greubel, Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; Far left Jane Laib, our Recording Secretary; Auditor, Suzanne Crouch; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. There is Pat Tuley, Commissioner Tuley. Don't hurry.

Commissioner Tuley: Sorry.

Approval of Minutes

President Jerrel: He's not running anywhere. At this time, I'm going to ask for approval of the minutes of the September 18th meeting.

Commissioner Mourdock: I would move approval from the September 8th meeting as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Sandie Aaron - Equipment Lease and Soft Drink Agreements

President Jerrel: Now I'm going to go to the part of the meeting that we are here for and that's the initial report from PMSI concerning Community Corrections and Bill Shepler.

Commissioner Mourdock: Excuse me, Bettye Lou, before we do that do you want to do that ahead of the two quick items we have here? Items B and C?

President Jerrel: I didn't see Sandie.

Commissioner Mourdock: There she is behind the podium.

President Jerrel: Yes, we can move those very quickly. Sorry, Sandie.

Commissioner Mourdock: This won't take two minutes so just bear with us. The first of those two items we have an equipment lease in our packet tonight from United Leasing regarding a particular piece of equipment for the Centre. That's for a manlift. Sandie, do you have any comments about the lease agreement?

Sandie Aaron: Yes. Thus far we've been renting this equipment. While we do pass it on to the promoter, we see it as a serious source of revenue because what we've been renting it for we've just been passing that directly on to the promoter. The lease payments are substantially less. With the lease to own, I think it would be the best benefit.

Commissioner Mourdock: The ownership would ultimately be in to the county's hands as it looks.

Sandie Aaron: Exactly.

Commissioner Mourdock: Joe, have you had a chance to look at this?

Joe Harrison, Jr.: I did. I didn't realize that it was—that we would be owning it after how long?

Sandie Aaron: At the end of the lease.

Joe Harrison, Jr.: Would it just be one year? That's what it looks like to me.

Sandie Aaron: Yes.

Joe Harrison, Jr.: It's \$5,784?

Sandie Aaron: Right.

Joe Harrison, Jr.: Okay. Did you receive some other quotes?

Sandie Aaron: Yes.

Joe Harrison, Jr.: How many other quotes did you receive?

Sandie Aaron: Three others.

Joe Harrison, Jr.: And this was the lowest and it's from United Leasing, Inc.?

Sandie Aaron: Right.

President Jerrel: Is there a motion?

Commissioner Mourdock: I'll move approval of the lease for the manlift with United Leasing as presented to us this evening.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: The second item also regarding The Centre is an agreement that's presented between Royal Crown Bottling and The Centre. That's regarding soft drink—basically, a soft drink license, if you will for products—

Sandie Aaron: Pouring rights.

Commissioner Mourdock: What did you call it?

Sandie Aaron: Pouring rights.

Commissioner Mourdock: Yeah, pouring rights. It's a three year agreement with the vendor essentially paying us \$30,000 annually to have the sole and exclusive pouring rights for their products at The Centre. I guess having said that, do you have anything to add to clarify that?

Sandie Aaron: The only thing I would tell you is that we asked for proposals from all of the soft drink companies and this bid was three times what the other proposals were. We are real proud of it and we're really excited about working with them.

Commissioner Tuley: The only question I have, Sandie, is basically that is the product that will be offered up for sale, do you guys actually provide the staffing for the operation of the soft drinks or how would that be done?

Sandie Aaron: All they do is provide the product and Sports Service handles the—

Commissioner Tuley: Sports Services would actually be the one handling the products?

Sandie Aaron: Right.

Commissioner Tuley: The reason for the question comes back to when the Cities and Towns were here, and I don't know if it was a request of their people or whatever, but there wasn't anybody over there to sell soft drinks during the day when we had a very captive audience over there. Some of the people asked me a question about that and I said that I really didn't know why we didn't.

Sandie Aaron: They weren't there because when it was organized, they didn't ask for it.

Commissioner Tuley: They didn't ask for it. Okay, that's what I figured.

Sandie Aaron: We had kind of a post meeting this morning about it and that very issue came up.

Commissioner Tuley: It has nothing to do with this, but—that's fine.

Commissioner Mourdock: One question I have with this that came up Saturday when I was looking at it, I don't see it at the moment, but somewhere in this there's a reference to a type of signage. I know that there's back lighted signage that is part of this but then there was also something about...and it put the picture in my mind of a sign hanging up over kind of the center of some empty space and the word tacky comes to mind.

Sandie Aaron: No, no. There will be some back lite signage in the exhibit hall, at some point. You're probably talking about signage with the concession stands that just shows the product. It's called static cling because it will stick on glass. It's actually very classy looking. We were very careful when we talked to them about that.

Commissioner Mourdock: With that clarified then, I would move that we approve this agreement between the county and Royal Crown Bottling for the pouring rights for The Centre for three years.

President Jerrel: For \$30,000.

Commissioner Tuley: For \$30,000, you said?

President Jerrel: Um-huh.

Commissioner Tuley: Second.

President Jerrel: And I'll say so ordered. Thank you very much.

PMSI Presentation - Community Corrections
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President Jerrel: Okay, now we're ready.

Bill Shepler: Good evening. Before I start, I have to apologize for two things. One is Julie Von Arx who was going to be here tonight speaking, called me about 6:30 this morning, 6:00 this morning, and I really don't have many details except that her father was very seriously ill, and she was headed to Ft. Wayne. I apologize for that. Second thing is that I'm up here instead of her and that's...since she can't be here this evening, I have a couple of things that I would like for the Commissioners to consider. Julie has worked really hard on this over the last six months, and it would not be appropriate for me to try to deal with questions. One is, I don't know if there's a doctor here, we may have to take my foot out of my mouth, but she is the expert in this particular area and what I would suggest is that in the past you've read the recommendations. I thought maybe we could read the recommendations into the minutes and then open up for public comment. We will come back next week prepared to address those comments. I know that's a little different and you're going to lose some of the impact of some of the background that she would normally give you. Then we would come back next week.

President Jerrel: May I ask, we don't know if she'll be able—we think she'll be able to come back? We hope so?

Bill Shepler: We hope so, yes.

President Jerrel: Maybe we could take just a little bit of the time though for her to give because I'm like you, I know how hard she has worked on this. I know that she would enlighten us considerably.

Bill Shepler: There is a lot more than just the little bit that you have in the Executive Summary. I mean, there's a lot of things she presented last week that came out of the discussion so we would be prepared to do that in whatever time that you guys, as Commissioners, feel is appropriate. I know that there are probably people here that made special arrangements and may not be able to be here so, if they have comments, if they will leave an address or something when they come up to do that, we will make an effort to get their answers back to them after our meeting next week.

So if somebody is here and that's created a hardship for them to get back, we'll take that on and address those individually to those people that can't return.

President Jerrel: Everybody in the audience have a summary? Who doesn't have a summary?

Commissioner Mourdock: Tony, could you? Again, to recap that, Bill, I'm fine with what you just suggested. I didn't want to not do this tonight because I know a lot of people, especially from the Advisory Committee, are here this evening and planned to be here to discuss this. I think it's only fair that we go ahead and open the microphone after we discuss each of these points, or while we discuss each of these points, so people from the Advisory Committee or the general public can come forward with comments, suggestions, questions, criticisms, whatever. If, in fact though, we have Julie's response to those next week, and I'm okay with that, too, I just want to make sure that's not to say that we are rescheduling what we are doing with facilities next week. That would be in addition to that.

Bill Shepler: Right. We'll make whatever adjustment that works for the Commissioners. I would ask to make the comment though to thank the people that worked on this. I know Julie worked very hard, but we have a number of other people that were involved in this: Sheriff Ellsworth, Chief Williams, Tom Wallis out at the Center, Steve Woodall, Dale Williams, Sara Vessels, and Mike Sturgeon have all put in extra ordinary time above and beyond what there normal duties are to meet with us. They have been very, very cooperative so we just wanted to specially acknowledge them and thank them for that. I'm okay if you guys want to read the minutes and I'll stand by to do whatever I can.

Commissioner Mourdock: What I would suggest is how about if we read into the record, and since not everyone's seen this part until this moment, sometimes when you hear it, it sounds different than when you are looking at it on the page. I can go ahead and read into the record the program overview which is only about three or four paragraphs then we can go through recommendations as we did last week, bullet by bullet. Let me start with that, Bill, then you and Sheriff Ellsworth, especially as we get though this and get to the bullet points, I'm sure you guys will want to be involved. I'll start with program overview then on page two.

Work release is housed in a 200 bed minimum security building and is staffed with correctional officers. Facility needs will be addressed in another section, meaning next week. Offenders are required to work, submit to drug/alcohol testing, participate in treatment and/or take GED classes, if needed. They must return to the facility during the times they are not working. They are charged \$70 weekly to offset the cost of their housing. Offenders are allowed weekend passes commensurate with a phase schedule that is mainly determined by length of time completed in the program. The grant states that all work release participants must complete community service hours in the community. This does not currently occur, as all work release participants are not required to complete community service work. Electronic Monitoring/Home Detention is a program that allows offenders to be sentenced to their homes with surveillance equipment that identifies their presence in the home. Currently, there are 175 monitors available. Presently, there are no home visits being made by Community Corrections staff. Offenders are

required to work and must return to their homes otherwise. They may participate in substance abuse treatment, pursue education classes, and must submit to alcohol/drug testing. Currently, they are allowed weekend passes. There is not 24 hour staff coverage. Offenders are charged \$70 weekly to offset the cost of their supervision. Community Service is a program that requires an offender to contribute work hours to the community without being paid. Currently, the program has agreements with community and social service agencies to provide labor. Some of the work release referrals are required to complete community service hours. There is no established protocol for who is chosen to complete this requirement. Currently, there is no fee charge for program participants. Juvenile Community Corrections program funds have never been requested.

Commissioner Mourdock: Before we get to the general recommendations, I would just ask the question of the Sheriff or Chief Deputy Williams or anybody on the Advisory Board, is there any question or complaint, is there anything inaccurate in what I just read? I see Sheriff Ellsworth shaking his head no. Let me start through these recommendations then. Again, the microphone is open to anyone who wants to comment. If you do make a comment, you have to do it at the microphone though and please state your name and address when you begin. General recommendations. PMSI recommends that the grant submitted to the Indiana Department of Correction be rewritten with additional funds requested for expanding, restructuring and implementing programs for adult and juvenile offenders. Comments regarding that one? Yes, ma'am?

Sue Hanna: My name is Sue Hanna. I have a whole lot of questions.

Commissioner Mourdock: About this particular bullet or the whole thing?

Sue Hanna: When it comes to rewriting—you're going to rewrite the grant?

Commissioner Mourdock: Yes.

Sue Hanna: Are you going to restructure the whole program? Are you going to change the Community Corrections Program or what does this mean? I don't know what it means.

President Jerrel: Let me begin by saying that if I got the grant for you now, it's about that thick and very little has been changed over the entire lifetime of it except some dates and a few other issues. I think the items that were referred to in the opening part and these recommendations need to be incorporated in that grant itself. So every year a grant is submitted for the program to the state and maybe some other funding entities.

President Jerrel: I think it's more than one year at a time.

Sue Hanna: Would that affect these other money sources? Will rewriting this grant is it...are you rewriting it to ask for more money, to ask to change the program and pay for that change?

President Jerrel: I think, basically, I mean if you've been following it any at all, we didn't request money originally and because we didn't, the state has some guidelines that you cannot supplant an activity if you originally began paying for it. You can't now say, okay, we don't want to do it. That truly penalizes Vanderburgh County because Judge Miller established this way before many people even understood the need so the county paid and the fee is paid. The request from the DOC came later. We need to reestablish with the DOC, a different relationship. We are actually handling a good many of their clients.

Sue Hanna: Well, what I've know about Community Corrections, having been a Director of Community Corrections, was that Vanderburgh County got all the money. The first funding year you all got a third of it. One point three million and then my county got \$40,000 and \$20,000 was for my salary.

Commissioner Mourdock: Are you sure it wasn't Indianapolis you're talking about?

Sue Hanna: I know things have shifted and changed but we couldn't duplicate any organization that was already existing or we couldn't get funding for that. When my sheriff originally wrote the grant, it was for four components. We all looked at Evansville. We all looked at Vanderburgh County because they seemed to be the leading edge. They were very involved in doing this type of program. What it all looked like to us is that everybody had a salary and you had a building and all these personnel costs. I just had mine. I just had to go do all the work and that's all there was to it. I couldn't get anymore money. The next year when I asked for more money and I changed my program, they said okay, we are going to give you \$30,000 this year. Then, if you will bring in three more counties under your program, we will give you \$2,000 more per county for your salary.

President Jerrel: How many people were you dealing with?

Sue Hanna: At that time, it was 20.

President Jerrel: You see what we are talking about is over 200.

Sue Hanna: My next question is how much does it cost for every individual in this program, number one? According to the prison, it cost \$20,000 a year per individual. How much are your figures in comparison to that? The other thing is when you look at what it cost them to incarcerate someone and what they are giving you to develop these programs, you are probably getting .10 cents on the dollar. To me that's terrible.

Commissioner Mourdock: I think that's the point of the recommendation, and Bill Shepler or Sheriff Ellsworth, if either of you want to comment on this you are welcome to. The other thing that I see in that recommendation that I think is kind of radical here, that's not necessarily saying that's a bad part, but the last three words there, "and juvenile offenders".

Sue Hanna: You're already talking about being swamped with programs. What's effective and what's not effective and throwing more money at it. Is that going to make it more effective? It will probably give more people more jobs, but we have to deal with the effectiveness with what we've got.

Commissioner Mourdock: That's a fair question.

Commissioner Tuley: I think, and I don't have the figures off the top of my head but they were in the paper in the article that was written Saturday or Sunday, I think we get \$400,000 roughly from the state with a program that costs us in excess of two million dollars.

President Jerrel: Three.

Commissioner Tuley: Around three, okay. A million, million and a half, three quarters that comes from the local taxpayers and the rest from the fees that are generated from the inmates. There's your better figure person, tell her the figures, but the point is that we only get \$400,000 out of the state. That's an awful lot of money so we are trying to see a way, I think that we are, obviously, not getting our fair share for the amount of money we are saving the state of Indiana. That's why they are looking at rewriting the program.

Sue Hanna: I think, really seriously, I consider that a fraud perpetrated by the state onto the counties. I've always said that. The way I figured it up, it was ten cents on a dollar and, yes, it's a heck of a deal for the state. They expect you to be able to put on a Community Corrections program with people who aren't necessarily qualified or capable of doing it. A lot of people are expecting your judges now to be corrections officials. Then the state doesn't come down and help you out with any training. They won't give you any legal advice. They won't support you in any way.

President Jerrel: We are going to try and change that. That's what we are going after.

Sue Hanna: When I went to legislative hearings where they were arguing...they got this Community Corrections things on your shoulders and now they put that transition thing, and they are pulling the same trick of \$7.00 a day. They got by with that and now they are going to get by with something else.

President Jerrel: The key to this is that the fees that are collected and returned to the county do not adequately cover the county's cost. I'm talking about the judicial fees, but the state has exceeded their expenses with their share of the fees. I've been working with a committee who's goal is to get a more equal distribution of those fees back to the counties.

Sue Hanna: I just think we ought to be screaming a whole lot louder with the state. I watched them with that transition program and the state says, too bad.

President Jerrel: Well, you need to join with us.

Sue Hanna: I can carry a big hammer.

President Jerrel: Well, we appreciate your comments.

Commissioner Mourdock: Thank you, and that is the way I read that, too. We are going to have a big scream for more dollars there in the first one. Bill or Brad, do you have any comments regarding those last several words there, "adult and juvenile

offenders"? Given that the final sentence in the preceding paragraph says that Juvenile Community Corrections funds have never been requested.

Bill Shepler: The comment I will make is that they've never been requested and your Community Corrections are not using juveniles there. We think there is a possibility of Community Corrections for juveniles, home detention for juveniles, and a number of things that are available to you which will help the problem we talked about the first week. Those go hand in hand.

Brad Ellsworth: The only thing that I would add, Mr. Mourdock, to that is in the last two months we've had two requests from the juvenile court, at least, inquiries of availability of home monitoring for juveniles. We brought that up Wednesday or Thursday at the board meeting for the Advisory Board to get their approval. They asked that I go back and do a little more homework with the juvenile court as far as fees and that's what we will do this week is find out a little more structure. The staff has no problem with doing the monitoring of that. At this point, like I said, there's a little more homework to do on that so that's, at least, the first move toward some kind of juvenile action out there.

Commissioner Mourdock: Okay, and this question may not be answered until Julie gets here next week, but in resubmitting or rewriting the grant, can we do that in mid-term or do we have to wait, in fact, until that document expires at some point?

Brad Ellsworth: You can do amendments to the grant. Judge Trockman's proposal for the day treatment or day reporting is actually an amendment to the grant. You can do that, but it is coming up where the class is actually started November and December DOC. At this point, by the time we write an amendment and have the meetings with Mr. Brown at DOC, we might be better off just doing the entire document for the new bi-annual grant that covers for two years. You almost have to rewrite them every two years. The DOC requires that so we are compiling that information on that right now.

Commissioner Mourdock: Okay, very good. The next recommendation of PMSI is that PMSI recommends that a risk needs assessment instrument be utilized for placement classification and assessment of adult offenders. I guess it's inherent that that's saying for the adult offenders who are otherwise sentenced to Community Corrections.

Bill Shepler: That's correct and as part of the final report we will give you an example of that assessment so that will be available to implement for the county.

Commissioner Mourdock: For any of the Advisory Board Members that are here, I know we had a discussion, it's been some months back at one of the Advisory Boards about a similar type of document or procedure and there was some question between several of the judges and the board members as to how effective that may be or whether or not that would be construed to be limiting the authority of the judges. So I open that element of that question up for anyone who would like to tackle it, if anyone would?

Robert Martin: I do have a question about that.

Commissioner Mourdock: Come up, please.

Robert Martin: My name is Robert Martin. My question is that in dealing in that particular question, there seems to be a problem with people who are incarcerated at the Vanderburgh County Correction Facility. Their concerns are why we have judges who are changing the sentences of certain individuals for the same type punishment of the same crimes? They're wanting to know is this a part of the judges or is it a part of the people who are implementing these restrictions or rules upon the individuals for the same problems? These are things that I've been asked and I couldn't get an answer to, and I'm wondering if they are going to address that and put it in writing versus the majority of questions and problems that seem to be coming up are strictly verbal and no one wants to put their name to it?

President Jerrel: Can you be a little more specific, just give one example of someone sentenced.

Robert Martin: One example. A young man sentenced to the Safe House has come up positive on three urinalysis. He was dropped phase. He lost his pass privileges and was put back on pass privileges. Another gentleman who has only one—has only one bad urinalysis and has stated that he's been clean ever since. During the interim, this other individual has had three. He has not been placed back on his phase two and given privileges. He'd like to know what is criteria for that? So far, no one seems to know, and he is not getting an answer.

Commissioner Tuley: I think that some of those things should be addressed in some of the recommendations where we have some standard procedures written. A Policy Board formed that develops those policies, then they are written and then at that point, because I think right now it is rather loosely administered for lack of a better term--

Robert Martin: The policies have been written. The policies are in effect, but they are being changed arbitrarily.

President Jerrel: Have you expressed this to—

Robert Martin: I've not been given the opportunity to express them.

Commissioner Mourdock: You have it right now, obviously. If I may interrupt, I hear two parts to your question though. One part of it is from the legal side that the judges are somewhat handling with, and the other side is the standard operating procedure within the Community Corrections Complex itself?

Robert Martin: Right.

Commissioner Mourdock: With that two parts understood, I'll look to several of the judges here. If they would want to issue a comment as to why it may seem things are done differently? You're, basically, saying two people are convicted of the same thing and they appear to be treated differently.

Robert Martin: Right.

Commissioner Mourdock: Do we have a judge to rush to the microphone on that one?

Judge Maurice O'Connor: I'm Maurice O'Connor. I'm a Superior Court Judge. Number one, most of the people that are placed out at the Safe House are placed pursuant to a plea bargain entered into between the prosecutor's office and the defendant and his counsel. Those agreements cannot be modified by a judge unless the state and the defendant both agree. In fact, we cannot even have a hearing on modifying unless the state and defendant both agree. Often times, the state will not agree to a modification. So that's one reason why there are not changes in some cases and other cases there may be. Secondly, where there's a petition to revoke filed based upon allegations of misconduct by an inmate, the evidence is fact driven. It's based on the criminal history of the defendant, that's taken into consideration. The facts in this particular case, what drugs we're talking about also impacts it. For example, there is a difference, I think, in most people's mind between a violation involving marijuana and one involving cocaine or heroin or other drugs like that. So that's why they occur. The question as to what happens on one individual case and another individual case, obviously, cannot be answered at this time until we know the cases and what the facts are in each of them. Whether or not there's a difference or any distinction between the defendant and the defendant's criminal history, the nature of the offense, the recommendation of the staff, the recommendation of the prosecutor, etc. Those are factors that go into ending up with some variances. The other thing that I'd point out is that we have this constant problem as to whether or not there should be individuality in dealing with cases versus uniformity where everyone is treated the same. Now that's good if everybody thinks they are being treated well, but when someone that is being treated uniformly with other people thinks he isn't being treated well and wants to be treated as an individual, then it's not a good thing.

Commissioner Mourdock: Judge, while you are at the microphone, would you care to offer a few words on what's recommended here as far as the risk and needs assessment as far as effectively what that's saying is who gets placed in Community Corrections?

Judge Maurice O'Connor: Well, I think there's been a start made on that. There's been drafted at least one or two drafts that I've received. People that would not be accepted or not acceptable some standards which have been set at the VCC. The difficulty that I see with that is that often times, as I indicated, most people placed at the VCC are there because of plea bargain. Many times the plea bargain that we receive, the recommendation from the state of Indiana does not consider necessarily the guidelines that have been formulated by the VCC.

President Jerrel: Are you talking about the violent versus—

Judge Maurice O'Connor: No, it isn't the violent, it's the technical thing. When was the last time this person had a conviction and that type of thing.

Commissioner Mourdock: Which tend to be more stringent?

Judge Maurice O'Connor: I would say the VCC are more stringent than the recommendation.

Commissioner Mourdock: With that then, you are saying that the state is saying that the judge does have the discretion to put people in the Community Corrections facility and the paperwork that we are circulating is saying that no that same person shouldn't be there. That's your definition of stringent. We are saying they shouldn't be there and the state says that well maybe they ought to be.

Judge Maurice O'Connor: What I'm saying is that there are guidelines that have been issued by the Correction Complex. Sometimes those guidelines are not apparently considered in the recommendation made by the state of Indiana on a plea bargain because they are recommending placement when the guidelines indicate that this person should not be placed there. So, I don't know where the problem lies, but I'm just saying, factually, that's what occurs. Obviously then, if there is a mistake in ordering someone there, the Correctional Complex has the option to indicate that this person is not an acceptable candidate per the guidelines.

President Jerrel: Would it be appropriate, I think this is one thing that Julie had been working with from her position, that the Advisory Board become much more involved. At this point in time, they have not been as involved in those issues. That they take a much more active role. I don't even know if that's down here.

Commissioner Mourdock: It's the next to last one.

President Jerrel: Because your point is that if any modification is going to be to that order, both parties need to agree.

Judge Maurice O'Connor: That's correct, but also what we are talking about initially is that if the placement at the VCC is inappropriate, per the guideline, then the option would be that the VCC say no this person is not acceptable and that's the end of it. Now, to ask them to get involved in each and every case would be putting a pretty heavy burden on them. I mean, the Advisory Committee, that would be tough for them to get involved in something like that.

Commissioner Mourdock: And again, speaking of my experience from that particular meeting of the Advisory Committee, I don't think anyone on the Advisory Committee was suggesting that the committee ought to be involved in every placement, but that when you had someone who was kind of bumping the line as to whether or not they should be there, that's where there was a lot of discussion as to how that individual should be handled.

Judge Maurice O'Connor: That would be good. I see no problem with that.

Brad Ellsworth: I'll just talk briefly on line number two. We've just been notified by DOC, and I think the initials are LSRI, I'm not 100 percent sure about that, but it's a needs and risk assessment that is provided by DOC so we don't have to reinvent the wheel here. The nice part about this is for every person that our case managers have the meeting with, and you have to do it before they leave..in other words, when the person reports to Community Corrections, they come out there and do this instrument and for everyone we administer and use, we get \$15.00 for the DOC which could add up to a lot of money. Major Woodall and I are going to seek that and administer that as soon as it becomes available. I'm trying to think if there was anything else I wanted to say about the rest. As you know, in the few months we've reorganized a bit. We've taken verification officers, counselors and case workers and made a title called case manager. Although, we will give those case managers some in house leeway to if a guy is late coming in, that case manager will know that and make that decision about is that a point where you PTR them? If they have one marijuana violation, that case manager may have some leeway there. We've got nine so we are going to have nine different personalities and nine different schools of thought, but we will have some outside perimeters. No, you probably won't PTR

them on a first marijuana charge, but you probably won't get to 14 though.

Commissioner Mourdock: Petition to Revoke.

Brad Ellsworth: That's another thing also. I've told the judges this and I've told our committees that I would like to get away, I know that's a pretty common term, but what I would like to see happen down the road is that we want a progress hearing. We want to kind of get away from a Petition to Revoke unless we mean it. If we have a person who's been late twice, comes back for marijuana once, maybe that's time he gets in front of the judge and we say, "Your Honor, he's not buying into your program here." The judge, in his wisdom, tells him what he wants to tell him on that. On the other hand, if a guy is doing an excellent job, going to work, steady employment, comes back on time. I'd like to get him in there on a progress hearing and say, "Your Honor, here's a success story. He's doing a great job." When we go to the judge and say we want a Petition to Revoke, and revoke means revoke to me, that's where I think the Community Corrections staff is saying we can't work with this person anymore. We would like you to take him away from our system, and if that means DOC then so be it. I would like to gain that trust with the judiciary branch to where when we come in front of them with a Petition to Revoke that they trust that we've done everything out there we can. Until we get to that point, I think...we are changing our terminology out there for Petition—

Commissioner Mourdock: It's still PTR, Petition to Review.

Brad Ellsworth: Petition to Review versus Petition to Revoke. Like I said, that's what I'm going to look for buy in from the judges as the trust grows. I don't know if that answered any of the other issues.

President Jerrel: Yeah, it does and I think that's a good dialogue. The Advisory Board needs to recognize their role in all of this. Mr. Nix, there's an empty seat.

Commissioner Mourdock: Any other comments? Yes, Judge.

(Inaudible.)

Commissioner Mourdock: The third recommendation then, PMSI—I'm sorry, Ms. Hanna.

Sue Hanna: Sorry, the needs and risk assessment, basically, is a tool to identify their risk to society from my understanding of risk and needs assessments and utilization of them. So this identifies the seriousness of the offender and maybe disqualified from the program, or it could identify that they should have more restrictive levels of freedom in the community or whatever. Whereas the needs will address what their program objective should be. What programs they should be in. What this does is kind of establishes policy and procedures and eliminates the problems of arbitrarily and capricious application of those rules. The offender decides if he is going to go along with the program or not so that you don't have to be chasing them so much. Really that's this other gentleman's problem with the application of the rules. It may be that person was in violation of that particular assessment tool. You always have to take that into consideration.

Commissioner Mourdock: Okay, thank you. Next bullet is PMSI recommends that a screening committee be formed and a report be issued to supplement the pre-sentence investigation phase of sentencing to provide the courts with more

information regarding a referral's appropriateness for community supervision prior to sentence. As I read that, that pretty well goes along with what we were speaking of last week in that part of the court processes and pre-sentence.

Judge Maurice O'Connor: That does go back to last week, and the idea there is that as part of the pre-sentence investigation that they look and see if they are appropriate for out there. Instead of after the fact, look at them ahead of time.

Judge Carl Heldt: My name's Carl Heldt and I'm Circuit Court Judge. I'm not sure that were not seeing a problem here that doesn't exist. All our pre-sentence investigation reports contain histories of all crimes that a person's been convicted of in this county. If they are sentenced to the Corrections Complex what the track is if they've ever been revoked or a Petition of Revoke has ever been filed. We have a pretty good sense of whether or not they have been successful out there or not.

I'm not sure that if you formed a screening committee that went over every potential plea bargain and had to have a committee meeting and then report that through the pre-sentence investigation phase, whether or not you'd really be slowing down that process which I know you don't want to do. Also, the Advisory Board worked very hard at setting up the guidelines and they were adopted. You'll recall that, I think. As to what crimes could be sentenced out there and what couldn't and which of them could be waived, if the court found in it's discretion that it should be under extraordinary circumstances. There was a provision that required the court to put on the record that they consulted with the prosecutor, the defense attorney and the executive director of community corrections. As far as I know, that system is working out fine. I've not had any trouble with it. I don't know if any of the other judges have or not. I'm not sure...that I see anyway that there's a problem at the present time in who's being placed out there and who isn't. If it is a close call and the court has to use discretion, it often consults with the people out there. If they say that they don't want them, they're not likely to get them.

President Jerrel: Judge, refresh my memory, did we...I think I was at that meeting, I'm not sure. Did we set the number of years?

Judge Carl Heldt: Yes.

President Jerrel: Do you recall what that is?

Judge Carl Heldt: I think the maximum direct placement was six years, and the—

Commissioner Mourdock: Meaning you could do three.

Judge Carl Heldt: Yeah. It's in writing, signed by everyone. All the judges have them, the pre-sentence investigators have them. If the plea bargain is a violation of it, they call it to our attention. I think it's working fine.

Commissioner Mourdock: I'll certainly make a note when Julie's here, and, again, when Julie's here to report on her answers all of you are, again, invited to be here, if you would like to do that, but I'll make sure that question is asked. The same thought went through my mind, honestly, when I saw screening committee. It sounded to me like anytime you have a committee it slows down the process.

President Jerrel: Fred, did they get the...did Julie have access to all of the minutes

of the Advisory Board and the particular?

Unidentified: Yes.

President Jerrel: Well, then some of these things, I'm not sure where she was—in what direction she was in.

Brad Ellsworth: I don't either without her here. I agree with Judge Heldt that we set the means and it was six to do three actual where we wanted them there no longer than three years actually living there. On a bring back, we said a year. If they did, they would have to articulate for the record what reason they were. We had a couple cases where we have the employees out there screening when they come over, not pre-sentence but when they come out there, their docket is pulled and checked. We've had to notify some judges that this didn't fall within and they've either gone back and amended them or they've pulled them out of there. The system seems to be working fairly well from what I can tell.

Commissioner Mourdock: Okay, very good. Next item is PMSI recommends that the Advisory Board plan and approve a disciplinary code. I'll ask again what may be a radical question here, but to discipline whom? Does that mean to discipline simply the people who are incarcerated there who break the rules. The other alternative would be, if we have staff out there who otherwise aren't doing their job, is that inferring to discipline them?

Brad Ellsworth: Both. I think what she meant was a disciplinary code that basically a prisoner handbook when you come into the facility so that you are outlined what the rules are of the facility. Here's what's going to happen to you. It has major violations and minor violations. Very similar to the rules and regulation handbook that we hand out to every inmate that comes in the jail. It's the same kind of thing. Also, we are expecting that case manager when they get assigned that person, that they sit down with them and go through those booklets and let them know what can get you shipped out and what can get you here and there. We think that's a great recommendation. It's not recreating the wheel that's borrowing and implementing.

Commissioner Mourdock: Okay, the next bullet then goes with Mr. Martin's point, previously which is PMSI recommends that a standard operating procedure should be written and implemented for all programs. I suspect that you're saying the same thing in that particular case.

Brad Ellsworth: It's a great recommendation and a theory we buy into. Major Woodall and I just got the ACA Standard Handbook similar to what we talked about the Juvenile Correction Facility coming up to the standards. That's what the major and I and the rest of the staff will be trying to adhere to. Like I said, we aren't recreating the wheel here. A lot of this we'll be using standards and SOP's from the sheriff's office that already exists along with the ACA rules and regulations. I think it's an excellent recommendation and we will adhere to it.

Commissioner Mourdock: Mr. Martin, did you have another question? Wait just a moment, we need to put a new tape in.

Tape Change:

Robert Martin: There was a recommendation submitted back in September of last year that the operating procedures—standard operating procedures be implemented

so not only the staff of VCC as well as the inmates know exactly what's going on and for the enforcement of those rules. As far as rule enforcement, the present disciplinary codes that we do have are arbitrarily determined by an individual as to whether or not they can be implemented. If the code says, yes, you can do this and the staff try to follow those guidelines, they are either told don't follow those guidelines or those guidelines aren't to be followed under this particular circumstance. That is one of the reasons that was recommended back in September. I'm hoping that at some point in time we will get those guidelines so these people, the staff and inmates, all know what's going on.

Commissioner Mourdock: Okay. With that issue and statement of concern, I guess, Sheriff, I go back to the letter I sent you the other day. Maybe that's one of the issues that we definitely need to put a time line to, as well, as far as when those SOP's will be fully communicated and when everything will be flowing according to those. Next issue or recommendation is PMSI recommends that staff receive documented classroom training as well as on-the-job training when employment has begun. Anyone wish to speak to that one? That one sounds almost like a no brainer, but I know in the past there has always been manpower limitations to keep us from getting to that one. Is there anything?

Brad Ellsworth: I forgot which one we are on. I'm just going to say, right off the bat, that Mr. Martin is employed at the VCCC and if he'd quit talking in circles and let me know one example of what he's talking about. I'm not going to argue out here, but I'm down here everyday. If Mr. Martin has concerns about the operation there, he can go to Major Woodall, any of the staff out there that we put out there, myself, or any of my chief deputies, and we address what going on out there. I can't answer this round about circle talk and stuff in front of this crowd. As far as staff training, we have increased CPR and first aid. I've just directed...we just hired probably three or four new CO's at the detention center and they will be attending Indiana Law Enforcement Academy for the Indiana Jailer's School that's a week long school right off the bat. It's happening as we speak and will continue to increase.

Commissioner Tuley: Brad, is it documented anywhere? In like the personnel file or something?

Brad Ellsworth: Yes. The personnel files are in order to be straightened out as have the files...Major Woodall and I had a case last week where a case file was in disarray, and we've ordered the complete restructure of all case files for the inmates and participants so that we can track those and know what's actually went on with them instead of sort of like a jigsaw puzzle.

Commissioner Tuley: The question is more directed at the personnel shuck. If there's training it is all documented in that personnel folder?

Commissioner Mourdock: If your employees are completing these classes there is something going in the file showing that they've—

Commissioner Tuley: Showing the date of completion and stuff?

Brad Ellsworth: The nice thing about this is that all are things that have been going on at the sheriff's office for sixteen years so it's very easy to implement over there

by pulling some of the things that we've been use to downstairs over to Third Avenue. Yes, that will be easy to document anytime.

Commissioner Tuley: That's why it makes sense for you to run the program.

Brad Ellsworth: It's like I said, we've ran a big program and we're changing...professional through several sheriffs not just my tenure here, but we are going to implement the things we think are working downstairs over there.

Commissioner Mourdock: Let's roll right into the next one because that one may pertain as well, Brad, to that issue. PMSI recommends that field visits to offenders on electronic monitoring/home detention begin immediately. That raises a couple of questions to me. Number one, why has it not been done in the past? Is it a staffing issue? Is it, basically, that our folks haven't been trained to do that? What is the problem? What's kept us from doing that in the past?

Brad Ellsworth: I may ask for help on this from the previous administration, but they had three classifications, like I said, we had verification officers who actually did...they were the ones that went out and, Judge Heldt, I may need help on this if I'm wrong. Verification officers were responsible for going out and checking on people at their work sites. I'm not sure if they checked any home detention or not. I don't have any recollection of that. They had counselors and case workers. They were the ones in-house that were the fix-it people. What we wanted to do was combine that and take a little holistic approach where we changed to case manager and that person A...kind of like, Allen, the old field probation work. That ideology was that this person will do the check and get to know the system and guide him through the entire system. By that first interview they will be the one that knows if this person needs a GED, drug counseling, alcohol counseling? Is he a candidate for Goodwill? Is he a candidate for a computer class, whatever? Then he goes on through there. He'll pick his random days per month when he does go out and do verification so he's actually the one that guides the entire system. He'll be the one going to court saying this guy is doing great, or judge, this guy needs to go away. He needs to go to prison. Like I said, he'll be the one there when they say, "You're done, leave our place, and don't come back." Now the case manager has started...by having nine, their caseload is going to be a lot lower than the probation officers have. So what they are going to have is 35 or 40 people in their caseload which in probation terms is a wonderful caseload from what I remember in my day. They will have the luxury of being able to do the in-house stuff and going out their one day a month, two days a month, or one day a week, whatever it is, and doing those spot visits. We've told them that's not just going to be Monday through Friday 8 to 5. That's going to be weekends, holidays, and Sundays too. That they spot visit the home. Is there a party in the front yard? What's the home like? They know that's going to be part of their duties, but it is a probation officer's dream, I think, to be able to do this true case management style.

Commissioner Mourdock: Okay. I guess all field visits would be spot visits, right?

Brad Ellsworth: Yes.

Commissioner Mourdock: You're not going to do something that isn't a spot visit. There's no point.

Brad Ellsworth: I can't say that they would never call and schedule an appointment at home. That they couldn't say, if the person is a model participant, we are going

to come out and interview you. There's some people you can do that, and there are some people you are just going out to try and catch.

Commissioner Mourdock: Any other questions regarding home visits/home detention? Okay. The next one, PMSI recommends that weekend passes for home detention/electronic monitoring should be abolished. That one is a question to me, does that imply or intend to say that anyone who's on electronic monitoring during the week is at the facility over the weekend?

Brad Ellsworth: No, I think what they are saying is that they do not...currently a person on electronic home monitoring similar to people who have weekend passes in the live in facility are not expected to be home on their weekend pass. Julie has recommended that to us. I want to get more information before we cut them off and, basically, they have to stay home on the weekends too or are responsible for staying home close to that monitor on the weekends. I have not dove into that enough to know why she is recommending that. We give weekend passes in the live in facility. I'm going to need to do more homework before I can say yeah that's a great idea or not. Why we would abolish weekend passes? If there's anyone else in the room that can tell me, I haven't done my homework.

Commissioner Tuley: That generates a question in my mind then. The people are given weekend passes. Do they go on home monitoring while they are home for that weekend?

Brad Ellsworth: No.

Commissioner Mourdock: What percentage of the population would get your weekend passes? I mean, you don't have enough electronic monitors to begin to do that, I presume?

Brad Ellsworth: No. When they get to a certain phase, phase two, they are then given...and it goes in phases. After they've proven themselves after awhile, and it's done on the basis of time and sentence. Then they are given a short weekend pass. I think it's from Friday night...I could use some help on this. Saturday morning to Saturday night. It then graduates to a full weekend pass from Friday evening at 6:00 or in that area to Sunday morning, or they can come back Monday morning either before they go to work or go straight to work.

Unidentified: (Inaudible.)

Brad Ellsworth: Alright. They can go straight to work and be back Monday evening. For you guys that were in the military, it is like having a weekend furlough or two day pass or one day pass or whatever that is. On the electronic monitoring they just don't monitor violations. That's how they get that pass for that. That's one, I think, we can bring back before this body and the Advisory Board, but I would like to do more homework.

Commissioner Tuley: It's two tiered because that seems so backwards to me. How can someone be on home monitoring during the week because they've entered into that phase of the program or that's what they were sentenced to suddenly have to have an ankle bracelet, but the person who is in the early stages or wasn't even

sentenced, is out there and gets to go without it?

Brad Ellsworth: That's correct.

Commissioner Tuley: That just seems backwards.

Brad Ellsworth: That's what we want to find out, too. Like Julie said, she said we are the only CC, Community Corrections, in Indiana that is doing this. That's giving weekend passes on the electronic monitoring. I want to find out why and do some more homework on that. It's certainly something we will look into. Weekend passes for in-house is not an unusual thing.

Commissioner Tuley: I know. That's my point. If you can give those folks, let them go where they want to for the day, I don't know, do it for both or something. It's just a little different. It struck me strange.

Commissioner Mourdock: Next one, again, is a financial issue.

John Small: My name is John Small and I think there is some clarification required on phase two passes. As I understand it, it's six in the morning to nine that evening for Saturday and begins again Sunday morning from six to nine. I'm surprise the sheriff didn't know that.

Brad Ellsworth: Susan Taylor gave me a quote once. She said when you start acting like you're perfect and know it all, we'll expect you to. I don't expect that will ever be. I've tried to live by that. No, I don't know every hour out there. I've got a basic concept. I apologize for not knowing that.

Commissioner Mourdock: It's always good procedure to quote a member of the press.

Brad Ellsworth: She does it enough to me so.

Commissioner Mourdock: Next one is a financial issue, again. PMSI recommends the restructuring of the fee schedule.

Brad Ellsworth: I'll start and if anybody else wants that, we think again that it's an excellent suggestion. We felt that when we took over in August, we thought that was low on the priority list with everything else we were looking at. We wanted to kind of get our feet on the ground before we started saying how much money was taking from user fees. We went though with Jobs Program, Inc. going away so there was a certain amount of income that was gone there. Fee schedules, like I said, we wanted to get our feet on the ground. We realize that some people have other financial obligations; Child support, we want that paid. A person is working at Black Beauty Coal might be making more than the person serving hamburgers. So we feel that it should be on a percentage and that is on the horizon but, at this point, we were a little nervous changing fees when that's a set number right now.

Commissioner Mourdock: Is that something that could be done through the courts to have that kind of varying fee system? Somehow that inherently doesn't sound right to me. I understand what you're trying to do, but in the sense of the justice system when you've got one person going out there...well, let's go back to an earlier example. You've got two people for the same thing, one of them is paying one rate and another is paying some higher rate. Is that something that even could be done?

Brad Ellsworth: A lot of the jurisdiction do that.

Commissioner Tuley: To me it makes sense based on the ability to pay. If you couldn't pay it because we set too high a rate then you no longer qualify for that program. I don't know if that would be necessarily right either.

Brad Ellsworth: What a lot of the jurisdictions do is it's a percentage of their take home pay.

Commissioner Tuley: These things aren't as easy as they sometime appear, are they?

Commissioner Mourdock: No, they are not. Anyone else wish to comment on—

President Jerrel: I was just going to ask the question, Marsha, if somebody has a child that they pay child support and they are at the Safe House, are we in the loop on knowing that they pay it? This reminds me of something that could get lost in the—

Marsha Abell: They are on income withholding. It comes from their employer.

President Jerrel: Okay, all right.

Commissioner Mourdock: Okay, next recommendation is PMSI recommends that statistical data be completed monthly, quarterly, and annually as required by the Department of Correction and reviewed and approved for submission to the Department of Correction by the Advisory Board. I'll be real hard pressed to imagine that anyone will argue with that one. I'll just say through the past few months Chief Deputy Williams and the sheriff's department has done an outstanding job in compiling statistics on who's in the jail and how long they're there and what the reasons are. I guess, I would foresee this same type of data tracking coming in there. PMSI recommends that the Advisory Board use the American Correctional Association's performance based outcome measures to monitor the performance of the work release program. And, Bill, could you give us a thumbnail sketch of those or anyone else?

Bill Shepler: What we will be doing is in the report and getting those for the sheriff. He may have already received those. Have you, Brad? She was going to send those down earlier to begin to work on that process. And no, I can't give you a thumbnail sketch because I didn't bring them with me. I've read them but—

Brad Ellsworth: I haven't received them from Julie. If it's in the ACA standards booklet then we will be addressing that. We just got that and the major and I have already sat down and thumbed through it and set priorities on it. We will address it.

Commissioner Mourdock: I presume in some summary form, the Advisory Board will be getting a copy of all that shortly once you get it put together? Okay, last recommendation is PMSI recommends the Advisory Board assume responsibility for the Vanderburgh County Community Corrections Program as the Community Corrections statute requires. I know there's a bunch of Advisory Board Members here this evening and any of you are, obviously, welcome to address that one also.

Robert Martin: I do have a question. I would just like to know how does someone

apply and become a part of the Advisory Board? When was it formulated? And what is the term for that?

Commissioner Mourdock: The Advisory Board is determined or defined, if you will, by state statute. There are members of different groups, for instance County Commission and County Council, are automatically appointed to that board.

President Jerrel: County Commissioners do not. You are our lay person or representative.

Commissioner Mourdock: I stand corrected. Those boards have appointments that are designated within the statute by the various agencies.

President Jerrel: Right.

Commissioner Mourdock: You're right. In this case—

President Jerrel: We have four lay members. We have appointed some new people in this last year. Some people who have not been involved. I think it's a difficult board because it's large. A lot of them are on there by statute and sometimes the new members just by virtue of being, many times, lay people, are not comfortable right away. There is a learning curve. I think the ideal situation is that we get some people who are part of the community to become comfortable in giving you their opinions on things. We are getting there. There are several that are beginning to become very vocal.

Commissioner Tuley: I think we could get you a copy of the statute because the statute is very clear in pointing out like the sheriff and the prosecutor and different ones by virtue of their office are automatically appointed to that board. We could also provide you with like what the commissioners have, maybe the four free hold appointments. We can provide you with a list of names and their expiration dates.

Robert Martin: That would also include the criteria for becoming or applying or being recommended for that?

Commissioner Tuley: For those that are appointed by this office the best thing to do is just submit to this office your name and background. Just a little short bio...not bio, there you go. Autobiography.

President Jerrel: That was a Freudian slip. Some of the people are specific in that we have an ex-offender. There are some defining characteristics, too. We'll get you a copy of that.

Commissioner Tuley: Don't submit any bios, we don't want to see them.

Commissioner Mourdock: Any other comments from the board members especially? Quite honestly, I see that one as critical. Saying it real simply. While most people right now in this room, if they were asked, "Who runs the Community Corrections Program?" Everybody would say the sheriff. Previous to that, they might have said circuit court. The statute says that neither of those answers are correct. The answer is the Advisory Board. Whoever is running the facility at any given time, really is to report to that Advisory Board. It is always difficult, and I say this having missed the meeting the other day, it's always difficult to have citizen advisory boards over

programs that are as technical and difficult to understand as this one. Folks, if this community wants to have this kind of program, it absolutely must have a really active, and I think, involved advisory board. That's not to define what it should be but just continue to make it better because it has to continually change, in my opinion. You all have this in front of you, I think, by now. I'm not going to read, unless there is a request, this into the record here. Bill, would you like to open it up form any other closing comments on this particular part of the PMSI report?

Bill Shepler: Again, I apologize, and I know several things got lost in the translation that Julie would have handled very nicely. I'm not accustomed to keeping my mouth shut so that's hard, but I do appreciate you allowing us...I can't leave without commending what the county has done. They've had a good program. They have been very visionary in what they have done, it just needs to have a little retooling and make it better. It has been a good program, and I believe it will continue to be so. I'll quit there and let Julie follow up next week.

Commissioner Mourdock: And I suspect that we'll have at least a half hour's discussion next week from Julie on these questions.

President Jerrel: I do think that she will be...it's very interesting last week to listen to her. She has a very, very well rounded base of information so I think we will ask her at the beginning, if you'll let her know that.

Bill Shepler: I will. Thank you very much.

Commissioner Mourdock: Before we leave the issues, anyone else wish to make a comment on this particular segment of the report?

President Jerrel: Just for curiosity, would everyone raise your hand who is a member of the Advisory Board who is here tonight. Seven out of 18 or 19? Okay. We'll see to it that everybody gets the minutes from this meeting and the next meeting. Okay, thank you very much and next week come back.

John Stoll - County Engineer

President Jerrel: Okay, John, are you ready?

John Stoll: First item I've got are the appraisals on phase one of Eickhoff/Koressel Road for four parcels. This is for making offer on parcel one for \$3,930, for parcel three for \$40,300, parcel seven \$5,940, and parcel eleven \$155,000.

Commissioner Mourdock: And in your soft spoken way, John, I couldn't hear what the project was?

John Stoll: Eickhoff/Koressel.

Commissioner Mourdock: I'll move approval of the request.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: I'll forward them to Bernardin Lochmueller and they will get the offers out on those parcels and will proceed with more appraisals. The second item I've got is a change item on the Fulton Avenue Bridge. This is for the tie backs for the retaining wall on the north bank of the creek. This is for an amount of \$200,808. This change order will be signed by the commissioners this evening. It's been signed by the contractor but we'll still be waiting on INDOT to sign off on this. I just received word, not a half an hour ago, that the meeting that we had scheduled tomorrow has been postponed until Thursday at INDOT's request. Hopefully, we will get an answer Thursday from them on this change order, but that is delaying us another two days for getting the tie backs ordered. In conjunction with that, my meeting request was for a meeting tomorrow and it's now a meeting for Thursday. Kind of hinges now on INDOT as far as their review of the plans for the retaining wall. They did receive those last week.

Commissioner Mourdock: I wish I had a choice, but I will move approval of the change order.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: If for some reason, it's not approved by INDOT then I'll come back with a different plan, a different change order. The final item I've got is a request for a sidewalk waiver for a portion of Ivy Meadow Subdivision. They are asking for a sidewalk waiver from street two back to Oak Hill Road along street one so it's just a sidewalk on the north side of this street back to this point is what they are asking for a waiver on. The reason is that this lot is really not part of the subdivision so there was really no need for a sidewalk there. The retention basin is here so they didn't necessarily want a sidewalk along the retention basin, but they do plan on putting sidewalks throughout the remainder of the subdivision.

Commissioner Tuley: Do they own this?

John Stoll: No, they do not.

Commissioner Tuley: Kind of hard for us to make them put sidewalks on there wouldn't it?

John Stoll: You could put it in the right-of-way, but there again, there's not lots that would really access a sidewalk that way.

President Jerrel: Is there a motion?

Commissioner Mourdock: I'll move approval of the sidewalk waiver.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: That's all I have unless you have any questions on anything?

President Jerrel: County Highway?

Erik Bentle: Erik Bentle, County Highway. You have my progress report from last week and my work schedule for this week. Other than that, that's all I have unless you have some questions.

Commissioner Mourdock: I was just going to note for the record, as you said before we got back here, that we are at 54 percent of our annual paving now completed. You'll finish up paving this week but that isn't to say that you'll get 46 percent done. That's when we are going to be out of money.

Erik Bentle: We will finish paving probably about the end of next week. That should be it for the season.

President Jerrel: I called Joe the other day. I had another lady on the phone that had wanted some right-of-way mowing on Burgdolt. Somebody when they're out there needs to explain, she had wanted them to also mow an empty lot that a developer owns, and we can't do that. I know the men know that, but—

Erik Bentle: Do you have an address out there?

President Jerrel: Yeah, I gave it to Joe. He has it. It's east of Oak Hill.

Commissioner Tuley: I've got a question and this may be the three of us as well as John and Erik, when we put down...when we do in-house, and this has more to do with what the cost went up on us this year and caused us to have to not get done what we thought we could get done. The amount that we put down in undercoat and topcoat compared to what we do if we contract and strip it out. How does that compare?

Erik Bentle: It should be about the same.

Commissioner Tuley: Okay, so it should really be. If it's two and one, it should be two in one even though we have a base already down that we are paving over?

Erik Bentle: Yes. Most of the times these roads we are doing are falling apart. They are alligating and just coming apart so we have to base them to seam them back together and surface over the top of them.

Commissioner Mourdock: Is that answering your question, Pat? I thought I heard a different question.

Commissioner Tuley: Yeah, what I'm asking is, since we are putting down an equal amount do we really need to put down an equal amount? When we've striped it down and rebuilding a brand new road versus we've already got two to three inches here and we build up another two to three on top, was it necessary? Is there a way to maybe not put down as much and stretch those paving miles out, or is that actually going to cause that road to break up earlier than it would and actually cost us more money in the long run? That's the question.

Commissioner Mourdock: If you don't do the work for the base—

Commissioner Tuley: The surface won't bind to it.

Commissioner Mourdock: That's not a good value in the long run.

Commissioner Tuley: That's why I'm asking this.

Commissioner Mourdock: If you have not done the base work, you're just wasting your time.

Erik Bentle: It takes all the bumps and cracks and all that out of the surface that is existing, and you come back over it with the surface. If you put the surface over that old concrete, it won't stay or over the old asphalt. It will just start cracking.

Commissioner Tuley: But we need two full inches or whatever?

Erik Bentle: Yes.

Commissioner Tuley: Cause I like the way they ride and I like the way they look when you get done with them, but I was just wondering if we could maybe stretch that out a little further, but if we can't. If that's a short term fix for a long term problem that's not going to work.

Erik Bentle: It's about the minimum now.

Commissioner Tuley: That's all I wanted to hear.

President Jerrel: You know that in the city there are so many cases, I know like our street has now been paved for so many years that the crown and sides are up to the top of the curb.

Commissioner Tuley: That subdivision of ours, if they hadn't gone in this time and took that down—

President Jerrel: Next time ours will have to be taken down or else it's going to cause more harm than good.

Erik Bentle: That's what happens when we have the curbs like that. After so many years you've lost it.

Commissioner Tuley: Okay, just a question. Looking for a way to get more roads.

Erik Bentle: We squeezed it out as long as we could.

President Jerrel: Will you set up a meeting, too, with Curt about the boiler because Tony's interested in that and we want to get that moving too.

Erik Bentle: That state inspector is suppose to be out next week to look at that.

President Jerrel: Call Curt so he can be there. I've talked to him a couple of times, and I know he's busy but he's promised to go out. So, if you'll just give him a call he'll be there, too. Thank you.

Joe Harrison, Jr. - County Attorney

President Jerrel: County Attorney?

Joe Harrison, Jr.: I don't have anything.

Tony Greubel - County Buildings

President Jerrel: Superintendent of County Buildings?

Tony Greubel: I don't have anything.

Steve Craig - Burdette Park

President Jerrel: Burdette?

Steve Craig: I don't have much. I was just going to give you a summary of what we've been doing. We are rewriting our Build Indiana fund request and updating monies that we've got for our O'Day Discovery Lodge. We are in a process of getting them written up and sent off to the respective people so that we—

President Jerrel: Have we ever gotten that number?

Steve Craig: No.

President Jerrel: Suzanne, let's make a real move on getting that county not for profit number that we need on those grants.

Steve Craig: 301.

President Jerrel: I think it would probably help us in a lot of different areas. We just don't know how to get them to do that.

Steve Craig: We have sent off over a hundred different requests for grants and that. I would say that 90 of them came back and said that we weren't qualified for them because we didn't have the 301k number. Then when we got one, it was different from what Vanderburgh County's was and we couldn't use it. Is that correct?

President Jerrel: Maybe we could get on that so we could get that moving so we can...there's a lot of money in there to tap into.

Steve Craig: Yeah, there is. We had a lot of requests that were very favorable, but they were telling us that they couldn't do anything until we got them this number.

President Jerrel: She might be able to get through to one of those lines up there.

Steve Craig: I'll give you a call. Other than that and having my work report, and I think you did get the minutes from our past Advisory Board meeting.

President Jerrel: Yes. Other questions?

Commissioner Mourdock: I'll move approval of the department head reports including the report from Soil and Water Conservation District and the Ozone Officer's.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Any Individual Wishing To Address The Commission

Commissioner Mourdock: Before we go to the consent items, we skipped the anyone wishing to address. There may be couple folks here to do that.

President Jerrel: There weren't any when we did it. We will go back to item D under action items. Is there anyone else here that wanted to appear before the commission to address the board about any topic?

Tall Timbers Drive Expansion - Final Reading

Commissioner Mourdock: Are you here for Drainage Board?

Commissioner Tuley: It's the one we just passed down. Someone failed to get it on the agenda.

President Jerrel: Okay. We are ready then. Let's take the final reading that was scheduled for tonight.

Commissioner Mourdock: I don't know where this one came from. I didn't see it on my schedule here.

Commissioner Tuley: We had the initial reading and public hearing last week.

Commissioner Mourdock: Right, and it just didn't get added to the agenda?

Commissioner Tuley: Right. It was just missed.

Commissioner Mourdock: Before us then we have for final reading, it says expansion but it's a vacation, CO-V-08-00-002 Tall Timbers Drive Expansion.

Mike Shopmeyer: My name is Mike Shopmeyer. I was before you several weeks ago, and we were lacking in several of our utility letters. Those have all now been presented. We have amended the ordinance. The ordinance in front of you should read at the end of the description, "with an exclusion for public utility easements set forth in the northern most and southern most ends of the subject 50 foot easement." That change is made, the notices have been sent out and I believe all the green cards are in. We've talked to most, but not all, of the neighbors. I don't believe there are any remonstrators present. I certainly would like for you to ask on the record. This is an area that served...the roadway was to serve an area that's now been broken into a couple, two or three lots. It's certainly not going to be subdivided. We

are asking for the roadway to be vacated.

President Jerrel: Is there anyone here that would like to speak to this final reading?

Commissioner Mourdock: Seeing none, I will move on final reading then CO-V-08-00-002 motion for approval.

Commissioner Tuley: Second.

President Jerrel: So ordered. I'll call, since it is a final reading, Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

Mike Shopmeyer: Thank you for your time.

Consent Items

President Jerrel: Under the consent items, are there any questions?

Commissioner Mourdock: I'll move approval of the consents as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered. ¹

Old Business

President Jerrel: Is there any old business to come before this group?

New Business

President Jerrel: Any new business?

Commissioner Tuley: Yeah, County Chairman stopped me in the hallway and asked me to hand out these. This is our Vanderburgh County on-line. Our, supposedly, official local government site. He is questioning why we would have a link down here to the Young Republicans?

President Jerrel: We shouldn't have.

Commissioner Tuley: Look under city/county sites.

¹See page 34 for a complete listing of consent items.

President Jerrel: Tony?

Tony Greubel: That's not the official Vanderburgh County web site. That's the one run by Network WCS for the time being. That's not the SCT site.

Commissioner Tuley: That's not the SCT site? Who put this together then?

Tony Greubel: I'm not sure who runs that one officially.

Commissioner Tuley: Okay.

Tony Greubel: It's Vanderburgh dot org. It's on there and I go to it, but I don't know of any agreement of who runs that site.

Joe Harrison, Jr.: We need to find out what it is.

President Jerrel: Yeah, and take that off. That shouldn't be on there.

Commissioner Tuley: It has our seal and everything on it. If it's not our site, which I don't know if it is or isn't, but—

Tony Greubel: The official one is from SCT that we did a contract with Bill Cottun, but they don't run that site and this office doesn't have any to do with approving that one.

President Jerrel: What if somebody called them up. They might put something on that...well, you need to take that off regardless.

Commissioner Tuley: There's actually a whole lot of stuff that could be questioned like Casino Aztar.

President Jerrel: That isn't ours, but—

Commissioner Tuley: Okay, I'll stand corrected because it's not our official site then. If it's not then that's better.

President Jerrel: We'll find out who's doing it. I've never seen it.

Commissioner Tuley: It goes in if you click on these. It's got the people running the offices and all that.

Commissioner Mourdock: The URL is not accurate?

Tony Greubel: What's that?

Commissioner Mourdock: The URL at the bottom is not accurate?

Tony Greubel: No, that's the accurate site. I mean, that's the accurate URL is Vanderburgh dot org. I think WCS Evansville On-line.

Commissioner Tuley: That would be the one...This was not paid in any way, shape or form with tax dollars?

Tony Greubel: No. Well, not through this office. Not through the Commissioner's

office.

Commissioner Tuley: That's not my question.

Tony Greubel: We don't know who pays for that site. I don't know for example—

Commissioner Tuley: Can you find out? Because if it's not involving tax dollars they can, whoever is putting it together can put whatever they want on there.

Commissioner Mourdock: But, if that's the case also, they shouldn't be having our logo on there.

Commissioner Tuley: That's our official seal which—

Commissioner Mourdock: Right. That needs to come off, so find out who's doing it. If it has nothing to do with government that logo ought not be on there.

President Jerrel: Okay. Under new business, Pat, I just wanted to talk a minute. When we have, after next week when we get all of their recommendations in. I think, we would like to think through...like I don't know what night later on this month. I've been doing a lot of work on financial because that's going to have to become a factor. Maybe, I don't know, the 16th or the 23rd? If I could know ahead of time, I could go over some of the financial impacts and get some people in here to talk to us.

Commissioner Mourdock: I apologize, Bettye Lou, I was talking to Suzanne and finishing up this other. You're saying, in regards to what PMSI is presenting us and that summary information?

President Jerrel: Right, I think it's important because that is another step and we're going to have to have some professional advice. We're also going to have to have some alternatives because whatever moves forward.

Commissioner Mourdock: As soon as the last presentation is done by PMSI next week, with the conclusion of Safe House tonight from Julie and with whatever they present regarding facilities, there is going to be a crush of people coming to this desk saying, "Now what are you going to do?" There are so many components to it. I guess my thinking is, if we receive all that information or the final bit next week, which would be the 2nd, I guess, then maybe the 9th each of us would have time to digest it and even come back to this meeting taking possession of a certain part of it like you're saying. From the financial side, if that's something you'd like to chase, there maybe some other part of it that I can whittle at. Pat, another part you can whittle at. If we come back on the 9th, we can report how we want to do that and then begin maybe a series of reports from each of us.

President Jerrel: Of prioritizing what we—

Commissioner Mourdock: Any maybe even as soon as the 16th then. That may be one of the first issues we want to address.

Commissioner Tuley: I think so because we, obviously, are going to have to answer

those questions. You know that's what is going to get asked, so if we say adjourned, look out, here it comes.

President Jerrel: There are some options if we choose any facet of the building, there's some options. Then there are some other issues that down the road, if you would choose to build a facility and you've got the jail here, what's going to happen to that space? What happens to the Health Department space? That's another issue.

Commissioner Tuley: In my mind, that's almost, I don't want to say impossible because there are a lot of things in here that we could implement that haven't been implemented but could be without adding a lot of cost. If we start talking in two buildings, until we know what our financing options are, I don't know how we could even begin to have that discussion.

Commissioner Mourdock: That's right, but I think, if we don't keep having those discussions and keeping them fairly public...I noticed something on my desk this weekend about a review as far as things like parking garages and where those might go? I don't know if you've seen that thing floating around? Right away, the question in my mind is, they want to put a parking garage where? How's that going to affect what we might need to do with the jail?

Commissioner Tuley: Don't misunderstand, I'm not abdicating that we not do anything, cause I am. What I'm saying is by keeping it rolling, but it is real hard to—

President Jerrel: Like his idea of...we've heard from the very beginning how important it is that we're near the courts.

Commissioner Tuley: Oh, no question.

President Jerrel: So, I think, we need to assign some of those things and gather that so we know what's out there.

Commissioner Tuley: I agree and keeping it on the road and keeping it public is the only way to do it.

President Jerrel: Is this report, and this is something I haven't asked, is it going to be one compiled report?

Commissioner Mourdock: Yes. It may be a volume or two, if that's what you mean.

President Jerrel: I would like to share that with—several of the Councilmen have been here. At least two of them have been to all the meetings and another one has come to a couple of them. I'd like to see that they have all of that because they need to be a partner in all of this.

Commissioner Mourdock: When the initial contract document was done, that was specified as to how many final copies they would issue. That was part of the consideration.

President Jerrel: Anyway, we just need to plan that out so we don't leave any of it undone.

Commissioner Tuley: The person with the purse strings has to be involved.

Commissioner Mourdock: Right and going back to what I said a moment ago, might it even be possible before we hear what the recommendations are on the facility side, is it possible that each of us as early as next week could define what part of the pie we want to grapple with, or do we want to get that information and wait another week? Are we going to hear anything next week that's going to change what our particular interest is in this problem so that we couldn't state those at the end of next week and then roll out those following meetings with a report on each of those functions? Maybe we need the week to think about it. It doesn't matter.

President Jerrel: I don't know. I mean, I don't know. I have some ideas and I know each one of you do.

Commissioner Tuley: I came in late in the process the last four weeks in which the meetings on facilities. I wasn't involved until that point, quite honestly. It would be hard for me to take any part of it, but at the same time, I really don't know what the final recommendation was because the day we did our last meeting I had to end up having to leave prior to.

Commissioner Mourdock: And I don't know what they are cause I haven't seen the recommendation side on facilities either. We can wait and get it next week, and digest it the following week, and on the 9th we will state our intentions.

President Jerrel: I was just kind of getting a feel for how you wanted to do things.

Commissioner Mourdock: Works for me.

Commissioner Tuley: I think you laid it out good.

President Jerrel: Alright, any other information to come before this board? Motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

CONSENT ITEMS:

Employment Changes:

Sheriff	Circuit Court	Health
Highway	County Council	WIC
Prosecutor	Superior Court	Knight Assessor
Treasurer	Burdette	

Travel Requests:

Engineering	County Assessor	Center Assessor
Health	Legal Aid Society	Auditor
Perry Assessor	Commissioners	

Weights & Measures:

Submit Monthly Report
Continuation of Lease Agreement

County Clerk:

Submit Monthly Report

Treasurer:

Submit Monthly Report

GIS Committee:

Submit Guide to Plat Map Conversion Process

Sheriff:

Submit Weekly Jail Reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Erik Bentle	Bill Shepler
Judge Carl Heldt	Judge Maurice O'Connor	Brad Ellsworth
Robert Martin	John Small	Sue Hanna
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
October 2, 2000**

The Board of Commissioners of Vanderburgh County met in session this 2nd day of October at 5:33 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Board of Commissioners to order, please. At this time I will introduce the people before you, and we will have the Pledge of Allegiance and then we will go directly to the jail report. Department Heads is that okay with you? At this time, I would like to present Tony Greubel is our Superintendent of County Buildings; next to him our County Attorney, Joe Harrison, Jr.; Commissioner Pat Tuley; Jane Laib, our Recording Secretary; Suzanne Crouch, the County Auditor; Richard Mourdock, County Commissioner; and my name is Bettye Lou Jerrel. Would you join me in the Pledge of Allegiance?

Pledge of Allegiance was given.

Approval of Minutes

President Jerrel: Those words are very appropriate for this evening. That is what we are here for. We are here to try and make the right decisions and we have a lot of decisions to make. At this time, I am going to ask, Bill are going to begin this portion? That's right, Julie. If you recall last week's meeting, Julie was unable to be here and she had done such a fine job of presenting her section of the Courts that she is going to do the highlighting of the Community Corrections for us and I appreciate her doing that. Thank you.

Commissioner Mourdock: As Julie walks to the microphone, I would like to just get one formality out of the way. I would move formal approval of the minutes of the September 25th meeting.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Julie Von Arx - PMSI Presentation on Jail Facilities

Julie Von Arx: I do want to apologize again to all of you for not being here but I had an illness in my family. I felt that I needed to be there. I realize that I need to keep my remarks brief tonight because there is going to be someone else up to the plate here, behind me, so I will try to highlight what I would have said last week had I been here. I would like to cover about four points. I believe you said in the minutes last week, 30, is that 30 minutes that you would like, do I have 30 minutes to?

President Jerrel: Whatever you need.

Julie Von Arx: Okay.

President Jerrel: It is important enough that we need to hear it.

Julie Von Arx: The four points that I think that I will cover rather than give you the full

blown presentation are the management and oversight of Community Corrections. The second one would be the funding of Community Corrections. Third, who should run the program and four, what immediate things need to happen with offenders currently in the program. I would like to, I know a list of names and people were thanked last week in my absence and I won't run through those again but I do want to thank Sheriff Ellsworth and his staff. They were very open and cooperative and even gave me an office at the Safe House. So, I appreciated the fact that I was able to come and go as I pleased and the rest of the staff was told to cooperate with me and they did. I have to tell you about my own perspective and I am rather a Community Corrections purist at heart. I worked, myself, with a very strong Community Corrections Board, an 18 member board, and from that experience realized the synergy and collaborative effort that is needed in running a successful program. All of the members of that board, other than all of the key players in the criminal justice system, they're key community leaders that are appointed, and the Circuit Court Judge also has some appointing abilities. So, it is not just the criminal justice players that bring something of importance to the table. Business leaders, lay persons within the community, all brought to the table their own experiences and their own frame of reference and from that board some wonderful things occurred. Electronic monitoring was born in the state of Indiana from a Community Corrections Board and I think had not all of those players been sitting at the table and had they not gone to the Department of Corrections with me that idea would have never been sold. I will tell you at the time that I went to the Department of Corrections with that idea, I was told that it was George Orwellian and that it would never work and who was I to think that the state of Indiana was ready for something like electronic monitoring. But, the Prosecutor and the Mayor and several community players went to the Department of Corrections with me and had I not had that kind of support, a program that is nationally recognized now, would not have occurred here in this state. At the time that we started that program, it was only, I think, the third in the nation. Some of the other experiences, I think, that an advisory board is able to allow happen is that a forum is provided where things can be discussed that may not even have anything to do with a Community Corrections programs that you are operating and running. It is probably one of the best places for this jail overcrowding communication to continue with all of the key players in the criminal justice system. Hopefully, community people will be participating here. I do feel that the, you as Commissioners, made a very wise decision in giving the directorship to the Sheriff and, I am going to show my age here, but I know that I felt as a director, like that entertainer on Ed Sullivan that used to put the plates on those wooden poles and they would spin them and they would go down the line and they'd continue to try to keep the plate spinning. A director worth their salt is going to keep those plates spinning and they are going to use those experiences of those board members and do something with them. I don't think that there is anyone in this county that is probably better positioned or is more capable than Sheriff Ellsworth to do that. I do believe that he is a consensus builder and will be able to take those people's experiences and help direct and guide the rest of the program. The second issue, of funding, I know that there has been a lot of discussion over the years about the fact that Judge Miller was very innovative in beginning this program and Vanderburgh County has been penalized because of his progressiveness. He did an excellent job of marketing the program and because of the excellent job he did, the county funded most of the program over the years. But, I have reviewed some startling information about what is happening in the rest of the state and it is very bothersome to me. The average state support per felon in the entire state is the amount is \$1,229.00. Can you guess which county is getting the lowest support per felon in the entire state? It is Vanderburgh. That is at \$136.00 per felon. The highest support per felon in the state is over \$ 14,000.00 and that is in Blackford

County. You compare that cost with the average cost per felon in an adult state correctional facility, that cost is \$20,483.00. I would say that the Indiana Department of Corrections in this state is getting their bang for the buck from Vanderburgh County. I think it is time that the citizens of Vanderburgh County, and you as key job holders that can impact the situation, it is time that they begin contributing their fair share of what is owed to Vanderburgh County. If not for this program, I know on the day that I did a snap shot of the program, there were 355 participants in Community Corrections and that is just work release and home detention. Those 355 people would have been in prison. I can't and am not that great at math, but the thousands of dollars, probably millions of dollars that the state would be spending on those particular individuals is very apparent to me. In looking at the snapshot and the types of people that are participating in Community Corrections, and again, I would like to make some recommendations for improvement. I did recommend that a risk instrument be used in, again, in looking at the types of people that are participating, the average length of sentence for a participant in Community Corrections in Vanderburgh County is a four year sentence. In Marion County, the average, and I am talking about the average sentence, is a year to 18 months. I think that speaks to the type of felon that is participating in community supervision in this community. I am not suggesting that a four year sentence is not appropriate for community placement, but when you place the majority of your offenders in a community corrections program or is serving that length of sentence, there is a higher risk type of individual that Vanderburgh County is serving in a community setting. That is why it is very important, I think, that some immediate concerns be addressed. I think that the Sheriff has done an exemplary job in the last year of attempting to strengthen the program and deal with some security issues. But, I would make a few more recommendations. The risk instrument that I suggested be used would be for placement and for classification. I would suggest that this would be used prior to placement and be a part of the pre-sentence investigation or it could even be a one page memo that informs the court of the results of that risk instrument. Marion County, Johnson County, Hamilton County all do something similar to this. It has not slowed the sentencing phase at all, and I would not be suggesting something like that realizing the impact on the jail. Since I did do the previous presentation, I think that you realize that I know when things move slowly how that impacts the jail. I have seen this, I have used it, it will not slow things down. Not only will that provide a court with more information prior to sentencing, I am not suggesting for a second that we try to limit the options available for a judge, I am only suggesting that we give them more information. I do think that community corrections professionals should be positioned to know, in terms of that risk instrument, what type of program that the person best fits into. Not everybody coming into the program needs to be in work release, not everybody needs to be in home detention. That risk instrument can guide and direct where that individual needs to be placed. Some of the other immediate things that I felt needed to happen with the offenders currently in the program, I addressed electronic monitoring and the fact that the passes should be abolished. I have already spoken to you about the risk factor of the people that are currently in the program. Realizing that those people would be in prison if not for this program, they have no business, in my opinion, if they are on electronic monitoring running around in the community free for a weekend. It should not be done. I have had conversations with other Community Corrections directors who knew that I was in Vanderburgh County and helping you with Community Corrections and they wanted me to know that they have not transferred people's supervision here when a person lives here but they happen to be arrested somewhere else. They didn't transfer them here because they don't, they agree with me that the policy of letting people free on the weekends should not occur. Particularly with the types of people that we are serving here. I also recommended that field visits needed to occur

immediately with electronic monitoring. Electronic monitoring was never meant to be the sole supervision for any individual. It only provides information. That information is only as good as what we human beings do with it. I think, to think of it in another way, and this is certainly not a criticism of the jail here, this happens in jails across the country but inmates do get contraband into jails. They have bars, they are maximum secure settings, they have cameras, they have trained correctional officers and they still do things that break the rules. We are taking high level felons and putting them in their homes and not having anyone visit them. They can still use alcohol, they can still use drugs, they can possess weapons, and I just think that we need to do something about that immediately. I have spoken with the sheriff about that and he has plans to use case managers to do that, but I do feel that it is very important that those case managers and those field visits, that is not an 8 to 4 job. People are not breaking rules and being out of their homes between the hours of 8 and 4, as a general rule. I have hit the high points and I guess the last thing that I want to hit leave you with is I don't want to go through the whole thing again and bore you with duplication, but I realize that we need to deal with treatment and education issues here but it was my belief that there was enough security issues that need to be dealt with and public safety issues, that treatment issues have to come second. When public safety is at risk, which I think in some of these areas it is, we have to tighten those things up first. I would strongly recommend that the board begin meeting weekly and taking, weekly excuse me, monthly and being taking a look at these recommendations and acting on them immediately.

President Jerrel: I have a question. Do you have any recommendations, the board is a board that is identified in the statutes for certain categories. In some cases, lay people are not comfortable How do you suggest that the people that are on there can use their talents? What did you do to help them get over that initial feeling and empower them?

Julie Von Arx: I would conduct an orientation where materials are collected about different things that the board is doing and try to match the talents and the expertise and the experience of the individual with some of the things that the board is wanting to do, even hook them up with another board member. A lot of it is just communication and awareness, and I think that the sheriff is very capable of doing that.

President Jerrel: Because that board, as it functions now, generally meets...sometimes doesn't have a quorum and doesn't seem to have a good understanding as to what their mission is.

Julie Von Arx: I think that the statute does provide, or maybe I am thinking of an ordinance or by-law of my own board, so I will have to research this for you. But, several boards throughout the state, if board members are not showing up, if they miss three meetings they are off of the board. I would suggest that if that is not part of the statute that there be an enabling ordinance. You do bring up a very good point, and I think it is very important for the appointing authorities to talk to the people prior to appointing them.

Commissioner Mourdock: Julie, I have a couple of questions. First question I am going to kind of refer to the judges though and I defer it and I suspect that they are waiting for this. Last week, they asked specifically on your recommendations regarding how the pre-sentencing process and risk instrument would be used and there were some comments and concerns from them that they thought that might actually slow down the system. So, they can put that question into better words than

I can. I will let them ponder that for a moment. While they are pondering that, my second question is, in referencing the fact that all other counties in the state are averaging \$ 1,229.00 per felon and we are getting a \$136.00, how do we reach equality or at least some level of fairness there? What does that take?

Julie Von Arx: I am sorry that I skipped right over that recommendation, I'm sorry. We have had preliminary discussions with the Department of Corrections and I think that they recognize that there is a different environment here now and I do believe that if they felt the grant could be rewritten and possibly the program be reorganized and new programming asked for, that additional funds could be found. That is preliminarily what they have told me. I will tell you that in receiving a study that was completed by the Legislative Services Agency over this past summer, there was identified \$ 4,700,000.00 of unspent of balances in Community Corrections and I am so glad that you brought this up again because it is the most significant thing that I meant to tell you and that is that I think the grant needs to be written immediately, rewritten immediately, because of those funds being identified. The rest of the state is aware that \$4,700,000.00 is sitting there, but I am hopeful because we have already started talking with the Department of Corrections that and they have had ongoing discussions with the sheriff, that they realize that this is something that is very important to Vanderburgh County.

President Jerrel: I did give testimony to and our budgets to Dr. Smith and I will read you this one little paragraph but I did say that, "Vanderburgh County has one of the largest Community Corrections populations in the state and Vanderburgh County diverts more people from DOC incarceration than any other county in the state and receives less money." I am asking them for help in giving us some statutory relief or in house relief. That was the message and I am going back next Thursday to testify because now what they are doing is committees are meeting now in preparation for the bi-annual budget and they are holding hearings on these issues and Vernon Smith is the representative that deals with that and Dr. Smith was accepting that kind of information. Next week, Chief Justice Shepherd is going to appear and ask for technology money to improve...so that the judges and the prosecutors and everybody in the sheriff's department can get information to make their decision making easier and that he is asking that the money be shared with the counties, that is a new twist.

Julie Von Arx: Good.

President Jerrel: So I , he asked that I go and testify as a County Commissioner so we are going after money on all of those fronts.

Julie Von Arx: I know that (inaudible) is expecting, I think, to hear from you about this issue. I don't know if anyone else had any questions.

President Jerrel: Is there anyone in the audience that would like to ask Julie questions of any of the comments she made? Yes.

Jeff Korb: My name is Jeff Korb. Julie, as an employer that works with Safe House people, my question is that you are recommending in doing away with weekend passes for the house arrest people, but the way the Safe House works is when you get up to Phase 1, Phase 2 and Phase 3, then you get your passes. They live and die for those passes. Those people would be more at risk than your house arrest people because they go from Phase 3 to house arrest generally but on Phase 3, they are starting at 6:00 on Saturday. If they are given the weekend passes, it starts

at 6:00 a.m. and they don't have to report back until the end of work on Monday afternoon whenever they are finished. Would you then also recommend that they do away with those type of weekend passes for the people who are still in the Safe House?

Julie Von Arx: Actually, I didn't run through all of my recommendations but let me see if I can find it specifically. I suggested that the Phasing be totally abolished because I could not find any protocol or any reason why anybody was moving from one phase to another other than the fact that they had simply completed so much of their sentence and to me, that is a ridiculous reason to move onto another phase.

Jeff Korb: I didn't see that in your recommendations, the phasing out.

Julie Von Arx: Yeah. I have suggested then that the risk needs instrument be used for classification placement and assessment as to when someone moves onto another phase. I didn't address the weekend passes because the Department of Corrections, at one time, gave passes in work release. Am I supposed to talk into the microphone?

President Jerrel: Well, she can get it.

Julie Von Arx: Most counties don't do that. From my own experience, one of the reasons that I didn't say that the work release should be abolished is that I realize it is a management tool with the offenders and it is valuable. However, I still really don't like them.

Jeff Korb: We have had some good successes and miserable failures, and I just know that it is a carrot for behavior modifications for weekend passes.

Julie Von Arx: I think that it is something that the board really needs to look at.

Commissioner Tuley: Could we interrupt? Jeff, could you come back up to the mike. You have a dialogue and we need to pick you up. Oh, you've got a dialogue.

Jeff Korb: Nice job, Pat.

Commissioner Mourdock: I would like to roll that question back out to the judges, if you think?

Commissioner Tuley: Can we clarify something though for a second? I thought that I had heard you say that you recommend doing away with the phasing programs and then I thought that you turned around a couple of minutes later and said-

Julie Von Arx: The risk management.

Commissioner Tuley: The risk management would be a tool to assess that phasing program. So, I am confused.

Julie Von Arx: Maybe I should state it in a better way. The way the phases work now being based only upon length of time someone has spent in a particular program, that shouldn't happen any longer. The risk assessment tool should be used to determine when they should move on.

Commissioner Tuley: The phasing you don't really have a problem with, it's the manner in which is determined is what your problem is?

Julie Von Arx: Right.

Commissioner Tuley: Gotcha.

Julie Von Arx: Sorry about that.

Commissioner Mourdock: The local definition, in a sense, it is a local definition of phasing meaning simply-

Julie Von Arx: Right.

Commissioner Mourdock: Going back to Judge Heldt, Judge Bower and, I think, Judge Trockman is there somewhere...you don't have to stick to this question, obviously, Carl. Any questions on any of them are fine.

Carl Heldt: Carl Heldt, Circuit Court. The problem I had last week was when you were talking about a screening committee. I could just see a committee having to meet every week and go through all of the plea agreements and pre-sentences and make recommendations. If what she is talking about is a risk assessment and it is going to provide more information in the pre-sentence phase, then I am all for that. Especially with her guarantee that it isn't going to delay any of them.

Julie Von Arx: Well, it hasn't. Typically, how this works is that when a probation officer is completing the pre-sentence and that person is eligible for Community Corrections and Community Corrections is then notified and during the time the probation officer is preparing the pre-sentence, Community Corrections is also doing their screening so all of that is taking place all at the same time, so it should not slow anything down.

Commissioner Mourdock: Okay.

Julie Von Arx: Does that make sense?

Commissioner Tuley: I want to point to the aspect of it, the classification of it. It is kind of a question for the judges, the prosecutor and what have you. We have heard several times throughout this process that the number of people that we have kept in jail which look like petty offenses, but they are up there because of their continued failure to appear in court. We have heard the law enforcement agencies say that they have picked this guy up and he goes and gets released and all of a sudden he is picked up again on a failure to appear warrant, and it just goes over and over. How much is that taken into consideration when trying to determine if a person is right for Community Corrections? If they can't even show up at court, an appointed time and place, what makes us believe for any reason that they are going to go out there and do what they are supposed to do?

Julie Von Arx: That is a very good question and that is taken care of and considered in the risk instrument. If they have had priors, if they have had failure to appear, if they have had unsuccessful completions on probation prior to being referred to Community Corrections, all of those things are looked at in the risk instrument.

President Jerrel: Did anyone else in the back? I saw a hand go up.

Sheriff Ellsworth: My question was the same as Mr. Korb's because you are making some people in the back sick. I would appreciate it or maybe it's because of the heat in the room. The question I had or at least the clarification and my point is, it is not based solely on time. Somebody correct me if I am wrong, that carrot that we are dangling out in front has also at least been...people have been bounced back and forth too, back and forth between phases based on dirty drops, failing to report back. So there is some of that carrot punishment thing along with the phase so it is not strictly according to the sentence. So, even though the basic is that if they go through and don't make any waves at all that it would be based on time. So, there are, although we do need a better handle on some of that, then there are a few back and forth (inaudible).

Julie Von Arx: What you said is legitimate, however, there is nothing in writing. There is no protocols and, again, I haven't gone through my whole presentation but I addressed in the final report all of those things need to be written and approved by the advisory board. I asked the question about what constitutes the successful moving into another phase and nobody could answer me. I had a memo that was several years old, and nobody could tell me, with me holding it and reading it, that no one could tell me what I was reading. I agree that is the overriding sense of what needs to happen, but it needs to be approved by the board and in writing. One thing though that I wanted to address that I am concerned for in terms of liability for the county is, and probably an attorney needs to speak to this and not I, but this was always how we felt about it in Marion County. If you are moving someone from a more restrictive environment, like work release, and moving them into home detention, that's one thing. But if you are, as a correction practitioner, are going to move that person from a less restrictive environment to a more restrictive environment, back to work release let's say, you are restricting some of their liberties and their freedom of movement and to do that without a court hearing, I wouldn't do that and I think that is occurring here.

President Jerrel: That's a new wrinkle.

Julie Von Arx: Liability wise, that's bothersome.

Commissioner Mourdock: Julie has, I think, given us a good report here, and obviously we did have a fairly extensive discussion last week, but you know the microphone is open, and I am particularly curious to hear from anyone who feels that in this process that your toes or otherwise are being stepped on, or if you feel that comparing our jurisdiction verses Marion County or anyone else is not the right way to do this. I would love to hear those comments at this point. If there is anything that she has said or laid out in front of us that you ardently disagree with, the microphone is yours. Seriously, I address that to no one in particular, but like I said, there are a lot of people here directly involved with the process that this is your chance for some input.

Richard Helzerman: My name is Richard Helzerman. I believe in my discussions with the community or the parole officers, they feel that they have way too heavy of a burden. They recommend themselves that they have a caseload of 50 and they currently have a case load of about 200. We have a case right this weekend, Larry Wilson, who was the first...the first time I came I presented his case to you, he spent a year in your jail and he spent most of last year in your jail when it was 400 overcrowded, and he spent most of this year in the state jail. He was released on probation and this is his fifth week out. Okay, now the first four weeks, they visit with them once a week to make sure that everything is going smoothly and it was. I talked

with his wife, I talked with his kids and he was coming to church and all these things he was doing. Everybody thought that he was completely better and he had a job and was attending it. Then Friday night he robs, or he alleges to rob, the Esquire Motel. He just went from weekly meetings to every two weeks meetings and something snapped there. The cost, you know like she is giving you these costs numbers, the cost, even if you have to pay all of the cost, you are now paying \$25.00 a day to keep him in your jail until he can be shipped back. It costs a lot less to have him under supervision even if you have to hire ten more parole officers. I don't know how many she is recommending but it is good. You only have so much money to spend and if you spend more in this way, you save more money the other way.

President Jerrel: Anybody else? Alright we are going to move onto the facilities section then.

Commissioner Mourdock: Just one second, before you start, Bill. We are going to change the tape.

Tape Change

Bill Shepler: Good evening. I'm Bill Shepler with Project Management Services. The good part is, this is the last one of the short meetings, and the bad news is, your job has really just begun. Before I get started again, I do have to, again, thank a number of people who were involved in the facilities part of this. Pat Tuley and Jim Raben, Sheriff Brad Ellsworth and Eric Williams, the Judges: Scott Bowers, Judge Knight, Judge Heldt, Stan Levco, Joe Reed, Steve Utley and Howard Steen, did I say that right? Were very gracious and helped us out through the process of looking at that. We organized that group into a couple of areas to specifically look at several concerns or needs that were in Vanderburgh County. Our objective was to begin to look at what type of services does Vanderburgh County need long term in this County. We were trying to look out 20 years. Our crystal ball gets a little fuzzy at 20 years, but I think we can get a fairly good handle on five years and into ten years and then you make allowances for if you're wrong out there into 20 years. So we looked at the jail, the juvenile needs, community corrections including home detention, day reporting, work release, and what we were trying to determine is how many adults and juveniles are we going to serve? And when I say that, I mean, how many beds are we going to provide for each of those areas. And then, also, we kicked around and tried to explore maybe what the level of community support is for this kind of thing. So we spent some time working through those and we came up with a number of recommendations that we'd like to present and I am just going to start with those. The first recommendation, Project Management Services recommends that Vanderburgh County Commissioners find a new home for the Vanderburgh County community corrections program. The current facility should remain in operation until a new facility is developed. You can't do that without making a couple of comments on it. I think the public perception of that facility is it's unsafe and probably condemnable. That is a perception and it's not really reality, but I think as long as the county continues to use that facility, that perception is going to be out there and you're going to subject the county to potential liability challenges just from that perception alone. You have spent a considerable amount of money in fixing that over the last few weeks when, in fact, about the time we started out there and that piggybacks with a fairly long history of spending money on that facility. I think the bottom line is, as long as that facility continues in use, those kind of dollars and going to be there and as the facility gets more use and grows older, I think the magnitude of that is going to also increase. The staffing costs associated with operating that facility are quite high. It's spread out, you've got people a lot of places. I think if any

new facility is designed where security and supervision is an element is the design, will inherently tend to lower your cost of operation, so we think that's a key part to that and operation is roughly everything when it comes to these kinds of things. That's the one that goes on forever and ever. You had an engineering report done and there were several code issues that was outlined in that relating to safety and that. Sheriff Ellsworth brought in all the local people, fire marshals, and many of those concerns weren't shared with the local inspectors that some of these that popped up in the engineering report, but again, the facility is older. Some of those issues, you're grandfathered in, you're not required to meet those. But I think there is a perception when you incarcerate or reduce people's freedom and you're in a facility that it's an old timber structure that possible things like health and safety might be viewed by the public. There is a reasonable expectation that when I am put in that kind of facility I am safe, and I am not subject to those kinds of issues. And again, I am not saying that facility is about to fall down. It's not. It's a sound facility. It's just not appropriate for the use it's being used for. The second recommendation, PMSI recommends that the Vanderburgh County Commissioners consider an alternate use to the current county jail. The current facility should remain in operation until a suitable location is found for a new facility and a new facility is developed. A remodel of the current facility to bring it into compliance with current standards and codes would be difficult and costly. It's not impossible, but, and the effect of that would probably reduce your capacity by one half of its current capacity. The Indiana State Department of Corrections has jurisdiction over Indiana jails and they look at these under the ACA codes, American Correction Association codes and standards which the state has adopted. And any time you look in an existing facility, you need to begin to test that facility against those codes and recommendations to see how it stacks up. I'm not going to give you an exhaustive list but I am going to highlight on a couple of areas. One of the primary functions as you look at a new facility, the state asks you to design a facility that enhances or promotes interaction in the facility. That means interaction between staff and inmates. You can't put them behind the door, lock them up and leave them there any longer. Your particular jail is nearly impossible for that to happen and there is not much you can do with the configuration that would promote that. In fact, the current facility restricts that interaction. Because of the layout and the code issues of the way that it is, is also very staff intensive. Again, just a number you stick in the back of your head, if you look at the cost of a facility over 15 to 20 years and you take into account the operational cost, the maintenance cost and the building cost, over that 20 years, roughly 80% of that is spent in people, staff. So in the process of reworking jails and these areas, if you can reduce one 24-hour staff person which generally saves you five salaries We've effected that is \$100,000 a year. That's something you pay from now on through...as long as you operate. So it's very important we do that. The second point is none of the current cells meet the square footage for single occupancy cells and some of these you've got two people in so they don't even come close to two people. Those changes cannot come about without some pretty extensive structural changes and when that comes, it comes back to the loss of total beds again. The present day rooms are not large enough to meet the rated capacity of the jail as it stands. If you were going to try to begin to change that and up the rated capacity in those day rooms, that means you have to add more showers and you're already delinquent or not in compliance with that, and there just isn't enough even seats in some of these day rooms for people to sit at the table so you have people sitting on the floors, you have people sleeping on the floor or in the catwalks. Anything you do to this is just going to further exacerbate that shortage. Visitation, right now, takes place in the corridors. There's a couple of problems with that and one is you are inviting outsiders into the secure perimeter of the building which is a problem. We talked about contraband earlier. That provides the opportunity for contraband to find its way into the jail and it also puts staff and

visitors at a security risk. So at the time they're visiting, there's a lot of people moving around who may take advantage of that. The current outside recreation does meet your square footage but you have one of them so everybody who goes to recreation, and should be going there once a day, has to be moved from the second floor to that floor or the top floor down and with the current location, it's just a tremendous amount of inmate movement within the facility which, guess what? Takes staff. So those are some of the reasons we think are areas that need to be looked at and why this facility may not be appropriate to continue use without a major remodel. Consequently, it costs you a lot more to operate. In addition to the code issues, the Indiana State Jail Inspector comes and visits your jail twice a year and he does a bi-annual inspection. As we look through those, there are several things that came up that I just want to bring to your attention that showed up in every report over the last few years. Item number one, overcrowding is so severe, at times, as to practically make the staff unsafe and generally inhumane for inmates. Inmates are being housed in day rooms and adjacent walkways. This is from the State Department of Corrections: We do not recommend continued use of this jail under its overcrowded conditions. The second comment that showed up is visitation facilities are inadequate. The third point is ventilation appears to be inadequate. Fans are placed in corridors and catwalks to aid in the circulation. The fourth item is proper inmate classification, and Julie talked about that. I know it was the Safe House, but it is the same issue. Proper inmate classification is impossible. Those are just four items that have shown up in numerous jail reports. A more practical matter, the current facility does not have enough space for law enforcement areas or additional law enforcement areas. It doesn't have enough space for the medical services. It has no space whatsoever for video visitation or video arraignment which would help some of that movement we talked about. There is inadequate space for attorney rooms and public defender meetings and the intake and booking is just not only totally inadequate, but it's unsafe. The bottom line to this is we recognize and recommend that both of these facilities need to remain open and operational until a new change can be effected so you can't just say we're going to stop painting or fixing or we've got a leak, we're not going to fix that. That has to continue, but we do recommend no major renovation undertaking because once you open that door, you open your door to reduction of the capacity. PMSI recommends that the Vanderburgh County Commissioners consider the development of three new detention facilities. Those facilities are a 500 bed jail and law enforcement center with future expansion capacity for an additional 200 beds. I'll stop there just a second. I make that recommendation with a caveat that the other recommendations that we have talked about are fulfilled and followed through on. This is a low number for this county. There are reasons that could be pushed up immediately on initial project. I don't think it's necessary. I think what we've started here can continue and I think a 500 bed will be adequate, but you can't just build 500 beds and say gee, bring them on, we're in good shape. That won't happen.

Commissioner Mourdock: Bill, excuse me, let me clarify. Your other recommendation, you're referring to the two others that are immediately below this on your page?

Bill Shepler: Right. Okay, the second one of that is, we recommend that the community corrections facility with a 250 bed work release unit be constructed and within that there should be space available for other things such as adult and juvenile needs for home detention, community service, day reporting, and we think that this facility ought to be chosen so that it has at least an expand ability of an additional 50 beds. The third recommendation is that a 24 bed juvenile detention with future expansion of 24 additional beds be considered. We think all these projects should

be planned, designed and constructed in accordance with our facility program that we've developed and that they have to be compliance with all the appropriate state and national standards, ACA standards, local and those kinds of things. The next recommendation PMSI makes is PMSI recommends that the Vanderburgh County Commissioners develop an implementation plan -- hey, I said that! -- to put into place the recommendations. This process needs to take into account such things as site analysis, different options of phasing or scheduling, how projects are financed. The implementation plan could commence with finally going out for an RFP or a request for design services. I am going to illustrate that for you here a second. We did this in our meeting and I want to give you kind of what I mean by that. Let's see if I can do this without ripping it off. I am going to move over there again in a second. The board represents several things. The upper is a jail, down on this side is community corrections and down over on this side is juvenile. In all of these facilities, it's made up of a number of different parts. Housing, which is the dark blue. Wherever you see dark blue we have beds. The green represents administrative space. The red represents support space. That's such things as kitchens, laundry facilities, storage areas, those kinds of -- mechanical and electrical rooms. In two facilities you really have an intake which is the gray, jail intake and down in the juvenile. And the white represents that future piece I talked about and, I think, as you look at all of these and consider what we might do in this county, all of those pieces have to be taken into account. As you begin to consider what the needs are of those kinds of facilities, a couple of things, at least, jump into my mind is that could be a lot of space. I've heard over and over again that we want to keep the jail downtown, and we want to keep it close to the courts, and there is a requirement of so much acreage to be able to do that. When you begin to think about well, jail and community corrections ought to be there together, then that takes more space. Then when you think, well, we can save some money if we move the jail, community corrections and juvenile together. If it was as simple as you guys saying what is the cheapest thing to do, that answer is easy. The cheapest thing is to build all those facilities at one time on one location. That will save you cost. It will save you staffing. But that's not necessarily the right answer and that is what you have got to begin to look through as you go through this implementation plan and you've got to begin to test that. I don't know whether you can pick this up, but if you can pick this up, if you said the jail was going to be here and you wanted to put community corrections with it, and you begin to say okay, I want to move these pieces up here and maybe put community corrections there and I am going to have some extra support space and (inaudible) administration. Okay, now I've got the jail and community corrections there together but I still have to deal with this. You can't put yourself back in the position you're in right now where the only solution is go do something else. So whatever solution you gotta do, you gotta handle that figure space. By moving these together, I saved this much square footage in the building because I don't have to duplicate a kitchen. I don't have to duplicate several facilities that would be in this jail so I end up down here with some more. But as we talk about, maybe, we want to put juvenile in with it. Some of that might start to look like that again, and I am not designing this. Got a couple architects out there so please don't pick on me, but we might begin to look something like this when we get those pieces put together. But again, I've got to get this piece back in here and then again, I end up with some savings in here. So there's a lot of discussion that needs to go on in this implementation plan. Where is the right place to be? Is there enough square footage to do that together? Is the land where we would like to be so expensive that it makes other ideas palatable? I don't know what all the answers are to those things right now, but that's part of the process of looking through this implementation plan. How are we going to finance this thing? Does it makes sense to finance it all at once or in phases? You didn't, several years ago when Vanderburgh County decided to pave all the roads, they didn't get them all

paved the first year. So they put together a plan to pave roads and upgrade roads and they had to upgrade some do those kind of things. That's kind of the same approach I am suggesting here. You've got to put together a plan that carries you through this process on that. The cheapest answer is easy. Put them all together and you'll save operation costs, you'll save financing costs, you'll save construction costs, but that doesn't mean that's the right answer here. We felt very strongly that we couldn't come back and say build a new jail out here and do that because we don't have those answers. That's going to come together in a series of other discussions. So does that make sense? I mean, that's oversimplification of graphics and I hate to get too much into doing more than that. My friends in the back row who do drawing for a living kind of get upset. Our next recommendation was that PMSI recommends that the Vanderburgh County Commissioners remain in the lead of the oversight and implementation of this final recommendation. We believe that it's critical to effect change for that to happen, and this action will allow the Commissioners and the Council, the citizens out here to understand the magnitude of the kind of recommendations we're involved in here and what the impact is on the community. So we think that's very important the Commissioners remain at the top of this thing. I'll quit there and ask to take questions, if anyone has them.

Commissioner Tuley: I was involved in that discussion so...

President Jerrel: Richard, do you have any questions?

Commissioner Mourdock: Yeah, define, if you will again, your initial recommendation for the jail is 500 beds with the capability of adding an additional 200?

Bill Shepler: Two hundred beds taking you to seven hundred beds.

Commissioner Mourdock: You said at the outset that your crystal ball gets a little foggy after ten years but you're trying to look out 20 years. Explain again why then, if we're presently – for our average as it is today or at this moment, I think, we've got 315 or something like that in jail. Five hundred does not seem unrealistically high to me, even to be sufficient for 20 years. Define a little bit more how you chose 500.

Bill Shepler: There are a couple of things that come into play. We start, the state gives us a rule of thumb to deal with. The State Department of Corrections, when we take a project to review, they typically say that they would like to see a county build three beds per thousand population. In counties where there are major universities, and I think when you combine USI and what the capability of USI seems to be in the future and Evansville University, they recommend four beds per thousand.

Commissioner Mourdock: I suddenly remember a conversation we had in this room a few weeks ago on housing under USI and why people didn't want that.

Bill Shepler: So, now you know why they don't want it. But the thing is, and Julie alluded to in her first presentation several factors, you have no factors that are going down. Unfortunately, all your factors are pointing in an upward direction. There's a couple that really alarm me.

President Jerrel: Well, go over some of the factors.

Bill Shepler: And I didn't bring all those, but one that really alarms me is people talk about warrants. Your warrants for felony cases have gone from – give me a number back there – 190 in 1990, failure to appears for warrants for felony cases have gone

from like 190 to over 700. These are people who ought to be in jail. These are the bad guys.

Commissioner Mourdock: And this is a cumulative total or on a per year average?

Bill Shepler: No, I mean, in 1990 I think there were like 190 and last year there were 700. Your county population is increasing about – I am going to say 2/10ths of a percent a year.

President Jerrel: Very slow.

Bill Shepler: Very little, but most of the different issues – Julie, the one that Judge Heldt just gave us – yeah, I really ought to let Judge Heldt speak to these because it says some of these things in the report but he did a little bit more research and sent it to us this week. Vanderburgh County, and this is a comparison of felony filings to jail capacity throughout the state, he did 92 counties. He worked hard, where is he at? He worked hard. Vanderburgh County is 80th in the 92 counties in beds provided per felony filing, so we're kind of at the bottom. Six out of six of the most populous counties in beds per felony filing, so of the six larger counties, we're at the bottom of that, too. Ninth out of ten of the most populous counties of – excuse me, I didn't read that right. Six out of six of the most populous counties in jail beds provided per filing. So that's how many beds we have. And we're ninth out of ten of the most populous counties in jail beds provided for felony filing. We're ninth out of eleven counties filing over 1000 felonies per year and beds provided, and we have the ninth oldest jail in the state and that will soon be the seventh because there is a couple under construction coming on line. So in filings for this – this is just kind of a different way of saying that you are short beds and...

Commissioner Mourdock: In my own mind, I guess, I've passed that threshold. I understand we're short beds. Even though you gave the statistics that the state looks at, you said they're looking at three per thousand to population or in college towns four per thousand. That's at the static rate. So today, if our population is –

Bill Shepler: And what I have done is I have tried to look at your population in 20 years and use that. A couple of things that you need to understand about this recommendation, first off, whatever you do first in this area and in this area and in this area, when you design a building, you want to design that for the ultimate capacity. So you want your intake big enough to handle the 700. You want the kitchen big enough to handle the 700. You don't want to come in and remodel internally to the building. And in the blue areas, you want to create all the maximum detention that you're probably going to need out at the 700 range. So when you come in to do that next piece, then you're strictly adding beds and, hopefully, at that time, you're adding dormitory space which will be cheaper and it will be easier to bring that about. So you want to do each one of these so that you're not internally remodeling those.

President Jerrel: That brings a question to mind. We've been told in the past that our facility is a maximum security facility. Is that typically what people are building since they are primarily pre-detainee jails?

Commissioner Mourdock: And just to follow up with that, if you've got 500 beds, do all 500 of them need to be maximum or is there some ratio as to what needs to be maximum?

Bill Shepler: To answer your question, no. That is not and that will be part of the design process to decide what that is. You typically will try to do as many as you can for that 700 range. But you will have some maximum security, you will have some medium security and you will have some dormitory space probably in that initial area. Another question you asked, and I didn't quite get there on, is why the 500? As you begin to look at the jail design, there is kind of a number that you get into that is an efficient pod where one person can watch so many people. When you get to 200 people around a central control area it tends, without going – and I am thinking of being two levels in those cells pods – that control room gets long and narrow and it gets less effective. So 175 to 150 people is kind of the better number, that means you've got around – that means you've got one person watching 150 people. It's still a lot of people being watched by one person but that seems to be, in most cases, the kind of denominator so as you begin to look at that. That takes you to three pods and takes you to the 500 number which I think you can do initially.

Commissioner Mourdock: Okay, well let me just add my observation in before we go back to Bettye Lou's question about security and if there is a ratio we need to look at, but – and don't get me wrong, I don't want to build a jail that has one bed more than we need in it – but when I hear that the rule is three per thousand, given our current population, current, that's 510, and that's, I mean, if we're talking about some plus factor because of the universities, maybe four to one is right, so it seems to me even at 510, that deals with today, that just gets us to today.

Bill Shepler: And that's why I am saying that you need to continue what the other recommendations are. Without that, we think you need to be at least 600 initially. But to move you to 600 will add a full pod in that design and I just think that's too big of a jump at this point in time.

Commissioner Tuley: Bill, just for clarification, you know, Joe pointed out, what you're talking about when you say these other things, its maintaining at least the 225 that we currently, basically, use in community corrections and if we would decide to downscale that program then, obviously, the jail size is going to have to go up.

Bill Shepler: That's correct.

Commissioner Tuley: So it's taking all those things into consideration. And we were trying to determine what you need in terms of a jail and, sheriff or chief, or any of you back there, you remember that exercise we went through, again, in Colorado where we were given a scenario? There were six teams in there all given the same amount of money and trying to give you some historical data and what have you, and each one of us tried to come up with what we felt was right and it's going to take somebody with some really good insight and capability to look at some numbers to come up with that design and how that's going to be in terms of how many maximum security and minimal security and all this kind of stuff and keeping these stakeholders all involved in this process is going to be an integral part of whatever we come out with there and making sure that is going to work and is going to last us that 20 years.

Bill Shepler: And there isn't a magical number. I mean, you can't go through the state and say, okay, I've got this many at max and I've got this many at minimum. It really depends on the kind of people that you're serving here and a lot has to do with what the sheriff and how the sheriff wants to run the facility. As they were in Colorado, they heard a lot about different kinds of supervision. Direct supervision versus indirect supervision. Right now I've kind of looked at this as indirect supervision where you've got one guy watching a hundred people. In direct supervision, when

you go to that concept, you probably get down to one guy dealing with 50 people so that affects the amount of staffing. Ultimately, it will probably be a combination of some of those things. But it is a process that we need to go through with the sheriff and his staff, with the commissioners, with the judges, and come up with what we think is right. But ultimately, I think that first step should contain all the maximum security because that's the tough part. That's the part you don't want to redo and as you grow. Try to look at more of the minimum security area.

Commissioner Mourdock: On your projected cost on the last page, without getting into a lot of the specifics, was that meant to include the real estate?

Bill Shepler: No, it was not. And that is kind of what we were talking about here, is that's part of the decision that you need to go through because I am obviously – it's intuitive that real estate downtown costs more than real estate out in the country. Well, maybe not. So that's part of the balancing act you've got to go through as you begin to develop that.

Commissioner Tuley: I know that you said at some point it's not for us really to tell you where you should build this jail, but you also said that you seem to think you have to build it downtown which I took the inference that maybe you don't know that downtown is the place it needs to go. I think, what comes to my mind is when we start thinking about this is the close proximity to the courts, the operational cost, obviously, is going to go way up, if the sheriff has to have additional people to keep moving these people five, ten or twenty miles, or whatever this may be, but can some of that be offset if we tried to move to some of this video arrangement and different things?

Bill Shepler: In our program, we're recommending that you consider video arraignment. We're also recommending at least put a small court in the facility.

President Jerrel: We're going to bring the judges to the jail?

Bill Shepler: Well, there's two reasons for doing that, a small court can be a high security. If you have a high security inmate that you need to deal with, then you can coral him and maintain him better there. What we've done in other places is actually put the video arraignment equipment sitting on the bench and if the judge is there, you set it aside and if you're being arraigned on video, then you're standing in front of a bench very much like you would be in court. In other counties, judges have worked a cycle where they would come out and do arraignments on Monday morning and work that in a process or send one of their magistrates out to do that. So there are a number of things you can do if it needs to get further out. Obviously, the further out you go, the more transportation costs the sheriff gets into. Just to give you a couple of histories, two counties, Pulaski County and Cass County, we located a site outside of town which was a nice size for their facility, a 30 acre site, both of them were 30 acres sites that gave them the ability to do everything they wanted to do out there. In one case, the commissioners just felt the appropriate place was downtown and we came downtown. That was their feeling. That's where it belonged and that's what we did. At Cass County, through the public comment section, we had a site that was the sheriff's preference site. It wasn't very far from downtown. It had a 25 acre site, and it gave room for the growth. We were talking about and a future juvenile facility, and the people said we want it downtown. And we went from buying two pieces of property with assembling 29 parcels, but that's where people wanted it. This is not a flippant answer, but the jail belongs where the people want it and where they will accept it. And that is part of this process. You've got to really do some

investigation and find out where people will accept it.

President Jerrel: So, and having said all that, how did Cass County and the other county determine what the public input was? What the public actually felt?

Bill Shepler: We went through some public meetings very similar to what you're doing here and as we got into the process, people just began to come and say this is what needed to happen. The commissioners listened and we did some alternate design ideas and ran some different numbers. I will tell you in Cass County, it cost them a million dollars more to move it downtown because the land cost them a million dollars more, but that's where people wanted it.

President Jerrel: Joe, I was sitting here thinking about that. Now as we proceed, we need all the information that you can find on how we can secure ground, all the options.

Joe Harrison, Jr.: We'll do it.

President Jerrel: Alright.

Commissioner Mourdock: I was going to formalize it in a motion, but I don't think I need to.

President Jerrel: We have a question back in the back.

Phil Hoy: Well, if my little Dick Tracy watch is correct, if we reach 175,000 people in this county, that would mean a 700 bed jail, if you figure four beds per thousand. We're some distance away from that, the '96 census did not show us jumping in population –

Bill Shepler: Currently you're at about 168 - 169,000.

Phil Hoy: Maybe so, so that would put us at 700 beds, although I do have a question about comparing the two universities here with the size of IU and Purdue and even Ball State because I don't believe in combined enrollment. We're not anywhere near that. USI is about 9,000 and U of E maybe 3,000 and IU is what, 40 some odd, Purdue 40 some odd, so I don't know whether that formula works entirely. That's a question I have. That might move us closer to the three beds, or the comments, not really a question. And the second one is a question. The population of this whole country is aging and certainly the population of our county is aging. Generally, an aging population commits less crime and my question is, did you use that in your formula because as the population ages, we should see a lowering crime rate and the experts are telling us that the crime rate is going lower. Did that go into your formula?

Bill Shepler: I'll take the last one first. It's not my formula, it's the state's formula and the state looks at the state as a whole when they're putting these together, not just Vanderburgh County. So that's why you had to go back and look at what's happening in this county versus what may be happening statewide. Statewide, the state provides -- most counties provide two and a half beds per thousand population. You're, even at your cap, is down, I think, 1.9 even if you could effect that cap, so I think, that makes comparison a little bit tougher. On the other part of that, that's why we're suggesting you do it in a phase. You don't need to jump out today if you put together a good plan that will take you to the future and you don't have to throw the baby out with the bath water when you find out that USI now is a major university and,

by the way, it is one of the fastest growing universities in the state. I am not prejudiced, my daughter goes there. But I think USI in the future, if not a major, it is going to be a key player in the university market. Couple that with Evansville, does that make it major, I don't know, but it does –

President Jerrel: I can answer that for you, I was in Bloomington Friday night and we are not major. I was right in the middle of the town. We are nowhere near major. I have another question about – you know, there are a lot of people that need to have – we need to be able to have some dialogue, not just with the general public but we've got a County Council and I know a couple of them are here. I think two are here. Royce was and Phil and Lloyd. Okay, there are three of them here. We need for them to hear, the Council needs to know these issues. Are you going to prepare a file, report with everything in it at one time?

Bill Shepler: It will be here next Monday.

President Jerrel: Okay, because I would like – you know, I don't really know, I am open for suggestions. How we're going to have this discussion and I would certainly appreciate Judges and the Prosecutor, but I really think the Council has to hear this with us, what we talk about and the sheriff has to start thinking about those issues. Perhaps he and judges can talk about issues of maximum and various issues like that because that's not a general discussion question that –

Bill Shepler: And I think those are appropriate when you get into the design phase. I think right now your real issue is in what order do we need to implement this. Where do we need to be to affect the kind of change we want to do? What kind of a schedule and how we're going to finance those. I think the other, as you know, this could be built over the top of this and reduce land, okay. There is lots of time to talk about how you shuffle and sort the deck, but first off, you've got to find out what deck we're dealing with and what are the elements we need to do that on. If you stood here tonight and you said this is great. This is what we want to do, move forward. You're looking at three years before you move the first inmate into it. So the most important part of that three years is between now and the time that you finish the schematic design. That's where all your planning is. From there on, it's a matter of finishing up the details and how we accomplish that. I know you are probably looking at some push for the first of November and that's probably going to come about, but you don't want to shortchange your planning. That's where you'll save the most dollars and that's where you can have the most impact on the project. So...

Commissioner Tuley: Bettye, you were talking about how, I think, much like we did when we decided what we were going to do across the street. We'll need a series of joint meetings between the Council, the commissioners, the judges, because we are the ones that are going to have to go out once the decision and determination is made public, but we're going to be the ones that have to go out and market this because there is not a soul in here outside of somebody who has got someone up in the jail, or judge, or in law enforcement, or us, or the Council, who is going to say, yep, build you a new jail. I am all for that. And that is going to take us collectively working, singing as the say, off the same page, after that decision is made and that is not going to happen until we have a series of meetings that we're going to have all this input just like we're doing here.

Commissioner Mourdock: You're exactly right, Pat. I typed the quote earlier. Bill, earlier in your comments, you said determine what the level of community support will be and the answer is, it will be about zero. I noted in the paper the other day one of

the County Council candidates raised the issue at a town meeting, who wants to build a new county jail, expected a show of hands and not a single hand went up. And whoever votes to build this jail is going to be very unpopular. I suspect when this building was built, which was long before my time, that was part of the easy political doings, was the jail was just part of what this whole new structure was going to be? But when you're talking about doing something specifically for those who are perceived to have violated the law, you're not going to have any friends. But still, it's the right vote. We've spent \$100,000 or nearly that to get this report and I don't think that's the question anymore. It's just how the process works and how we get there.

Bill Shepler: And you'll get lots of suggestions. I've heard caning a tree. This – I wonder sometimes, we can look back and look at why we're in this business. This is a tough business, building and being involved in jail projects is probably the least popular of anything you could do. I mean, at least when we're doing schools, they cost a lot but we're educating people and the perception is that there ought to be something else and I agree. There ought to be something else, but I don't know what that is, and you are quickly coming to a critical mass and...

Commissioner Mourdock: Before we start a little discussion among ourselves here, if that's appropriate, is there anyone else with a question for Mr. Shepler and the facilities part of this study? Any comments one way or the other? Yeah, sheriff? Yes, you do? You need to come up and you need to wait –

Tape Change

Brad Ellsworth: My question and I don't know if it's appropriate at this time, and the more I hear, the more it sounds better (not really). We know we've had a group of gentlemen in town that have talked about funding and privatization and some various forms of privatization and private building. I don't know if you're prepared to touch on that, but I would be certainly interested in hearing some thoughts on that.

Bill Shepler: I didn't read all the recommendations and they are in there. One of the recommendations is that we think you need to investigate privatization. That's not to say that's the right answer, but when you're going through this process, that is an option. There has been strides made in the privatization. It needs to be considered. You may consider it and throw it out, or you may find that it's a worthwhile deal. That is one of your options and one of the possibilities that exists out here for one or more of these. I mean, that doesn't necessarily mean that you might privately operate the work release center and not the jail. That's being done in other counties. Yes, that's a good question.

Steve Helfrich: My name is Steve Helfrich and, I guess, my question would relate to the first importance as to what phase of this would be most important at this time? Would it be the jail itself? You had the arrangement where they were separated. If the jail is the most important, I would think of it more in terms of acceptability instead of having a large scale in three different phases at one time, that the public might be more willing to accept it, if we did a phase in. Along those lines, was there any study or attention given to the old jail to be used as maybe a community correction center and/or juvenile detention center?

Bill Shepler: I'll go backwards so that I can remember so you may have to help me. We did not necessarily look at what's appropriate for this particular building once you vacate it, but the structure of this building is really built for administration office

space. It really wasn't done for detention type space. That doesn't mean that you couldn't do it. It is absolutely an option, as you work through this that you might do that. It could be, city's here, it could be additional space the city is needing for their police department. It might be some additional court space to take care of some of the magistrate requirements. Again, that depends on what direction you go. What's more important? That's for you to decide and for the county to decide. The one thing I will say is, if you are going to affect in a single location, the jail must go first because that's where your kitchen is, that's where your laundry facilities are, that's where your support services are because we're saving these square footages by not duplicating those. So, if you want to try to move them together, one or more together, then the jail needs to be the first piece or you don't have those support services that you need in the other sect. Did that answer your question? Okay.

President Jerrel: Yes?

Unidentified: If you used the current jail for any other detention facility, would it not have to be brought up to code as well or not?

President Jerrel: She needs to get your name.

Joe Reed: I'm sorry. I'm Joe Reed, police department.

Bill Shepler: Al's coming up here. Maybe he's standing here to bail me out.

Al Bennett: One of the comments I wanted to make, good question regarding the potential use of the jail for detention center for juveniles. The juvenile standards require that there be a lot of program space. If you would take the square feet that you have in the jail today in this building and make the cells the size they are suppose to be and then also have the program space that's required, there would not be adequate space even in the present jail for a 24 bed facility. Standards require, as we need to remember, this building, this jail was built prior to standards. Standards that we use today were written in 1980. They've been updated and the latest standards are dated 1991, the 3rd edition. Juvenile standards, for example, require program space to have a hundred square feet throughout the building for every offender, so if you have 24, that's 2400 square feet of program space outside the living unit. Then, of course, cells are a problem, too. One of the things I could add to what Bill made comment about earlier. The Department of Corrections over the past five years has been very friendly towards jail design. They are allowing, by somewhat turning their head on standards in regards to how many people you can put in a cell. Use to be in 1990, with a second edition of ACA standards, that jails were built for single occupancy. Now the jails in Indiana are built with two per cell so you have savings there with the same size of a cell. The other thing, and I thought it might come up with Reverend Hoy when he came to the podium, to talk about can you put a juvenile facility with a jail? Again, the department has been good and yes, you can as long as you take care of the sight and sound separation. Separate operations, separate staff, separate intake. You can have some common spaces like food preparation, laundry, and some administrative staff, but the actual cells and the security area and program area of adults and juveniles have to be totally separated. They can be placed under one roof and that is a savings to the county as well. Thank you.

President Jerrel: Yes?

Lloyd Winnecke: Lloyd Winnecke, member of the Vanderburgh County Council. I'd just like to ask a question on the record, a question that I asked Bill last week following the meeting. In terms of on-going operational costs, what are the staffing recommendations related to each of the recommendations that your company has presented? That should certainly be part of the on-going dialogue because there have been some wonderful recommendations, but we've not heard how many people should be involved to administer these programs.

Bill Shepler: In the final report, there will be some staffing outlined. Keep in mind that is assuming certain things and it's not with design. As you go through this, that is one of the analysis you need to be ready to do. In the work release community service areas, we believe there will be a slight increase, but that's very minimal and most of that has to do with the way your adding programs. That was pretty close, wasn't it? When we did the staff projections? We think you will maybe see a few more people in the community corrections, but that staffing level will remain about the same and we'll be able to add additional programs with that. Means that many of the things that Julie talked about, your staff has to get a lot more flexible. They have to do different jobs such as home visitation and follow up and those kinds of things. The jail will increase staff. I believe in the short run there would be an opportunity to take in some inmates from other counties or state inmates to offset that until you get to a point where you can't do that anymore. There is an opportunity to offset that. There is some funding available through the U.S. Marshall's office that they will give you, if you agree to enter into a contract to hold federal people. So, again, those are all things that affect these items and you can't get to the final staffing til you get to, pretty much, the schematic design of where that's going to go, but I think the staffing you'll see in there is fairly reasonable for a good guess at this point in time.

President Jerrel: Lloyd and Bill, and Royce is gone. What do you think of the possibilities of, I don't know, what do you think about the 23rd of October or the 30th? The 30th isn't Halloween, is it? The 31st, okay. What about the 23rd? Do you think we could get Council to come to a meeting here for just that purpose? We should have our reports by then. They could look at it. When is your personnel and finance meeting?

Lloyd Winnecke: The last Wednesday of the month.

Commissioner Tuley: The 25th.

Lloyd Winnecke: Wednesday is the 25th.

President Jerrel: Well, maybe we could come to you. What do you think?

Commissioner Tuley: Could I ask Brad to come up here for a second? You may not come, right? This may seem strange, but when we were in Colorado, and you've heard us make reference several times. Bill's made reference to the trip to Colorado. Did they not offer that when we get to this point, we've got a recommendation in front of us with several plans. That those same folks might come here and hold a similar type seminar for all of these players? I don't see how we truly effectively move forward until this group as a whole fully understands what we are up against. I think you said it best when you said the hard parts just begun, now you have to get down to the real work.

Commissioner Mourdock: And the "they" you're referring to is?

Commissioner Tuley: They being the criminal justice, the PONI group.

Brad Ellsworth: National Institute of Corrections, PONI, it's Planning Of New Institutions. We've went through one and two. We asked them about that, you know. We all had a much clearer picture when we were out there, but boy would it have been nice to take everybody in this room out there to that seminar. They said that was definitely feasible. They might send a couple of guys out there to run this same kind of show. It was very valuable. I can look into that.

Commissioner Tuley: I just see us now. We know we need a new jail; We knew that before we came in here. We've got an idea of how many beds, but where, what configuration and all these questions. It was a good process, but you've got the finance people here, you've got the judges, you've got the prosecutor, and those folks, many of which didn't get the opportunity to go through that process. I just really wonder if it wouldn't be time well spent before we try to get too far. I don't want to slow it down, don't misunderstand that by any stretch.

Commissioner Mourdock: And are you suggesting, Pat, since I wasn't at the Colorado meeting, you mentioned earlier today and I've heard you speak of it before where each of the different groups was given so many dollars to spend with certain statistics and you had to design something? Are you saying that group would come in, hear what are the real live statistics of Vanderburgh County, take all that information and as a group come to that same type of conclusion?

Commissioner Tuley: Maybe not exactly that but, at least, the operational side of it has to be determined. That obviously can't be determined until we lay out the schematics and the location and all this, but it just gives you a clearer...in my mind and maybe I'm the only one thinking this, but in my mind, it seems like it would give this group a clearer picture of how to proceed from here.

Brad Ellsworth: The people they would send, I know we had about 12 jail consultants from all over the country. What they expressed was that they would probably send a couple, just pick two, but they've all done these exercises and all have a certain level of expertise.

Commissioner Tuley: In your opinion, am I out in left field on this, Brad, or does it seem feasible?

Brad Ellsworth: Not at all. I don't think that's a bad idea.

Commissioner Tuley: Everybody is going to have an idea of what this jail is suppose to be or how we are suppose to build it but how many of us in here have that expertise?

Bill Shepler: The thing that I will tell you that you can do that. You're probably not going to get a lot more from them than you've got right now. What we have done in the past in many counties is we've set up workshops, invite people in, take on existing topics. There is only so much of this information you can digest in one night. What they like to do is come in and spend two or three days and blow through this and get out. It's been my experience, and Al and Julie can add to it, is you quickly come to a point of overload. You guys were out there a week. In some other

counties, we've done for instance, maybe come back in a week or two weeks and just open the floor for public comment. The following week maybe come back and talk about financing. There are a handful of arrows you have in your quiver of financing a project in Indiana. They're not rocket science, there's only two or three of them. You have more solutions on how you pay the money back than you do having to finance it. So, you can begin to talk about what's the impact of this on the tax rate? How does that all work? You've got a debt ceiling on GO bonds and this project probably cannot be built under a GO bond. So then that leaves you to a lease/financing tool whatever way that is done. You'll always have property tax as one ability to pay that back, but it's generally a mixed bag of tricks. You can talk one evening and blow everybody's mind on financing just talking about financing and what the outcome of that is to the county. You can go back and visit some of things that Julie and Al has talked about again as to why people end up in jail and that. I don't think a concerted effort, unless you have people that are ready to spend three or four days in that process like you guys did, one after another, is an easy thing to do.

Commissioner Tuley: I don't disagree that it's not going to be an easy thing to do, and I don't disagree that it would take three or four days. We spent \$100,000 and we are about to spend millions more. I think what you guys did is entirely different than what we learned out in Colorado. What you did, I think, is extremely important to this committee because it finally gave us a chance to take a good hard look at ourselves and some of the things that we're doing, and in such a manner that nobody was sitting around the table trying to find somebody to point a finger at. Particularly starting with this body up here who was not looking in the mirror when they tried to point the fingers. It was a very, in my mind, it was a very thorough good community process that we've had in terms of bringing all of the stakeholders. But to me, the larger stakeholders are going to be the folks who have to pay for it. I think that's why we have to have the most information to make the best because, like you say, it's still looking in the crystal ball. I just think that there could be a lot of knowledge in all these players. Yes, the judges aren't going to have a vote on the money, the council is going to vote on the money, but we have to have the council and commissioners and everybody in there agreeing that this is the best project we could come up with. This is the best interest of our county for the next 20 or 30 years and sell it to the taxpayers and ask them to pay for it. We all agree, they aren't going to be thrilled with that idea at all. That's just my opinion.

President Jerrel: Phil?

Phil Hoy: I didn't identify myself earlier. Phil Hoy, County Council. I think the next step I'd like to see us take is the one that has been suggested, that when we get this full report that the two bodies meet, the commissioners and council, whenever we can set that up. Because no matter how much input we get from other people, you know who is going to make the decision on contracts and to finance.

President Jerrel: Help me think this through. You've been here for all of these. Other councilmen have been. Would it help if, for instance, Brad and Julie would touch upon those issues about the community corrections, and would it help if they touched on those and answered your question specifically for those that weren't there?

Phil Hoy: Yes. Yes, it would.

President Jerrel: What worries me is that we've got some people with some information but all of them don't have it.

Phil Hoy: No. We have an election on our hands which there will be somebody else sitting in your seat.

Commissioner Tuley: Obviously, there will be somebody else in this seat.

Phil Hoy: Certainly there will be a different councilperson because we have a councilperson running for another office.

President Jerrel: But I think we need to go ahead and proceed because Pat's too valuable to let him go without having input.

Phil Hoy: We'll put a bond on him.

President Jerrel: Well, but he is. I don't want to lose the people that have been with us from the beginning, regardless. The election, yes, it's important but this is not—

Phil Hoy: I'm not suggesting that we wait until after the election at all. I think whatever happens on November 7th happens, and we will have some carryover because not everybody's up for election right now.

Commissioner Mourdock: Do you think the 23rd is the appropriate date then?

Phil Hoy: I think so. I think Mr. Wortman, President of the Council, would—

President Jerrel: It's going to take a little time. This wouldn't be a 30 minute meeting.

Phil Hoy: We'll bring supper in for him so he can go to Area Plan. I'll buy it.

President Jerrel: It's going to be some...and I think you all should be here.

Bill Shepler: I was going to say that we'll make our team available to answer questions and be there and try to give that insight. I think that's a good plan because, if you don't have the group together then you will have a tough fight. I will make one comment on NIC. They're going to send Al or Julie to you. Sometimes you have those kinds of people that they will send to you already here.

President Jerrel: And I'll make this comment. I have felt comfortable with your study because you are studying what you know which is the State of Indiana. That helps me because I don't have to apply it to the rules and regulations in Ohio or Illinois or Michigan, but they're Indiana issues. I would never have known that this hearing was going on if Julie hadn't given me a heads up to get them this information. That's important. Well now,

Phil Hoy: I need to correct that date. I said the 23rd but it's actually the 25th so we get it on the record properly.

President Jerrel: Okay.

Phil Hoy: I think the other important thing is, and correct me if I'm incorrect because,

I think, one reason you all were brought in to the scene is that you don't build jails; Is that correct?

Commissioner Mourdock: Right.

Phil Hoy: I like that part of it because—

Commissioner Tuley: That's why they are here. They don't build jails.

Phil Hoy: Exactly, and I think that needs to be on the record.

President Jerrel: Okay, is there a motion to that effect?

Joe Harrison, Jr.: I think that's for them to decide.

President Jerrel: Yeah, it's your meeting, Phil. So you and Lloyd have to do this.

Lloyd Winnecke: I just think given the extensive nature of this, this needs to be a special meeting and not handled at the typical time. We should devote the afternoon, at least, to this.

President Jerrel: Okay, so then—

Lloyd Winnecke: I can see this starting at 12:00 or 12:30 and running for a couple hours.

President Jerrel: We could do that. Well, okay, who's going to...you need to find out because it would have to be advertised. Then we could advertise it. Do you think...you don't know yet if you could come? It's going to be their meeting so it will be a special meeting maybe some other day.

Bill Shepler: My people are back there saying that I have two people that I need that will be out of town on the 25th.

President Jerrel: Okay, Lloyd already said that he thought, and I thought it was a good idea, that it ought to be a meeting devoted specifically. Let's see if we can get some ideas on dates.

Al Bennett: I think when you see this report, it's going to be over a hundred pages. It's going to be a lot of information so I think there needs to be a little bit time to digest it and then go from there.

Commissioner Mourdock: We'll get that report next week. What date works for you and Al and Julie? That way, we can give those dates to the council and let them go from there.

President Jerrel: Could we do this, could, Lloyd, could you and Phil, Julie, and Al go outside or in here and talk about this and—

Bill Shepler: Recess.

President Jerrel: Really, if you could just—

Bill Shepler: I think you are being wise in picking a several hour stint because it's going to take it.

President Jerrel: We need to know what...let me take this calendar to them. I'm not going out there.

Commissioner Mourdock: This is a first.

President Jerrel: I think they will come up with something and then we can announce it or at least have a feel for when it is.

Bill Shepler: Any other questions that I can answer?

Curt Angermeier: My name is Curt Angermeier. Is there one of these out there now somewhere? Is there some county that has something similar to this? I mean, Paloski County probably has what we call a mini-jail concept, but is there something we can look at to say this is what you're going to look at only double it or triple it or something like that?

Bill Shepler: Part of our process is as you get into design is going and looking at jails. You can't go and look at this jail and say, "Gee, that's just what I want." What you tend to do is go in and say, "That's not what I want and that's not what I want, but I do like this." It generally ends up being another day tour and we go look at several jails that are close. You don't have a lot of jails in the state that are 500 beds. There are several of them being designed that's going to be in that area, but that's what you want to do. You also want to go look at things that you like about jails and that will help you make the selection there. When you do that, you want to talk to operators. You want to learn from the mistakes that happened in the past so that you effect those changes in the way you operate your jail. It's a good point, but I'm not sure it will help you with this next step of building consensus of where we need to go next, but I definitely think that's part of the design process that you need to go through.

President Jerrel: Okay. Brad, before you ask the question, think about that meeting because for it to be meaningful, they have to read carefully the material we get and then we need to have a planned—it will be their meeting, but we've got to have some planning so it's productive.

Bill Shepler: What I would recommend is maybe we work up an agenda for that. We can give it to you. You guys can agree that it a good agenda so it's some organization to it, and we'll kind of take it step wise, if that's okay?

President Jerrel: Does that sound reasonable?

Commissioner Tuley: Yeah.

Brad Ellsworth: It may be early for this question, maybe that means the appropriate place (inaudible) talked about staffing increases and that and saving a little money on a stove here and a caldron there and that, but I see some real savings in at least upper staff, supervisors from Sargent on up and that. Like I said, I'm the one that gets the calls on the stove at the Safe House breaking down and the stove up in the jail breaking down and that. I can't help but feel that there's going to be more savings. I know how tough it is to get to all three facilities. If the sheriff keeps any

involvement in any of them, then it would be beneficial to have that under a roof. That's like I said, it remains to be explored. This is upper staff. I could see we might increase lower staff, but I think we could really shave some of that upper staff including their supervisory duties. I think that will be the rest of the story.

President Jerrel: Anybody else that has any comment? Yes. You want to come on up?

Carol Davis: Carol Davis, child advocate. The reason I'm here addressing this meeting is to bring your attention to issues of child maltreatment, and how this problem in our community is often interrelated to community correction issues. Mistreated children often grow up in the criminal justice system, first as victims in there own homes, put in foster care, trouble at school, and many eventually in trouble with the law. Because we have failed to protect these children from maltreatment, we end up having to be protected from them by putting them in juvenile detention facilities. We need a community effort to collaborate on causes and effects of juvenile delinquencies. At some point, we are all responsible for child abuse in our communities. Indiana is the leader in the nation in cases of child neglect and child abuse. In '98 we had 65 children killed here. We had a 43 percent increase in child sexual abuse last year. Children continue to be abused, neglected, and murdered while under the supervision of our government agencies. Through our taxes, we pay immense salaries and all the trappings that go with public agencies. The professionals we hire for protecting children from harm are, often as not, at the core of the problems. These children are the future representatives of our community and it is time to stop clogging up our criminal justice systems with the carnage and start developing ways to divert out time and money to the prevention of child maltreatment. This problem is endemic across the nation and it affects all of us. The problem of child maltreatment has been ignored too long, so we are here now trying to deal with band-aid treatment to the symptoms and not looking at the real cause. We need to reestablish our priorities. This isn't rocket science, it is egos, turf battles, righteous religious, politics, and narcissistic adult agendas. Look at the facts presented by the Bureau of Justice statistics, 40 to 50 percent of these violent crimes against children such as homicide, murder, negligent, manslaughter, rape, sexual assault, forcible rape, sodomy, statutory rape, lewd acts with children, and other sexual assaults occur within the child's own home. Over 75 percent of violent crimes against children took place in their home. Whereas about 40 percent against adults occurred in the home. The US has more child murders than any other industrialized country. Statistics like these, if child maltreatment were labeled as a disease, it would be declared an epidemic. The tragic social problem of child maltreatment and neglect results in human an economic costs due to the relationship to crime and delinquency, drug and alcohol abuse, domestic violence, and welfare dependency. Child maltreatment is a preventable tragedy. There are only two reasons child maltreatment continues, ignorance and indifference. I am formally asking the commissioners to put together a risk assessment task force for evaluating children in the system. Also, I would like to request a thorough audit of child protective services in the child welfare department. To my knowledge there has never been a thorough audit of kids in the system. They do like item things when they present their budget to the council, but there's never Jane Doe's or John Doe's. Nobody knows where these kids are and how many times they've been moved. I was at a foster home meeting, Jim (inaudible) from Indianapolis asked me to attend it. One girl was 21 years old, had six kids and all these foster families were in there and those kids had been to every foster home in that room just about. They take them out and put them back in, take them out and those kids are all so

emotionally traumatized. That's just one family. I have plenty of information and statistics. I've been doing this a long time.

President Jerrel: Carol, why don't you—can you put that in a form of a request and send to us in writing? Would you do that?

Carol Davis: Sure.

President Jerrel: On that issue, I just thought of something that we didn't talk about. I met with the school superintendent last week or so to talk about that issue of day treatment. In the issue of day treatment what we have here are three or so programs that are short duration during the day for kids, if they can't handle school. We all know that those are the one's that ought to be some place where they are watched, but they are really there less time. I found them very receptive to wanting to do something. I know we are going to have a new juvenile court judge so it's kind of hard to be talking about that now, but that would be a beautiful opportunity for the schools, county government, and the courts to do something together. A day treatment, what I mean, is they are not locked up but they must attend and the court says they must, but the school has a role so that they are in a safe environment but there's something going on besides turning them loose.

Al Bennett: That is correct, you do need the school having the support of the court by having sanctions. When a juvenile gets in trouble, he many times thinks to get thrown out of school because they didn't want to go to school. If the court says you have to go to school, then of course, it makes the carry through with the responsibility of the kid's life much better. It also gives the parents more direction—

President Jerrel: But those kids don't always function in the regular classroom.

Al Bennett: Right.

President Jerrel: I don't want to offer any solutions tonight, but that's an area we've got to address also.

Al Bennett: The juvenile committee discussed that and we found that there's been considerable discussion among the many people in the community, they just haven't come together to make something happen.

President Jerrel: We need to facilitate that because that's an issue that is...that spawns all the rest of these people that we're incarcerating.

Al Bennett: Exactly right.

Phil Hoy: We came up with a date for you all. The morning of October the 20th. Our three consultants can be here.

Commissioner Mourdock: That's a Friday, correct?

Phil Hoy: That's a Friday. Mr. Winnecke is going to communicate with the President of the Council but it looks like a good day. It gives us some time, not a lot of time, to read this 100 page report.

Joe Harrison, Jr.: That will be in 301?

Phil Hoy: Yeah, eight-thirty.

Commissioner Tuley: Eight-thirty.

President Jerrel: We need to have the room secured.

Phil Hoy: Mr. Winnecke is going to check on that and call Mr. Wortman.

President Jerrel: And advertise and all that other good stuff?

Phil Hoy: Yes. I've got another meeting.

Commissioner Mourdock: If all three of us are going to be there, is it not a convening of us too?

Joe Harrison, Jr.: No. That's not what they want.

President Jerrel: They just want a discussion—

Joe Harrison, Jr.: Among themselves. They haven't heard it yet.

President Jerrel: And we'll be there.

Joe Harrison, Jr.: If you all can be there, you can sit in attendance and ask questions and comments.

Commissioner Mourdock: I can't be there.

Commissioner Tuley: I'm going to make sure I'm there.

Bill Shepler: Further questions we can address this evening? If it's okay, we'll have the report delivered next Monday. If you want someone here, we can do that, or I will just send the report down.

Commissioner Mourdock: I don't think we need anyone present next Monday.

President Jerrel: No, I don't think so. If you could, you talked about an agenda. I think that needs to get in the works.

Bill Shepler: Can't leave without, again, thanking the people. You have a tremendous amount of energy, talent, enthusiasm, and just darn right good people here. I think that's a good combination to come up with a good solution. It's been a real pleasure from all of us. Thank you very much.

Commissioner Mourdock: Thank you for a job well done. Everyone in the room, I know you've met with Bill and his group. Al, Cyd, Julie, thank you, good job.

President Jerrel: We are going to have a brief break, about five minutes or less.

Tape Change

President Jerrel: The next item on the agenda is Judge Trockman, who left the room.

Suzanne M. Crouch: I think he is making a phone call.

Auditor - Agreement with 3DI for Document Scanning Services
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President Jerrel: Okay, we'll move on to the next item. The auditor's office.

Suzanne M. Crouch: This is an agreement between 3DI and the auditor's office to do document imaging and scanning. Joe, I believe you've had an opportunity to look at it and, I think, Bill Cottun did also.

Joe Harrison, Jr.: It looks fine to me as long as that's the program you want and you have the appropriate funding.

Suzanne M. Crouch: Yes.

Joe Harrison, Jr.: Yes and yes?

Suzanne M. Crouch: Yes and yes.

Commissioner Mourdock: I'll move approval then of the agreement with 3DI for document scanning services as requested by the auditor.

Commissioner Tuley: The only question I had was the price per document after the pilot, that is automatically going to happen subject to available funding, is that right?

Suzanne M. Crouch: I'm sorry?

Commissioner Tuley: The initial contract calls for \$4,500 to start the project.

Suzanne M. Crouch: Correct.

Commissioner Tuley: Then it has price per document after the pilot at \$.28 each. I assume we will automatically go into that subject to financing?

Suzanne M. Crouch: That's correct.

Commissioner Tuley: Okay, I'll second.

President Jerrel: So ordered.

Judge Trockman - Community Corrections Grant Act Amendment

President Jerrel: Judge Trockman.

Judge Trockman: Good evening.

President Jerrel: Good evening.

Judge Trockman: I sent this to Suzanne to start the process of getting this signed, and I hope that the original has made it to your file. The Indiana Department of Corrections has sent this Community Corrections Grant Act Amendment which requires the commissioner's and auditor's signature. I think what you'd be most

interested is the third paragraph which reads, "This amendment provides for funding for a day reporting program with the emphasis on drug addiction treatment. The amendment is in the amount of \$56,293. That's for this interim period. The amount is over and above the \$868,000 involved in the basic agreement, for a total not to exceed \$925,000." I know that's what you are interested in knowing. This amendment does not affect the grant that's in place that will be renewed along with this grant on July 1. In fact, I've already submitted the grant application for this to be renewed on July 1 of 2001.

President Jerrel: Where did these numbers of \$868,932 and \$925,225 come from?

Judge Trockman: I don't know because I haven't spent any time reviewing Vanderburgh County's grant from the Department of Corrections. I assumed that those were the numbers that they are paying, but I don't know. That looks like about double what we are receiving.

President Jerrel: We're getting a little over \$400,000. Probably about—between \$401 something and...showing in our budget here, it was \$401,047 but, I think, there was an additional \$20 something in there. You take that and the \$180,000, are they counting that misdemeanor grant?

Commissioner Tuley: That's still not enough.

President Jerrel: I don't mind signing it, but that's twice as much money as we are getting.

Eric Williams: That's done two years in a row so that's probably double.

President Jerrel: The biennium budget? I think you're right. They are trying to fool us.

Judge Trockman: They're on a two year cycle and they're use to that. We're, I guess, stuck in a one year deal, but I'm sure you're right, Eric.

Commissioner Tuley: That's what it is. It tells you up there in the first paragraph.

Judge Trockman: So my request is that it be approved and signed. I know the commissioners are familiar with the project. I hope to employ the director by November 1, and, hopefully, be prepared to start accepting participants in December.

President Jerrel: Very good. You're moving right along.

Judge Trockman: No sense in waiting.

President Jerrel: Is there a motion?

Commissioner Mourdock: I'll move approval of the Community Corrections Grant Act Amendment as requested by Judge Trockman.

Commissioner Tuley: I'll second.

President Jerrel: So ordered.

Judge Trockman: Thank you. Should I get that from you after it's signed or will you return it to me?

President Jerrel: Jane will.

Judge Trockman: You'll return it to me or to—okay.

Jane Laib: Who ever you tell me to return it to.

Judge Trockman: If you would forward it to me or let me know and I'll have it picked up. Then I'll transmit it back to the Department of Corrections.

President Jerrel: Okay. Thank you.

GIS Committee - Extension of Consulting Services Contract
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President Jerrel: What about the GIS Committee?

Commissioner Mourdock: We have a request for the extension of consulting services with McCarter and Associates. I think you all have met Kathy McCarter. She's been helping with all the GIS stuff. I don't know that we have anything more to say than that.

Joe Harrison, Jr.: I did ask Cheryl Musgrave whether or not there was sufficient funding in place. She indicated to me that there was sufficient funding to extend the contract.

Commissioner Tuley: I hope the original has a place for Richard to sign as a third commissioner.

Joe Harrison, Jr.: There is a second page, I believe.

Commissioner Tuley: Okay, there it is.

Commissioner Mourdock: Trying to tell me something already.

President Jerrel: Is there a motion?

Commissioner Mourdock: That was a motion, or I'll move approval of the extension of consulting services with McCarter and Associates.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Any Group or Individual Wishing to Address the Board

President Jerrel: I'm going down and very quickly, is there anyone here that hasn't spoken this evening that wishes to speak?

Richard Helzerman: I spoke related to—

President Jerrel: Do you have another issue?

Richard Helzerman: My name is Richard Helzerman. I'm here to talk to you about overcrowding in the Vanderburgh County Jail. Two weeks ago, Project Management Services submitted one of their promised reports on the problem. I would like to ask each one of you to take special notice, they made a lot of recommendations but this one I want you to pay attention to. PMSI recommends that the courts strategically plan to implement pre-trial conditional release programs. I would ask each one of you to speak to the judges and encourage them to do so now. The problem with jail overcrowding is caused by poor defendants awaiting trial. Pre-trial conditional release programs, at least, have a potential to solve the problem. If the judges say they do not have time to develop such programs, I'm willing to coordinate the development, implementation and training associated with these types of programs, as well as provide data processing support to those responsible for administering them. Implementing one or more pre-trial conditional release programs is the best way to relieve the overcrowding before a jail is in place, which you're talking three years. I would encourage you to communicate to the courts your willingness to support these efforts along these lines. It's a fundamental principle of fairness that defendants who are presumed innocent should not be treated in a worse manner before their trial than they are treated after their conviction. Since the courts have provided post-conviction conditional release programs, they should be willing to provide similar programs before trial and sentencing. I estimate the cost of pre-trial conditional release programs at \$6.00 a day, which is much less than the jail cost of \$25.00 a day. Many of these programs can be designed to be partially self funding which increases the potential savings. I am willing to work with the commissioners and courts to coordinate the development of pre-trial release programs for \$10,000 a month for two months, and \$2,000 a month for a year to implement, train, evaluate, refine and extend the programs. Three weeks after your approval, the overcrowding could end, since the courts have already committed themselves to follow the consultant's recommendations. They've already committed that they will do what the consultants say. The consultants say "strategically" to implement that. Now, strategic means that's the most important use of your time right now to solve the problem. I spent most of this morning in the Superior Court room. The judge had scheduled many pages of cases to be heard, all at 9:00 a.m. Much time was wasted waiting for defense attorneys who popped in and out of the court room. All new cases requiring a public defender were assigned by the judge to one man with no regard to his case load. In one case, he was stuck with a case that two other public defenders had begged to shed because of their work load. One man was there who said that his public defender did not return any of his calls, and the first time he met him was minutes before his daughter's court appearance. The worst waste of time was when Jeff Lantz and the judge tried to establish a trial date for one poor defendant. The judge said that because it was a felony case, the trial must be scheduled on Monday. Every Monday between now and the first week in December was already scheduled, and the two had to negotiate over which trial most was most likely to be settled out of court. Both men appeared to be working from a paper schedule. If felony cases begin on Monday, and there are only three court rooms available for criminal trials, the capacity of the system is only 150 cases a year. Last year over 2,300 cases were filed. This means that less than one percent of the defendants could possibly get their right to a speedy trial the way things are organized now. Courtroom space and public defender's time is a scarce resource that should be utilized in an efficient way. Because public defender's are not paid by the case or by the hour, the system does not seem to value their time. Because the courtrooms have been in place for 20 or 30 years, the system does not, I don't think, the system pays current rent rates for them, the system does not seem to value their

utilization. I am willing to develop a court scheduling system for to help you with—

President Jerrel: Let me make three points for your benefit. One, we do pay, I think, \$15.60 or somewhere in that range per square foot. That is more than most places are paying. Two, the judges have to agree to any suggestions. It's their call, not ours. It's their call. Every bit of this is their call. Three, there were 100 trials last year.

Richard Helzerman: Out of 150 capacity, they only had 100, right?

President Jerrel: No, we only had 100 cases—trials all year. We had 2,149, something like that, felonies but we only had 100 trials. So that's not the problem. We're going to start with the Public Defender Board and that office is going to be changed. Whether that will help move this, it should, but we can't tell the judges what to do on this. It's a lot more technical because of the trials. You have to set it and have a date to set it. Knowing full well, they likely are never going to have it. That's the issue and you know it. I want you to realize that we can't do anything about this. That is a judges decision.

Richard Helzerman: Well, it is the judges decision and the thing that I'm saying is this is a system wide problem. To solve a system wide problem, you have to have the support of the upper group. The judges will not change without your support.

President Jerrel: They are helping. They are beginning to change some of their processes. This isn't easy. Just these last six months have not been easy. I appreciate your input that you give us. I know it's very thoughtful and many of the things you're saying are things we know, but not all of them can we do something about. We're not going to stop trying. Just because we're talking about building a jail, the system has to continue to work smoothly or we'll find ourselves, once again, in a situation where whatever we do won't be sufficient. We're not going to back off from that, and I don't want you to back off from giving your ideas.

Richard Helzerman: Thank you. I appreciate it.

John Stoll - County Engineer

President Jerrel: The department reports now.

John Stoll: First item I've got is a request for street plan approval for Section II of Woodgate Subdivision. This is located off of Eissler Road. This is an extension of Section I of Woodgate which was started earlier this year. The street plans have been reviewed and it's recommended that they be given approval.

President Jerrel: Is there a motion?

Commissioner Mourdock: I'll move approval of the street plans for Woodgate Subdivision Section II.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The second set of plans is for Daylight Industrial Park. This is located near the intersection of Boonville-New Harmony and Green River Road. This street will be a single cul-de-sac that comes in off of Green River and goes off to the west. The developer will be installing a passing blister and deceleration lane on Green River Road at the entrance. One other item I would like to point out, the designer has provided less than a foot of cover on the storm drainage pipes underneath the street, and the county ordinance requires a minimum of a foot unless the manufacturers will say that it will work with less than a foot of cover. We have gotten a letter from M & W Concrete Pipe who say that this installation will work. Subject to that letter, it's recommended that these plans be approved.

Commissioner Mourdock: How does this road plan fit in with the access road plan we've approved for Green River Road?

John Stoll: This is part of it. It provides a right-of-way stub to the, I can't remember if it's to the north or south, to the north which would potentially tie into Boonville-New Harmony at a later date. This parcel is not part of the plat at this time. The road plan that we had didn't call for anything to be connected onto 57 mainly because of railroad tracks out there. It's in general compliance with the road plan.

Commissioner Tuley: That's far enough back if that should happen that...you see that as a right-of-way?

John Stoll: That's the big problem here because their original plan showed road coming in like this when this was part of the plat. The right-of-way limitations on the north side of Boonville-New Harmony Road prevented that road from being widened to accommodate that entrance at this time. So they couldn't plainly go out and condemn right-of-way or anything on the north side of the road. They could do enough improvements to where we were satisfied that this intersection and that intersection could work side by side.

Commissioner Mourdock: But is that tract in the northeast, when access is ultimately provided to Green River, is it coming back to Green River Road?

John Stoll: Is this one going out to Green River?

Commissioner Mourdock: Yeah.

John Stoll: That will be determined later. It could go here. It could go here. If it goes out on Boonville-New Harmony, it's going to have to be pushed as far west as possible.

Commissioner Tuley: They may have to cut it. Somehow curve it back or something. Is that what you're saying? That's what I was saying, if you go in a straight line that looks like that's not going to cut it.

Commissioner Mourdock: Either way you're almost—

Commissioner Tuley: You're almost too close to the intersection.

Commissioner Mourdock: Right.

John Stoll: The problem here is, being out there (inaudible) rises up to meet the tracks so there's quite a bit of fill, if anybody was widening this portion of it. It's a

difficult location. In the end, it might turn out to be that the best bet would be not providing any access road through here and just having this have a single driveway. That way—

Commissioner Tuley: From where? That's what the question is. Where would you get access?

John Stoll: I'd say pretty close to the retention pond or over towards this west property line.

Commissioner Mourdock: The heavy shaded is the retention pond?

John Stoll: Yes, this is. The other option is, they could come in—

Commissioner Mourdock: I don't have a problem if they do what you just described. Coming in from the south off that access road. It seems to me it's going against the original intention of our plan, if they end up with any kind of access back out onto Green River. I guess, I would have less concern of them having access to Boonville-New Harmony, although from the state's line of sight distance and all that kind of stuff, I could see a potential problem there.

John Stoll: The right-of-way restrictions were the biggest problem out here on (inaudible) so that way, that was a real good option at this time.

Commissioner Mourdock: So their either going to go east or their gonna go south?

John Stoll: Right. Like you said, if they come in out here, they are getting close to the Boonville-New Harmony intersection. They can't go south because of the retention pond. If they could, they'd end up clipping the south, I mean north end, of the decel lane. We can work on when, if and when, this is developed, we can work on getting it to go straight through that access easement.

Commissioner Mourdock: I can see the argument though, if you go forward now with this plan as is, they'll start development in this southern part, and then they are going to say, we don't want it. We've already sold this lot. We don't want to cut through here.

Commissioner Tuley: That's already dedicated.

Commissioner Mourdock: Okay, I'm feeling a little better.

President Jerrel: We just have to worry about what happens up there.

Commissioner Mourdock: We want to make sure we get a cul-de-sac or some access coming back off there.

President Jerrel: So, if we approve this—

Commissioner Tuley: Just watch when this comes in.

President Jerrel: Right. We just need to watch that one. Make a note so—

John Stoll: This approval will just cover this street here.

Commissioner Mourdock: But, at that point when that comes in, what level of clout do we have if they say we are going to have an access onto Green River Road that short distance away?

Commissioner Tuley: Safety.

John Stoll: Right. It would go to site review and safety considerations, and the proximity from this intersection to that intersection. Things like that we could say. President Jerrel: Make yourself a note that we had this discussion on October 2nd.

Commissioner Mourdock: Is this Dan Buck's?

John Stoll: Yes.

Commissioner Mourdock: You might even pass on the concern expressed in this conversation so he understands.

John Stoll: Sure.

Commissioner Tuley: Is it feasible to take the actual minutes just like you took that letter and attach this particular discussion on there? For down the road?

Commissioner Mourdock: Are you saying do it conditionally?

Commissioner Tuley: No, but just say it so there's no misunderstanding about what our three concerns were when this was presented and approved. That could already be attached to that plan. It would save somebody the time of going to look it up and say hey, wait a minute. Here it is in black and white.

Commissioner Mourdock: I'll do two things. Number one, I'll move approval then of the road plan for Daylight Industrial Park. Second, that the minutes of this discussion are added to the plat.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Do you mean the plat or plans?

Commissioner Tuley: Just like that letter by the developer's engineer that says that pipe would work, we attach the letter to those plans. Clip it right on there with it.

John Stoll: The one thing about this that presents a problem in that respect is that area is technically not part of this plat. It's outside the boundaries. There's the subdivision boundary line right there.

Commissioner Tuley: The right-of-way access. When we get into this discussion on that right-of-way access, they are going to have to come in and say we are coming in off...maybe they won't.

President Jerrel: I don't want to forget this, what we are looking at right now.

Commissioner Tuley: Maybe my way isn't the right way of doing it, but it has to be where—

President Jerrel: –We can recall.

John Stoll: We can put it in the file and attach these plans, and I can forward a copy of (inaudible).

Commissioner Tuley: (Inaudible.)

President Jerrel: Did I say so ordered?

Commissioner Tuley: Say it again, just in case.

President Jerrel: So ordered.

Commissioner Tuley: It's been awful quiet tonight.

John Stoll: The next set of street plans is for Charlestown Square on the Lake. This is located in the northeast quadrant of I-164 and Lloyd Expressway. This access comes off of Stall Road in Warrick County. What will happen to the Vanderburgh County portion of this road, the new road will extend east off the end of the cul-de-sac that exists out in Warrick County. Here again, the developer—not the developer, the designer has provided less than a foot of cover on the pipes. The manufacturer of the pipe has submitted a letter saying it will work in this installation as long as it's installed in accordance with the details on these plans. Subject to that, it's recommended that these plans be approved as well.

President Jerrel: Before you make a motion, I have a question. Who's going to inspect those to see that they are installed according?

John Stoll: We will. We've already been out to the one out in Daylight Industrial Park. It's already been put in the ground. We had some concerns that they hadn't put it in correctly. Dave Franklin was out there today verifying that they had put the stone backfill in it like the plans called for. Our inspectors in my office will take care of it.

President Jerrel: Okay, alright. The pipes that were causing the problems were in this area here so it's confined to a pretty small area.

Commissioner Mourdock: I'll move approval then of the street plans for Charlestown Square.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The next set of street plans is for Kato Industrial Subdivision. This is located on St. Joe Avenue across the street from Moto Park. This, like the name says, is going to be an industrial sub so the truck traffic was anticipated on this. Because of the curves in the road, it was requested that the road be widened. It was widened by the designer to 35 feet up until you get through this curve then it tapers back to the standard 29 foot width. We were concerned about trucks making that turn and encroaching across the center line of the road. That was corrected and it's requested that be approved, as well.

Commissioner Mourdock: I'll move approval of the street plans for Kato Subdivision.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The developer has also requested a sidewalk waiver for that subdivision. Out along St. Joe Avenue there are no sidewalks anywhere so it's recommended that be approved, as well.

Commissioner Mourdock: I'll move approval of the sidewalk waiver for Kato Subdivision.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got a change order for the repair and repaving of various road contract. This was contract VC00-04-01. This was for West Haven Subdivision and Melody Hills Subdivision. The net change is an increase of \$19,025.64. This is the change order that covers the council call request that I made a couple of weeks ago for.

Commissioner Mourdock: I'll move approval of the change order.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got a soils agreement with Alt & Witzig Engineering for the soil borings we need to get done on the McCutchan Road Bridge. This is for an amount not to exceed \$1,800. This will provide us the data we need in order to find out the piling lengths for that bridge that's currently under design.

Commissioner Mourdock: That's a contract or just a change order?

John Stoll: This is a contract. We will proceed with getting a purchase order on it, if it's approved.

Commissioner Mourdock: I'll move approval of the contract with Alt & Witzig for \$1,800.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Also, on that same project, the McCutchan Road Bridge, I've got the IDEM water quality certification permit application and a Corp. of Engineer's permit application that both need to be approved.

Commissioner Mourdock: I'll move approval of the two permit applications.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got a revised speed limit ordinance that we need permission to advertise. The changes on this ordinance are to revise the speed limits on Campbell Road to 30 mph; Columbia Street to 30; Felsted to 35; Knollbrook Ct., Knollview Ct., and Knollview Dr. to 20 mph; Seib Road to 40 mph, and Virginia Street to 30 mph.

Commissioner Mourdock: I'll move approval of the advertisement of the change in ordinance speed limits.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I would like to get authorization to proceed with making offers for parcels number 34, 37, 52, and 53 on Burkhardt Road, Section 4. Parcel 34 the offer would be \$8,900; parcel 37 the offer would be \$3,075; parcel 52 the offer would be \$1,800; and parcel 53 would be \$925.

Commissioner Mourdock: I'll move approval of the offers for the Burkhardt Road properties as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Last item I've got is in regards to the Vanderburgh Industrial Park project. The work that was done on Highway 57 required resurfacing a portion of that road because a turn lane was being added. In order to resurface the road, the raised pavement markers had to be removed. The plans and INDOT permit did not initially call for those raised pavement markers to be reinstalled. INDOT has since sent a letter requesting those raised pavement markers be installed. We've contacted the contractor and they've given us a verbal price of about \$4,000 for that, so I was wanting authorization to proceed with letting the contractor get those ordered. I will bring a change order in at a later meeting.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: That's all I have.

President Jerrel: You each did get your Fulton Bridge report?

Commissioner Tuley: Sure did.

President Jerrel: Okay, so instead of last Tuesday, the change order didn't get approved until maybe today?

John Stoll: Today.

President Jerrel: So we lost Wednesday, Thursday, Friday.

John Stoll: The way I understand it, the entire wall design was approved by INDOT

today, so we should be able to proceed with getting prices for the balance of the work not just the tie backs.

President Jerrel: Okay, and we appreciate your—

Commissioner Tuley: John, wait a minute. I want to be sure I understand this. You said it was approved today from what you understand?

John Stoll: Right. Bernardin Lochmueller called about 4:30 and said they had spoken to INDOT and their understanding is everything was approved. They were going to verify that, again, tomorrow morning.

Commissioner Mourdock: Approved. Does that mean like in writing with paper and ink and someone signed it?

John Stoll: I don't know if we'll get that lucky.

Commissioner Mourdock: In other words, they got it over the phone. They haven't seen the formal, written—

John Stoll: Even if we don't get a formal approved in writing letter saying it was approved, when the change orders come around, we will get it that way, I guess. Just like every other change order, INDOT will have to sign off on it just like the county has to sign off on it.

President Jerrel: Okay, just so we're moving.

John Stoll: It looks that way.

President Jerrel: Okay, is that all?

John Stoll: That's it.

Erik Bentle - County Highway

President Jerrel: County Highway Department left. Their report is in.

Joe Harrison, Jr. - County Attorney

President Jerrel: County Attorney?

Joe Harrison, Jr.: Nothing.

Tony Greubel - Superintendent of County Buildings

President Jerrel: Superintendent of County Buildings?

Tony Greubel: Nothing.

Steve Craig - Burdette Park

President Jerrel: Burdette Park?

Steve Craig: Nothing.

Commissioner Tuley: You sat through this whole thing with nothing to report?

President Jerrel: Steve is in to learning this stuff. He's a—

Steve Craig: I just came to listen to what they had to say.

Commissioner Tuley: You're not here at Burdette manager, you're here as a concerned citizen.

President Jerrel: That's good.

Commissioner Mourdock: We will give you an honorary key to the jail or something.

President Jerrel: Erik's got one.

Commissioner Mourdock: Erik's got one right there.

President Jerrel: Is there a motion concerning all reports that have bee submitted in writing and soil and water and ozone officer?

Commissioner Mourdock: I'll move approval of acceptance of the department head reports.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: How about consent items?

Commissioner Mourdock: I'll move approval of consent items as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered. ¹

Old Business

President Jerrel: How about old business?

Commissioner Mourdock: I have no business.

President Jerrel: I've been thinking about all of this, you know the issue that came up last week? I was going to ask you all...we need to migrate the government sites that

¹See page 48 for a complete listing of consent items.

are on that web site to our new city/county government site. Bill, are you like Steve, you just sat here to hear all this?

Bill Cottun: Yes, ma'am, that's the only reason I was here. My contract could depend on it also.

President Jerrel: I thought that would be something appropriate to do and shut the other one down.

Bill Cottun: I'm Bill Cottun, Account Executive with Systems Computer Technology. I'll make this as brief as possible for you. What we have...these are drafts, I emphasize drafts on this, that are web sites under development for the city/county right now. The last three months we have been building the...we acquired, installed, and tested the hardware for our web site. At this time, we are in the development stage, and part of that development stage does include migration of existing web sites and development of new web sites. We have placed an emphasis on development of new web sites simply because many offices are not represented on the internet, and we are trying to help those sites first. We do have a particular site that did come in question last week which was the Vanderburgh.org site. We are going to migrate that site with some changes. One of the things that we will do is anytime there is a site referenced, or requested to be referenced by a county agency that is not a government site, we will bring that site to the attention of the commission for their review. The first page you have in front of you is what is called the Evansville/Vanderburgh portal. We are going to have several web addresses, but the primary one for the county is going to be Vanderburghgov.org. Primary for the city is going to be Evansvillegov.org. I ask that the URL not be published right now because people are going to go out and start trying to get that and there is nothing there for them to see right now. We will announce to the commission and to the council and also our data board whenever those are going to be available. We fully expect to have this up and running this month though. The first is the portal and if you click either on enter or the seal for either of those sites...if you click on the Vanderburgh seal, it will take you to the very next page which is the Vanderburgh portal. It's a very clean, very simple site to operate. Each one of those buttons across the top (local services, county sites, county projects) if you click on those, they have a drop down menu. You will pick from the menu and that will take you to another site. If you clicked on county sites right now, we have one being developed for the county recorder. That's the next page. She has a very simple set-up. She'll have some information regarding the office. If you click on history, excuse me, if you click on how to record documents, it's going to take you to a very simple page which gives information about how to record a document. If you click on "record fees", it's a listing of fees. That's the next two pages. The County Commissioners, they currently have a web page being developed. Once you go to their page, if you click under bio's, that gives a very simple biography of the commissioners and a little bit of information about how to access view commission. If you go back to minutes, I think, this is a very interesting part for me because if you click on "minutes", it takes you to an explanation of the county auditor and the job that their office does. If you look under viewable minutes over on the side and you were to click "Commission" it's going to take you to this web page that says viewable commission minutes. Those minutes actually reside on the county auditor's page. These are just links directly to those minutes. They are very simple. These files can be downloaded, if someone wishes to access them in Word, Microsoft, or Adobe format. You have the last two year's minutes there.

Commissioner Mourdock: Can you do searches through Word off the HTML language without going into a specific file?

Bill Cottun: You're asking if you can search the entire database? I'll have to get you an answer, sir. I apologize for not knowing that off the top of my head. I am certain, though, that each one of the files is certainly searchable. I am inclined to think, right now, the answer is yes. I do remember a search capability on that web page, but I'll give you a definite answer on that, sir.

Commissioner Mourdock: With the existing site that's out there then, what's your word, migration? I like the word shut down myself.

Bill Cottun: We use migration in that much of the information that is going to be on that page will be migrated to other sites, maybe other departments because each department on there has their own web site at this time. That was just a link page was all it was. It wasn't a data web site. It was just a bunch of links. Some of those links will remain. As I mentioned, anything that was not a government site, a city, county, state, or federal government site, will be brought before the commission for their review to make sure that you are in understanding of why the county may reference sites that are not government sites. We have found, like in Indianapolis, there were sites that would reference social organizations and things like that. It may be appropriate, but we will bring those to you for your review.

Commissioner Mourdock: I would formally move then that we migrate what was on Vanderburgh.org to the site as proposed and recommended by Mr. Cottun.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Tuley: Bill, before you leave. Do all the offices have internet access?

Bill Cottun: No, sir. All the offices currently do not have internet access through the city/county network. Now many offices have internet access through dial ups. Some offices of which we are not aware because we did not help them set that up. What we can do internally, and what we plan to do with the assistance of each office, is within the Civic Center migrate all web services to our city/county web site, should the offices wish to. Also, provide access to the internet through our internet server which is going to give us the ability to get rid of all the modems that we have throughout the building which are significant security issues for us. That's our long term plan is to get everybody here networked. To get everyone accessed to the internet that the offices want. Just because the access is there does not mean that every person in your office may have it. That's strictly at each individual office's determination, sir.

Commissioner Tuley: Question more for the commissioners? The school has a written, adopted internet use policy that everybody goes over and, basically, signs off before they are give access. Do we have anything?

President Jerrel: We don't, but we really—

Bill Cottun: I apologize, ma'am. We actually do have an acceptable internet use policy.

President Jerrel: Has it been given to all the office holders, yet?

Bill Cottun: It has not been distributed to every office holder.

President Jerrel: We need to get that out so that they can take a look at it. We need some kind of a cover from you. Mike Russ, you might want to talk to Mike about that because that's what he did with this one, and that's a good point. We need to get it out so they are all aware of...it won't solve all the problems.

Commissioner Tuley: Oh, no, I understand that.

Bill Cottun: We'll make sure that it gets mailed out to every office. We'll make sure that the department heads are either e-mailed with that or it is mailed directly. Then we will confirm that once it's completed to the board.

President Jerrel: Next year we will be in the mode of personnel, again.

Commissioner Tuley: Doing the handbook?

President Jerrel: Yeah.

Commissioner Tuley: Good luck, guys.

Bill Cottun: Any other questions? We are really excited about this. You'd be surprised at how some of your offices are getting on-line very quickly. It's delightful watching what's happening.

Commissioner Tuley: This looks good.

Bill Cottun: I'll pass that on to our graphics people. I thought they've done a very good job. This is just a few of the pages they've developed. There are several hundred under development at this time.

Suzanne M. Crouch: You know, an issue that hasn't been brought up, but it's cost. At some point in time, offices need to be directed or someone needs to make a decision on do you charge or do you not charge? For instance, in our office you can access the minutes and not pay anything, but if you come in and we make a copy, you pay.

President Jerrel: Oh, there's always something we got to—

Bill Cottun: That's always an issue that needs to be addressed with the commissioner's direction. Each individual office spends not a lot of money or a huge amount of money to develop the databases themselves and then putting that data on-line. To be very direct about it, we believe that most of that data is going to be used by the business community while much of it will be used by the private sector. If you spend millions of dollars to develop databases and several hundred thousand dollars to put that data on-line, we do believe it's reasonable to, at least, recover some of the cost of keeping that data out in front of the community that's going to use it.

Commissioner Mourdock: Of course, the flip side to that argument is those people pay taxes too. It's the commercial side versus what you said was the private sector side.

President Jerrel: But they don't pay it in that amount.

Commissioner Mourdock: I understand. I pay taxes to put kids in school, probably more than a lot of folks, and I don't have any kids in school. There's always the disparity of who pays how much.

Commissioner Tuley: Thank you, Richard, for perpetuating that question.

Commissioner Mourdock: You're welcome.

President Jerrel: Thank you for coming. We appreciate it. Did we make a formal motion? Okay, and that was all done? I'm getting tired.

New Business

President Jerrel: Okay, any new business? Tony, did you put in that request for me to go with Chief Justice?

Tony Greubel: Yes.

President Jerrel: Okay. Alright. Is there any further business? Motion to adjourn.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items:

Employment Changes:

Coroner	Circuit Court	Prosecutor
County Council	Burdette Park	

Travel Requests:

SCT	Commissioners	Health
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Weights & Measures:

Declare Typewriter Surplus

County Clerk:

Submit Monthly Report for June

Sheriff:

Submit Weekly Jail Information Reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Erik Bentle	Julie Von Arx
Bill Shepler	Al Bennett	Brad Ellsworth
Judge Trockman	Richard Helzerman	Carol Davis
Bill Cottun	Joe Reed	Jeff Korb
Judge Carl Heldt	Steve Helfrich	Lloyd Winnecke
Phil Hoy	Curt Angermeier	Others Unidentified
Members of Media		

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
October 9, 2000**

The Board of Commissioners of Vanderburgh County met in session this 9th day of October at 5:44 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Vanderburgh County Board of Commissioners meeting to order. At this time I would like to introduce the people before you this evening. On my far right, Tony Greubel, Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley; Jane Laib, our Recording Secretary; Auditor, Suzanne Crouch; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. Will you join me in the Pledge of Allegiance.

Approval of Minutes

President Jerrel: I apologize, we ran a little over with the solid waste district meeting so we'll move it along pretty quickly. At this time, is there a motion to approve the minutes of the October 2nd meeting?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan - Award Towing, Storage & Abandoned Vehicles

President Jerrel: We have some contracts. Jerry, would you like to describe them?

Jerry Bryan: Yes, good evening, Commissioners. You have before you in your packets the recommended awards for towing, storage and abandoned vehicles for the county. Two years ago when we put this bid together for the city and county, we were able to have this together. Now the county is large enough where we need to break this out. I have already awarded the city and now I'm moving into the county. These things were properly advertised, Joe, and bid. I'd like to make my awards tonight for the towing. Mike's Towing came out as the winner. Dallas Towing was second and we have a towing company in St. Wendel, Wilderman's, that Brad Ellsworth and I have looked at. He is going to take some of the overflow. Bettye, we had a problem with this being so far out in the county, it's hard for Mike and the city to get out there in the 20 minute time period, so Wilderman's does take some of the overflow. His prices are competitive but not as good as Mike's.

President Jerrel: So is that written in the contract or is that an unwritten agreement?

Jerry Bryan: It's kind of an unwritten agreement right now. We'd like to give Wilderman's about a year to work with us and see if he can get stronger. He's only got about four pieces of equipment, so he can't handle the volume that we need right now. We're kind of, not stuck with Mike, Mike has done a good job, but right

now Mike has 14 pieces of equipment. He can handle everything.

Commissioner Mourdock: I have a real concern, question and problem when I hear in the definition of a contract that we have an unwritten agreement. Joe, I don't know if you want to give us any guidance here. I understand the principle. I understand what we're trying to do, but I don't want to have some other contractor come back later after we said somewhat, what could be perceived somewhat arbitrarily, well, you were going to take too long so we sent it someplace else. That's going to get us in hot water.

Joe Harrison, Jr.: I think we can clarify it when we—

Jerry Bryan: Put together the nuts and bolts of the contract?

Joe Harrison, Jr.: That's right.

Commissioner Mourdock: Put together what?

Joe Harrison, Jr.: Whenever they—he makes the award, whenever he notifies—

Jerry Bryan: Mike's Towing for example.

Joe Harrison, Jr.: Mike's Towing and all of them will have to know about the approval for all. Is it Mike's for abandoned?

Jerry Bryan: Yes. Abandoned will be Wolfe's Auto.

Joe Harrison, Jr.: I'm sorry, Wolfe's. Then Wolfe will have to know that on those areas out in the county, far out, I guess. I don't know if you want to define the area.

Jerry Bryan: I have a map I can show you that Brad Ellsworth and I have. I should have brought it tonight, I apologize.

Joe Harrison, Jr.: It can be attached.

Jerry Bryan: It will be attached.

Joe Harrison, Jr.: And set forth that everyone is clear. Mike is going to be the one picking up—

Jerry Bryan: He's going to have 95 percent of the towing in the county.

Joe Harrison, Jr.: He's going to pick them up and take them to Wolfe's?

Jerry Bryan: Yes.

Joe Harrison, Jr.: Except for that area out in the inner lands in the county.

Jerry Bryan: So far west and north that we can't meet the time table of like 20 minutes to get somebody on call, into the towing vehicle, and going to the northwest part of the county. You're right, Commissioner Mourdock, we probably need to spell that out to the letter.

Commissioner Mourdock: The bid that we've received then is basically a unit price bid?

Jerry Bryan: Yes, sir. Like \$25.00 per tow. That's the way we bill the thing.

Commissioner Mourdock: So, if you now enter into negotiations to say it's \$25.00 per tow within this given area and he says, "Oh, no, it's for the whole county" and you say, "No, this area is—"

Jerry Bryan: It was spelled out. It will be \$25.00 for the county. He makes a specific price for the county.

President Jerrel: They all do charge that. Twenty-five dollars to tow a car.

Joe Harrison, Jr.: But the award to him, Mike's, it's going to be known to him that he's not getting the whole county based upon the time restraints imposed by the sheriff because he couldn't get there in 20 minutes.

Commissioner Mourdock: And that was part of the bid, as well, the time constraints? Okay, now I feel better.

Joe Harrison, Jr.: But he doesn't know what the timing would be based upon a given situation.

Jerry Bryan: Yeah, you're talking about probably 300 cars that the county would have in a year. You're probably talking five percent of those would be so far out that we might have to call someone like Wilderman's that is in that area and knows the roads and everything, etc. But as I say, Mike's has the capability of handling it, he's just a little bit slower.

President Jerrel: Is there a motion regarding the recommendations?

Commissioner Mourdock: I'll make the motion then for that recommendation, but please make sure this issue is clarified when you go to, I think, what you called the nuts and bolts of the contract.

Jerry Bryan: Yes, sir. Bettye, the only other thing is, I guess, my salesmanship is not too good and that's the reason I'm in the purchasing field. I wasn't able to convince the controller to continue the record keeping. That decision has to be made by someone else. I certainly offer my services to whatever bureau or department that is assigned to.

President Jerrel: The logical department is—

Commissioner Tuley: About to speak, I think.

President Jerrel: About to speak.

Suzanne M. Crouch: We did a lot of research that we made available to the Commissioners. I spoke to Joe on the way in, and I have spoken with Jane. We are willing to assume that responsibility. What we'd like to do is do it for a six month basis and kind of gauge what type of time commitment is involved. We don't believe, based upon research, that it's going to be that great, but we'd like at least that opportunity, but we would be willing to assume it.

Jerry Bryan: Things that came to my mind, Suzanne, you could car pool because Wolfe's will have the auction at the same time for the county as the city like they do on Thursday's. You can car pool out there. Someone from your department would have to go and verify each county vehicle that is sold at auction. That's the way the city does it, right now.

President Jerrel: Well, we do it that way now.

Jerry Bryan: Yes, ma'am. The good thing about Wolfe's is that they send a courier the next day for your money. So if it's \$5,000 you sold or \$10,000 worth of cars, the next day you have your money and the check is made out for each vehicle so that we don't lose anything that falls through the cracks on these vehicles. Okay, thank you.

Commissioner Tuley: I think you need a second to your motion. I'll do so at this time.

President Jerrel: And I'll say so ordered.

Jerry Bryan - Division of Family & Children
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President Jerrel: The next item. You want to cover that now too?

Jerry Bryan: Yes, please. I got a note from the folks over at the Division of Family and Children's Vanderburgh County office. Tony, I think this thing was bid out in '96 the last time. My records show Bassemier's has this contract. Anyway, I've got these specifications and I'd like to advertise this on the 11th and the 18th, send this out for bid and open it up the end of this month, and award it sometime in November. Evidently, they are not happy with the present source, and it's probably time for us to renew this, or rebid it, I'm sorry.

President Jerrel: Is there a motion?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Thank you.

Any Group or Individual Wishing to Address the Board

President Jerrel: Okay, the next item on the agenda is any individual that wishes to come before this group and speak.

Good evening Commissioners, fellow citizens. My name is J.T. Kinkel. I'm a professional engineer representing Jack R. Kinkel and Son Architects. In light of September 29th's Executive Summary by PMSI, I think, this is a time when we need to look at a solution that we've put together. This has the potential to save Vanderburgh County millions upon millions of dollars. It's a solution that's been ignored to date, or at least overlooked. If I could, if I may proceed, I would like to hand out these pamphlets to each of you. Is that okay?

President Jerrel: Sure.

J.T. Kinkel: I'll leave some additional copies by the door. If you would take a moment to review this handout with me. On the first page is a description of the jail solution. After we read the Executive Summary Facility Needs, I guess, we know what you know now. Other than the fact, I saw about a three inch binder come in with Sheriff Ellsworth. I'm guess that the Executive Summary gives us all what we're looking for. Upon reading the report, I'd like to take a moment to acknowledge PMSI for bringing all the thoughts and concerns of our public together and putting it in a comprehensive report. That's the way we get things done in our community. Upon reading the report, we knew we had a solution, and we concluded that our method will save the taxpayers by addressing the major problems of overcrowding and expandability. Our solution will save the taxpayers of Vanderburgh County millions upon millions of dollars. Now, in summary, what we're saying is we'd like to construct, or have the county construct, a new jail. But on the existing site and it's attached and adjacent to the existing jail and courts. This allows you to continue using the existing jail throughout and beyond construction. You never lose the 256 beds that you currently have. The building is located, if you can take a look at this site plan. This is Sycamore Street, the existing jail, the existing courts, and the existing walkway. We'd be able to tie together a circular jail losing approximately eight parking spaces. Built just outside, not taking anyone's view. On this site, which would alleviate so many problems that we have. It has 432 beds in addition to the 256. That's 688 beds. The square footage is 84,550, we've worked through the plan. I'd like to begin by looking at what PMSI, their projected costs are. They recommend, they have two separate recommendations as you saw in the options. Either construct a new jail or combined justice center which is comprised of a 500 bed jail, a 225 bed work release unit, and 24 bed juvenile detention center. That plan requires 140,000 square feet. They also gave two budget numbers. A low budget number and a high budget number. \$145 per square foot and \$165 per square foot. When you multiply those out as they did, this project is \$20.3 million to \$23.1 million. Then what the report doesn't tell you is then you have to add all the land and development costs. This means buying the land, construction of entry roads and parking areas, extension of utilities, zoning permits, etc. This is an additional multi-million dollar added to the taxpayers of Vanderburgh County—add to the project. Now, as you can see on this site, you can see where it's located. I'd like to start by showing the basement. We've taken into consideration all the mechanical spaces, vertical transportation, stairwells. Right now this area would be able to be parked under. If need be, we could enclose that to give you more offices or greater security, if required. On the first floor, you again have the vertical transportation, offices or kitchen areas, mechanical risers that serve all floors of the building, stairwells, in addition to all the yellow areas that can be determined program space as required. Now, the second through tenth floors are the meat of the project. You have cells which are in the light green and dark green. Each cell--each floor has 48 beds. In addition, the space required includes the mechanical risers, the mechanical spaces, the control center which permits one person to view, radially, that entire floor. It saves money every day. The exterior corridor is for service and visitation.

In addition, you have what can be lawyer cubicles in this area and/or serve any purpose required, visitation or attorneys. Then, as I said, those are typical floors second through ten. The roof permits an exercise area and track. This would be, at least, partially covered and able to be used 365 days a year. Now important to think about is that the existing jail does not need to be torn down, renovated, changed, or lost. The ancillary facilities used now such as offices, interview rooms, booking, property storage, housekeeping, etc. can remain in the existing jail to serve the new jail addition. I say again, when we have that jail addition, you have 688 usable beds. Now back to the cost. What we came up with when we looked at PMSI's projected costs, if you have a new 500 bed jail, stand alone at 140,000 square feet, you are between \$20.3 and \$23.1 million dollars plus everything you have to add on for the land development costs. That's never in the report, at least not in the Executive Summaries. When you have a combined justice center, as they propose, they say that these projected costs can be reduced by as much as 15 percent. We'll give them the benefit of the doubt and say that puts the project between 17.3 million and 19.6 million, again, plus the land development costs. I'd like you to turn and look at the Kinkel solution. Our solution, as I said, is to construct a 432 bed jail on the existing site which is attached and adjacent to the existing jail and courts. This will deliver more than the 500 beds the report suggested our county needs. In the interest of the County Commissioners, when we extrapolate and use their \$145 and \$165 per square foot cost, that puts our price tag at \$12.3 million or \$14 million. That's, again, for a 432 bed jail, using the existing 256. That's quite a savings. We like to play in the real world, and in the interest of the County Commissioners, our firm's budget amount has increased to a safe planning figure of \$200 per square foot. That's more than 120 percent of their high end dollar figure. That accounts for market changes that always occur with construction projects and all the project contingencies. When you look at our 84,550 square foot building, and you multiply it by \$200 per square foot, it gives you a price tag of \$16.9 million dollars. That, again, is for 688 beds on the first day. Immediately, you have cost savings when compared to the projected costs given by PMSI. Now the cost savings are in reality far greater due to the land and improvement costs. They must be added and they are never exact. That's why they're not included in the report. Again, our solution is constructed on the existing site thereby eliminating those costs. Another important issue. We can be operational within two years. That's what this takes, two years to design, build and operate. We also look at expandability just as the Executive Summary asked us to. The report suggests that the new jail be expandable to 700 beds. Well, at this time, we're not recommending that you alter the existing jail. We say use the 256 beds. We chose 432 because it was a close number to 700 when added together. It gives you 688 and that's very close. We could, in fact, add an additional 48 beds by adding only one more floor, but to keep comparisons apples to apples, we stuck with the 432. As PMSI has stated, I don't think there's any doubt about this, remodeling the existing jail would be quite expensive. However, the important point to consider is the inability to empty the existing jail space during construction time is one of the greatest contributing costs to this problem. If we have a place to put 432 inmates, that can empty the jail and reduce that logistics problem for the contractor. When you look at PMSI's projected plan and look at expandability, all we have are dollar figures that we can place on it. If you take 688 beds and you divide that by 500 to find out approximately how many square feet it will require, that's 137.6 percent. You multiply that times the number they threw out for 500 beds, 140,000 square feet. That gives you 192,640 square feet. You multiply that times their budget figures which again are less than 80 percent of our budget figure, and it gives you a 27.9 to 32 million dollar project. Then once again you have to add all the land development costs. All the roads, the

purchase price of the land, the zoning, all the nightmares and headaches. Here we are at the most important part, what are the cost savings to Vanderburgh County? Well, due to the placement of the new jail addition on the existing site and the advantages that come with that, Vanderburgh County is able to realize cost savings of millions of dollars using our solution. We'll look at this by...the first thing to look at is, today we know we need, according to the report, a 500 bed jail. You take their projected cost range using \$145 and \$165, you subtract our \$16.9 million and at day one, you have between 345,000 and 2.7 million dollar savings. Once again, that's before you buy the land and develop the land. That's in a justice center where we subtracted 15 percent. If you look at a stand alone jail, your savings are between 3.4 million and 6.2 million. Again, before land development costs. The day that the county decides 688 plus beds are required, the savings are between 11 million and 14.9 million dollars in savings. I want everyone to think about that number again. Between 11 million and 14.9 million in savings. It's hard to fathom. An important note, the jail and courts need to be attached and adjacent. I think this is a different...I'm looking at a man who obviously knows a lot about it shaking his head. This is because due to the nature of inmate security. It's different than the relationship between any other city/county departments. You can move any other city/county department without adding another logistics problem to your program. As common sense dictates, the jail and court must operate together to maintain an efficient and effective criminal justice system for our county. If you build a satellite facility, seven, eight, nine, ten miles away, and you use video monitors for a judge to speak to an inmate, are you taking away effectiveness and efficiency? I think common sense comes into play. I'm sure many judges would back us up on that. Now looking at some recent Indiana county jail projects where they did this. They built a project far away such as Cass County, Pulaski County, Ripley County, Henry County and others. It reveals one common theme. All of these jails are in less densely populated counties than ours, Vanderburgh County. So much so that when I reviewed the populations, I couldn't find one of those that was within 1/3 of our population. We have an entirely different problem here. The problem is easily solved with the Kinkel solution. What the Kinkel solution also saves you that sometimes can't have numbers put to it, it saves the high cost to extend the court data record lines out to an off-site satellite building. We don't even know what that would cost at this day. It also saves the need to spend approximately \$5 million dollars to renovate the existing jail space into offices. It saves the high continual cost to transport prisoners to and from court and to and from judges chambers should that action be required. It saves objection, probably strong objection, from neighbors who do not want a jail in their neighborhood. We have a neighborhood here that already has a jail. It saves cost requirements for obtaining a new site. As we've said before, this could add up to millions of dollars and the other thing is, it can add up to millions of your man hours, I'm sorry, thousands. I'm stuck on the millions right now. Also, it would save the county years of project planning, development and construction time which may lead to additional lawsuits. I think we all have that concern in the county. Again, all of these savings are in addition to the calculated savings shown under the Kinkel solution. At this time, I'd like to open it up to any questions.

President Jerrel: Would you mind putting your rendering over here so that, I know the sheriff was back in the back and he couldn't see your...

J.T. Kinkel: I'm glad you said something about the rendering. An important note, this rendering, as you can tell by the older cars, was done quite awhile ago.

Brad Ellsworth: We still have that car.

J.T. Kinkel: The number of beds at that time was not nearly as high as the report says now. It was 21 years ago. What I'd like you to be able to imagine, is that this building has an additional five stories to it. It still fits the landscape, it fits the site, and it fits our needs.

President Jerrel: Each one of those levels would look somewhat like that?

J.T. Kinkel: Yes, and a wonderful thing about this radial layout is it permits separation between this type of inmate and, I hate to say this, this type of inmate. This building, this drawing doesn't have it, but it basically has a line down the middle, and it can hold all different inmates who can't see one another or hear one another. The only person who can see everybody is the gentleman or lady in the control center. This plan has been...the current and previous jail inspectors for the State of Indiana have seen this plan and have given us positive feedback.

President Jerrel: I didn't expect you this evening so I'm going to ask my fellow commissioners if they have any comments or questions.

Commissioner Mourdock: I would just make the comment that I suspect, sorry Jane, I'll make the comment that as we go through this, I think, we will have a number of architects come forward and present what they see as the likely plan. I think we should be very open with what our proposal is which is to say our request for proposal will simply say we want so many beds, so many beds at this type, so many of that type, and at that point, I think, we will probably get a number of architects to come in with plans to otherwise utilize real estate or whatever current assets we have in the best way they can. To me, that's what the competitive process is all about here.

J.T. Kinkel: We consider this our solution. I think that's important. It's been our solution for 21 years, and PMSI didn't pick up on it.

Commissioner Mourdock: Did you copyright it?

J.T. Kinkel: Actually, I think if you study engineering and architectural law, you'll find that it's similar to that process.

President Jerrel: Did you have some comments?

Commissioner Tuley: No. I obviously didn't know you guys were coming either, but I'll ask you the question that I'll ask anybody else that walks up here. What other jails have you guys designed for and I don't care where, Indiana or where else?

J.T. Kinkel: Posey, Webster, and we have outside jail consultants—

Commissioner Tuley: That you work with?

J.T. Kinkel: Who we work with. The Youth Care Center here in Evansville.

Brad Ellsworth: How many does Posey hold? I don't know what their inmate population is. (Inaudible.) I don't think you've been ignored because (inaudible).

J.T. Kinkel: I shouldn't have said that. In general, we've been ignored.

Brad Ellsworth: We've had questions during those meetings about trucks, 18 wheelers backing in, just general questions what I have to worry about is the logistics of all these things. I think, like Mr. Kinkel told me, that these are renderings. These aren't the final drawings. I know the state general inspector said what about expanding from two floors or tier that same thing, and I know that you all expressed that could be done, that's what I thought you said.

J.T. Kinkel: You have to review everything. It is a concept just like you reminded us. It's a concept and it needs to be more fully developed. It is an original concept, and it's one that saves millions and millions of dollars.

Commissioner Mourdock: I think Commissioner Tuley said it at the last meeting. The process that we had when went though this at The Centre, it seemed to work very well. Certainly, we have a lot less stakeholders involved with this project than we did with The Centre but, I think, at the appropriate time as these types of presentations are done, we need to have all the stakeholders present who are affected by it. That comes back to many of the same people that we've had involved with the Blue Ribbon Committee; the folks at the Safe House, the juvenile folks, obviously the sheriff, prosecutor's office, judges office, all of them have some stake in this and, I think, we'd be acting incorrectly if we did not keep them involved with all these types of presentations.

President Jerrel: Just as a general overview, we are going to have some financial discussions in the next week or so, and we're going to have a meeting with our County Council, a special meeting, to review the plan. We just got the final and that's—we're looking at 100 pages there or more, and that has to be digested. The Council will have a lot to say about this. We are going to outline a plan of action at that time, and the Commissioners will all be at that meeting. That will be the next step. We will open this for ideas, and this is certainly unique.

J.T. Kinkel: This is in response to the September 29th Executive Summary for the facility needs.

President Jerrel: Okay. We appreciate you being here. Obviously, we aren't going to respond to you right now because we still have three or four steps left to go through.

J.T. Kinkel: We just wanted you to see it. We want you to know that there is a solution available.

President Jerrel: We appreciate you coming and it is unique and that's what we're looking for.

J.T. Kinkel: Thank you for your time.

President Jerrel: Thank you very much. Okay Mr. Helzerman. Reverend Helzerman.

Richard Helzerman: You can call me Mister. I'm a Pastor. I have a solution that won't cost you any building funds. My name's Richard Helzerman and I'm here to talk to you about the overcrowding in the Vanderburgh County Jail. Last week I asked you to speak to the judges to encourage them to strategically plan to implement pre-trial conditional release programs. If any of you have done so, or

plan to do so, I would appreciate hearing about efforts and intentions. A week ago, Larry Wilson was arrested and placed in the Vanderburgh County Jail. Last Wednesday he was given a hearing. They refused my request for a pre-trial release program. The judge refused to lower his bond to a reasonable amount. The judge assigned him a public defender even though he did not ask for one. The public defender still has not received Larry's file from the prosecutor's office, and he does not expect to receive it for several weeks. I presented Larry's offer to plead to the public defender so the case could have been disposed of already because it only takes 15 minutes for the judge to do a plead, but he has refused to present it to the prosecutor or to the court. I spent most of last Wednesday morning in the Superior Court room. The judge had scheduled many pages of cases to be heard, all at 9:00 a.m. At least seven attorneys were in the room for defendants. The judge did not arrive until 9:30 a.m., one half hour late. One of the attorneys was Glenn Grampp who recently charged me \$150 for one hour of his time. If the other attorney's time is similarly priced, the Court wasted \$525 worth of a scarce resource by poor scheduling and poor manners. All but one of the cases involved repeat offenders which gives support to the proposition that spending time in jail doesn't reform criminals. All but one of the defendants' requests for a more reasonable bond were refused even though most of them had jobs and families to support. Not one of the defendants was offered a pre-trial conditional release program even though the judges agreed to follow PMSI's recommendations. I would like to put on the record my opinion that building a bed with 500 beds will not solve the problem of overcrowding for more than two months unless the existing jail is also kept in service. The population of the jail has been as high as 430 already, and that's only 70 more. The state recommends that the jail should have four beds per thousand of population. The best estimate of the population is 168,000 so the county needs 672 beds. At \$75,000 per bed, this will cost the county \$50,400,000 dollars. I believe the county should build a new jail because the old jail does not meet the current recommendations for housing standards, but it's not necessary. I've attached here a letter that I've sent to each one of you February 15th. Now February 15th was eight months ago. It was two months before you hired PMSI, and it was seven months before PMSI recommended that you have a pre-trial conditional release program. I still believe a pre-trial conditional release will solve the problem of overcrowding in the jail. It can be implemented in three weeks at a simple level. I've outlined in this letter some ideas about it. I'm willing to work with the judges or you or anybody else to try to help implement it.

President Jerrel: You know, we do have to take into consideration, Mr. Helzerman, that the judges are in charge in the court room and they are the ones that render decisions. We do not. We're responsible for the physical features, but we're not responsible for rendering judgements. We can't tell them to talk to you. We can't tell them how to rule or to give pre-trial release. It's not within our responsibility area. That's what you're frustrated about. We do not have that responsibility, and we can't mandate it in any way.

Commissioner Tuley: That's a better word, authority. We don't have the authority.

President Jerrel: We do want to work with everybody, and I think that's what this is causing to happen. More and more people are working together. When you do that, you do get solutions.

Richard Helzerman: I'd like to answer that just a little bit. First of all, to implement any kind of a pre-trial conditional release program will cost money. You have to be

involved in that and the County Council has to be involved in it. What I'm asking you to do is talk to the judges, indicate that you have a positive attitude towards this option, and that you will be open to requests for funding for it.

President Jerrel: We've gone through that with our Blue Ribbon Committee. That was one of the first things that they did.

Commissioner Mourdock: One step even beyond that as you note in your letter here, PMSI's recommendation that you were citing says that that same option be used. You're saying here that you don't think the judge was following PMSI's recommendations. I did not hear in the four weeks of discussions when PMSI presented their stuff, I did not hear one comment from any commissioner here saying, "Oh, no, we don't agree with that specific recommendation." I can't think of a single recommendation they made that we do not agree with. We're on board with that one.

Richard Helzerman: Okay, I have one other thing. If you do not have the authority, it's necessary, it's absolutely essential to make a system wide change that the support of the highest authority and the authority, someone that has the authority, to make the changes go ahead. You made the same objection last week. The only higher authority I know is the Federal Courts.

President Jerrel: Well, our courts are under--the State Statutes control our courts. I don't know, Joe can help me out on this. I mean, you'd be upsetting...if you take that power away from the judges in any way, shape or form, you're going to be upsetting a system throughout the state. I think the judges are willing to work with us, but we are not trying to take over their responsibilities. I think that's the issue. We will listen to you and you're a very sincere person and I know you want the best thing for everyone, but we cannot make them do this. We have to encourage them and, I think, they are looking at this.

Commissioner Mourdock: I think they are but let me go back to what you gave us tonight, Mr. Helzerman. I think there is a very important item that you put in here and that's your fourth paragraph. You did not say which judge was late, and that's fine, I'm not asking you to here, but the one thing we talked about long ago in the Blue Ribbon Committee, and it's certainly come up in other discussions, is who's in the jail? Are those poor people? And by and large, the answer is yes. You make the point here that a particular judge cost each one of them a half an hour of time. In some way that they were probably paying an attorney to be there representing them, and that's a billable half an hour even though no service was being rendered. I think that's a good point. How that point is made through the community, I'm not sure. I hear what you're saying with that, and that's a very valid point. Why is the judge a half an hour late when he assigns the time for that court to start? I don't know the answer to that. Certainly some judge knows and needs to be accountable when he's scheduling all those attorneys in there at that half an hour--or at that hour. That's an important point so, I think, that's a very good point and one to make publically.

President Jerrel: We listen to you, we do.

Richard Helzerman: I appreciate that. It's not unique to the particular judge Wednesday because I was there Monday and I didn't know whether it was in the Circuit Court or Superior Court, neither one of them started at 9:00 on Monday and that's three different judges. This is a system problem. It's not one particular judge, it's not the prosecutor, it's not the sheriff, it's not the jail. It's, the whole system

needs...all I'm asking you is to talk to the judges and encourage them. There's all kinds of recommendations out there.

President Jerrel: We will send them a copy of the minutes so they can read what you've said.

Richard Helzerman: Okay, thank you.

President Jerrel: Okay, thank you.

Richard Helzerman: I'd like to say one other thing. The basis of your answer to the latest lawsuit that was filed, I believe, was completely false and could not be supported if evidence was brought in.

President Jerrel: Why don't you talk to our attorney, and you can tell him what you think the problems are.

Richard Helzerman: I'm willing to do that.

President Jerrel: Okay, thank you. At this time, is there anyone else who wishes to speak to the board?

John Stoll - County Engineer

President Jerrel: If not, I'll begin reports. County Engineer?

John Stoll: First item I've got is a request for street plan approval for Columbia Street east of Burkhardt Road. This is for about a 300 foot strip of Columbia that will be built in conjunction with Glass Subdivision which is the new Sam's Wholesale Club. The street will be an asphalt street with two lanes heading west at the Burkhardt approach then one eastbound lane. I've reviewed the plans and it's recommended that they be approved.

President Jerrel: Is there a motion?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

John Stoll: Second item is also a street plan approval request. This is for Eagle Plaza West. This is located off Boehne Camp Road just west of the remainder of Eagle Plaza Development. This street has actually already been constructed. It was...when the plat was getting recorded, we found that the street plans had not been previously approved. I have reviewed the plans and inspected the construction and everything is okay. It's recommended that these street plans be approved as well.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next item is a change order on the O'Day Discovery Lodge project. This results in an increase of \$3,560.80. The reason for the increase is due to the fact that the water line on-site is being changed from a three inch line to a four inch line and an open cut for the sanitary sewer installation has been changed to a bore.

Commissioner Mourdock: Changing from an open cut to a bore, and it's only going up \$3000? You better act quick. I'll move approval of the change order.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I've got several items on the Fulton Avenue Bridge. The first is the letter that we received from INDOT stating that the wall design is approved. They do say in that it's just for the wall design. They want to reiterate the fact that there will have to be some evaluation of the pier which we all know that already. They also said that they wanted some of INDOT's structural people to take a look at the pier as well. They are approving everything now, but they just wanted to say that was the first step in this correction process.

Commissioner Mourdock: So do we need to act to accept the letter? You wouldn't think so.

John Stoll: Just for your information. Next, I've got the change order for the construction of the wall. This is for an increase of \$436,855. I just received those prices late this afternoon. They have not been reviewed by anybody with INDOT as of yet. The cost includes the concrete steel for the retaining wall. It includes all excavation for the retaining wall. It includes the excavation to get down to evaluate the pier.

President Jerrel: Were you able to reach Mr. Ludlow?

John Stoll: Yes, and he is supposed to give me a tentative schedule by the middle of the day tomorrow.

President Jerrel: I asked him to prepare a schedule by each action that they're asking for, for this money. I think that INDOT would want that, too.

John Stoll: Probably so.

Commissioner Mourdock: It makes it easier for INDOT when all the bills come in.

President Jerrel: Yeah. Okay.

John Stoll: That change order is just for straight time cost. It doesn't include double shifts or anything like that. Right now, it looks like maybe the tie back installation could be done in double shifts. I don't have a change order on that right at this time, but I believe that was for an additional \$8,300. That could be done on double shifts. The soils report recommends taking down the embankment no more than 15 feet per week for fear of instigating another failure. Because of that, we couldn't work double shifts and keep excavating continuously to get down to the pier. Maybe portions of it will be able to be done with multiple shifts but not everything.

Commissioner Mourdock: When will you know, John? Is it likely we'll have that change order in another couple weeks if, in fact, one is required?

John Stoll: On the multiple shifts?

Commissioner Mourdock: Right.

John Stoll: If we can get the tie backs done in multiple shifts, I can bring that, probably, next Monday. I haven't had a chance to discuss that in great detail other than the fact that I did let them know that you had asked me to look into that. Beyond that, until the plans were approved last week, we couldn't really get into any specifics as far as what could and couldn't be done with double shifts.

President Jerrel: Have they seen this yet?

John Stoll: No, they haven't. They had a holiday today so we'll try and get that to them tomorrow.

Commissioner Mourdock: That says it all, doesn't it?

Commissioner Tuley: Columbus Day.

Commissioner Mourdock: I will move approval of the change order for \$436,855.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: And if for some reason some of that is not acceptable to INDOT, we'll tear that one up and bring another back next week. If it is acceptable, then we gain a week and could start excavation here within the next few days. The next item is also in regard to the Fulton Bridge. This is for Earth Exploration Services. They proceeded to do the design without having a contract. Their original contract only called for soils evaluation but not design. They have submitted a supplemental agreement for an amount not to exceed \$45,000. Twenty thousand of this was to cover the design that they have completed and then \$25,000 is their estimated cost for having on-site inspectors during the construction of the retaining wall.

President Jerrel: Will they take the drainage plan...I mean, this will be a, how do I want to say this? A clean explanation to Weddle Brothers. It's one thing to design but another thing to implement and build.

John Stoll: Right. They've been working with Weddle. That's how Weddle was able to get their prices put together for that change order.

President Jerrel: So they're aware of the instability of that area?

John Stoll: Right.

President Jerrel: Okay.

John Stoll: One thing that INDOT had stated whenever I went to Indianapolis a couple weeks ago and met with them. They made it clear that they wanted the soils

people on-site during construction of the retaining wall as well to make sure that everything was built according to the plans.

President Jerrel: You're keeping those bills all tallied, right?

John Stoll: Yes.

Commissioner Mourdock: I'll move approval of the change order with Earth Exploration.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The final item on the Fulton Bridge is a fax that I received from SIGECO today. There's a utility pole that's in the way out there. It's been moved before for this project. Now because of the retaining wall, it's in the way again. They submitted a cost to relocate that pole of \$3,164. If, after I discuss this with Joe, if it's found that the county is responsible then I just want an authorization to proceed with telling SIGECO that, yes, the county will pay. Likewise, if Joe finds that it's something that SIGECO should pay, then I would forward that to them as well. I guess what I'm asking for right now is just a verbal approval for the county to proceed if that's what Joe thinks we should pay.

Commissioner Mourdock: I'll move that we continue to pursue it.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The final item I've got is a right-of-way encroachment agreement. This is at the intersection of the 164 Bridge over Pollack Avenue and Pollack Avenue. The developer is going to build apartments out there and in conjunction with that, he would like to landscape an area and also have some of his storm water drainage pipes run through an area of the county right-of-way. Pollack Avenue's right-of-way used to run straight through here. When the interstate was built, they realigned it to go underneath the bridge down here. So when the new portion of Pollack was relinquished over to the county, it left this area all being the right-of-way. This is the area he wants to landscape as well as having the storm water pipe drain out to there.

Commissioner Mourdock: So is he asking permission simply to do something on it or does he want us to vacate the excess right-of-way?

John Stoll: He's just asking for permission to encroach in it. He's not asking for a vacation. Joe took a look at the encroachment agreement. It's got a holds harmless provision in it and things like that so, I believe, he thought everything was okay. Didn't you, Joe?

Commissioner Mourdock: I'm okay in doing that. It raises a question though, should we not start some sort of a vacation proceeding on that?

Joe Harrison, Jr.: Well, we've done this in the past without a vacation.

Commissioner Mourdock: Again, I understand to do what he wants done, I'm okay with that, but I'm just raising the long term question. If we have excess right-of-way why should we keep it?

Joe Harrison, Jr.: Very well could be that it may be something that you all ought to look at with Erik to see if that's something—

John Stoll: If the right-of-way wouldn't ever be used, at least a portion of it wouldn't be used because when the state realigned Pollack as a part of 164, that right-of-way runs straight into the embankment to that bridge so it couldn't be used in that manner. The only problem is that's it deeded, technically, in the state's name even though it's been relinquished to the county. I don't know if that makes any more creative things since federal money was probably used to buy it.

Joe Harrison, Jr.: All sorts of tracts have been relinquished to the city or county like that in the past. If you go back and do a title search, it's still in the name of the state. I mean, we could vacate something that may or may not be ours. That's what you run into.

Commissioner Mourdock: Who is the petitioner on this?

John Stoll: John Mattingly. I believe his first name is John.

President Jerrel: Is there a motion to grant encroachment?

Commissioner Mourdock: I'll move that we sign the encroachment agreement with Mr. Mattingly for the right-of-way on Pollack as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: That's all I have unless you have any questions.

Commissioner Mourdock: John, I need to talk to you afterwards.

Erik Bentle - County Highway

Erik Bentle: Erik Bentle, County Highway. You have my progress report from last week and my work schedule for this week. Other than that, all I have is the weather held us up a little bit paving Maasberg Road so we are finishing up this week.

President Jerrel: Anybody have any questions, any issues that you've not already given to him? Okay. Thanks a lot for going out there today.

Joe Harrison, Jr. - County Attorney
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President Jerrel: County Highway, I mean County Attorney?

Joe Harrison, Jr.: The only thing I wanted to report is that now the auditor has indicated a willingness to handle the paperwork for the abandoned vehicles, I will

proceed with an ordinance regarding the abandoned vehicles so the county can take advantage of the cost that we may be able to benefit from such an ordinance. I'll indicate that the auditor's office will be involved in that process.

Commissioner Mourdock: Joe, before we leave your area here, would you maybe next week or the following week, within the next couple weeks, give us an update on the proposed, if you will, ordinance on the flooding and putting some restriction on the deed plat or however you propose we do that as we've spoken of on a couple of occasions.

Joe Harrison, Jr.: Okay. I'll talk to you about that, too.

President Jerrel: While I'm thinking about it, you need to be involved in the planning of our, how we're going to move through these stages of what we're beginning now. I think we ought to talk to Council, but we need to have an idea because, I think tonight, none of us knew that there was going to be a presentation brought before us. I would bet that could be a weekly occurrence.

Commissioner Mourdock: The floodgates are open now.

President Jerrel: You can't very well refuse somebody the floor, but that is an issue we have to deal with.

Commissioner Mourdock: It is and we need to do it in such a way, and maybe as early as next week, we might be able to come ready to discuss and schedule as to how we want to start to lay those things out so that we can put out a good RFP to get all these folks in here on a scheduled time so it doesn't come to us as a surprise.

President Jerrel: Did you have a call about this on the agenda?

Tony Greubel: No. I did fax them the Executive Summaries, but I had no idea what he was doing with them.

Commissioner Mourdock: And how many other requests have we gotten?

President Jerrel: Well, anyway, we'll have a plan.

Steve Craig - Burdette Park

President Jerrel: Burdette Park. Were you real nice to them to get such a good price on that work?

Steve Craig: Steve Craig, Manager of Burdette Park. The first thing I've got is the Build Indiana Fund applications. The one from the State Senate requires you guys' signature. The one from the House Ways and Means Committee doesn't need your signature. If you want to sign that and send it off or if you want to sign it, I can send it off.

President Jerrel: We need to have it go through the meeting so Jane can get it for the record. You'll get them tomorrow. We will get them signed and you can get them tomorrow.

Commissioner Mourdock: What do we have there? Do we need a motion to sign

those?

President Jerrel: Well, yes. To approve grant requests from Build Indiana Funds and also from Indiana House of Representatives.

Commissioner Mourdock: I'll move then that we approve the two grant requests as stated for Burdette Park.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Steve Craig: I had inserted the totals for the three quarters up to the end of September and my work reports.

Commissioner Mourdock: Only question I had, Steve, when I reviewed the totals last night, anything noteworthy here that we...is this telling us something we don't already know, or is it telling how to do something better for next year?

Steve Craig: Yeah, I got some different ideas on it. I'd actually done it because when I went back to Council, they...when I beg from them, they usually want to know how we're doing on the year at that time. I had told them that, you know, as you can see the weather affects 2/3rds of what we got. When the weather doesn't affect it, we do okay on it. The gift shop and stuff like that, we have different ideas that we want to try. I think they all would have done really good, if the pool would have been packed this year.

Commissioner Mourdock: Did we raise rates for the day camp?

Steve Craig: Yes, we did.

Commissioner Mourdock: So we had roughly the same number of kids—

Steve Craig: We had more kids but we did raise the rates.

Commissioner Mourdock: Okay, that's the big influx there. We're \$41,000 ahead of where we were last year and \$25,000 of it's from there.

Commissioner Tuley: Same way with the rentals. I forgot, did we increase rentals as well?

Commissioner Mourdock: Yes, we did.

Steve Craig: The numbers on the rentals was up. Also, we looked at the amount of kids that we let in this year was up a little bit, too.

Commissioner Mourdock: That reminds me of something for rentals. Couple of years ago, I think it's been that long ago, we spoke here about how the rental spaces for campers were being used. Not asking for this tonight, but in the next few weeks could you give us a report as far as how we're adhering to all of that? We put some restrictions in place as to how long people could stay there and those kinds of things. In the next couple weeks again, could you give us a report on that?

Steve Craig: Yes.

President Jerrel: Anybody else? Thank you very much. The last two reports have been submitted. Is there—

Tony Greubel - Superintendent of County Buildings
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Tony Greubel: I had one item for my report.

President Jerrel: I'm sorry, pardon me. I'm just checking off.

Tony Greubel: I submitted a list of vehicles to be sold at the surplus county vehicle auction this Thursday at 8:30 a.m. and I also have the titles in the signature folder. There's one vehicle we are still looking for a title for. That happens every year. There's always one title that's missing.

Commissioner Tuley: The school bus one that was donated.

President Jerrel: No telling where that is.

Commissioner Tuley: I'm trying to find out on our end and he's going to try to find on his.

Commissioner Mourdock: I'll move approval then of the department head reports.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: Any questions on any of the consent items?

Commissioner Mourdock: I'll move approval of the consent items.

Commissioner Tuley: Second.

President Jerrel: So ordered. ¹

Old Business

President Jerrel: Under old business we do have our PMSI file report and what we've done with this is we didn't get very many. What we've tried to do is distribute them. The auditor will have a copy so if anybody wants a copy, they will have to get it through the auditor's office.

Commissioner Mourdock: Have we received all the copies that are coming to us?

Tony Greubel: Actually, we were supposed to get ten. We ended up ordering 25 so

¹See page 26 for a complete listing of consent items.

that all seven council members and judges.

Commissioner Mourdock: And have we gotten all 25?

Tony Greubel: Yes.

President Jerrel: And we are in the process of having people sign for them so we are sure they've gotten them. I want to read this, particularly before the 20th.

Commissioner Tuley: Could have read that last night when I wasn't sleeping, I bet that would have helped.

Commissioner Mourdock: It probably would have. Keeping the subject open, again, I think it's important during our old business section...there is a lot to be decided here given all the information we received and, maybe even next week, we can talk about how we go forward with like the architectural proposals and get that process going.

Commissioner Tuley: I think it's going to be up to us to keep it rolling.

Commissioner Mourdock: Exactly right.

President Jerrel: I think as soon as we get the Council involved in this, they may choose to have someone be our liaison and be here to enter into that conversation and discussion.

Commissioner Mourdock: We do have the meeting scheduled for the—

Commissioner Tuley: 20th at 8:30.

Joe Harrison, Jr.: That's actually their meeting with you all, hopefully, to attend.

President Jerrel: We're there to observe and interact if they need us. They got theirs today also. So everybody's—

New Business

President Jerrel: Any new business?

Commissioner Mourdock: I have one bit of new business. We've received a letter from the auditor regarding the new enrollment period for the health insurance for all county employees. She had requested that we approve the dates of November 1st through November 22nd as the official open enrollment period. So I would make a motion that we go ahead and do that.

Commissioner Tuley: Second.

President Jerrel: So ordered. Any other?

Commissioner Tuley: Yeah, I've got new business. I had a call this morning that's a little disturbing to me if, in fact, the way it was told to me is actually what happened. We need some clarification and what have you. An individual called me about a relative of theirs that had applied for an opening that we currently have, I guess, at

the auditorium. Went through the interview process, was contacted and told they had received the job, gave notice to their current employer that they were leaving to take a job with the county, and this is the part that I didn't like afterwards, then apparently was called back and said basically, we didn't have any right to call and tell you that because you've not been interviewed by the commissioners who have the hiring rights. Therefore, we are rescinding the job offer. Now this individual is in no-man's land, no job.

President Jerrel: I think you need to look at the...I have the applications of the final four they've decided upon. I want you and Richard to look at them and decide who you want to interview. The fellow that made that over there is leaving Ogden. He just arbitrarily made a decision instead of sending his recommendations of final individuals over here to us. In the past, if you recall, when we've hired someone at the garage or anywhere, you two have (we've all) interviewed—

Commissioner Tuley: We've all interviewed and I don't have a problem, I guess, if we're going to do the interviewing. Although, I thought at one time that was one of the highlights of having a professional company take it over is that we wouldn't deal with this stuff day to day like we were doing in the past.

President Jerrel: These are county employees.

Commissioner Tuley: I know they are county employees, and I guess...where was the breakdown that the individual who made the phone call didn't realize that he didn't have the authority? That's not aimed at us, it's aimed at...what is our contract and what is the obligation?

President Jerrel: It's when we brought it over and ran some of these.

Joe Harrison, Jr.: I don't think Sandie Aaron, unfortunately it's my understanding, knew that the fellow offered the guy the job.

Commissioner Mourdock: Did I understand you to say, Bettye Lou, that the person who made the job offer has since left?

President Jerrel: He's leaving, yes, this week. He was intending to go anyway. He'd already accepted.

Commissioner Tuley: Was this person, up unto the point that he left, given direction by Sandie or somebody...I guess the question, and I don't mean to...I'm not directing it at us, but I really need to know how do we prevent something like this from happening? Where are the guidelines? What does the contract call for that all that is to be done this way? I understand that person's gone—

President Jerrel: They don't have anything to do other than to screen. We collected the applications. Sandie Deig is the one that talks to them. She gave them all of the applications and we expected their best two or three or however many, we sent them about ten. We expected that many back so we could review them. He just chose not to do that. That was a great injustice to the young man that he told that to. I think he really overstepped his bounds.

Commissioner Mourdock: So the answer to Pat's question is, human error. Somebody screwed up and shouldn't have done this and now that person is leaving.

Commissioner Tuley: He's not leaving, I don't think, because of that human error he made.

President Jerrel: Oh, no, he was going to leave anyway. I think these were the applicants, and I think we need to interview them. You need to look at them first.

Commissioner Tuley: Bettye, I'm not...I guess, my concern is not that maybe the person hasn't showed up here, the concern I have is that we're sitting here now trying to explain to somebody, yeah, you were told and you lost your other job because someone over there made a human error mistake and took some authority.

President Jerrel: What would you like to do?

Commissioner Tuley: Well, number one, I'd like to sit down with Sandie to find out what safeguards are going to be put in place that if we're to do the hiring, they shouldn't be involved at all. They just have to notify us, the applicants are all directed over here, and everybody understands that no one over there is going to make any phone calls. They aren't going to be involved with the screening. All they're going to do, if they want to collect the applications. I wouldn't even collect the applications. I'd say, that is the commissioners' responsibility to cover there so that we don't have it. Not that that person was the best or not the best person. You're right, looking at that, there's some things in there on every one of them that are questionable.

President Jerrel: We wanted them to look and screen these. It's just the same way we've hired soil and water and county co-op. All the applications came in here. They reviewed them and got them down to two or three and then we interviewed down here.

Commissioner Mourdock: Normal hiring practices from government or private sector, you don't have an offer made until there's an offer letter extended. Did this person receive a letter or just get something verbally? I presume it was verbal.

Unidentified: Can I come up?

Commissioner Tuley: Please, because I'm speaking second hand anyway.

Commissioner Mourdock: This is the first I'm hearing of this.

Wilbur Robinson: Bettye, my name is Wilbur Robinson.

President Jerrel: Yes, thank you.

Wilbur Robinson: This individual received a call from whoever the supervisor was and told him that he had a job—job offer, and he accepted the job offer. This individual from the county also called the gentleman's place of employment and told the boss out there where he worked at that he was offering this young man a job and could he start next Friday. The place of employment where the gentleman was working at came out and told him and he was congratulating him that he had a new job. That the county has offered him a job. He accepted the job. He even called me and told me that things was really changing for me. I have a job at the county. I'm supposed to start next Friday. I got a call from him that Thursday and he said that he didn't get the job because they said it was a breakdown somewhere that the

county commissioners were suppose to interview. Now, my feeling is, I've worked for Alcoa for 34 years and been in the labor movement, and it's always been to my knowledge, I know county and city government is run different from a manufacturing factory, that the supervisor always has the say-so then he reports back to the commissioners who he wants. I'm here for verification. This young man is trying to make something out of his life and now he is stuck out here with no job.

President Jerrel: QVC, he can't work at QVC?

Wilbur Robinson: He's not working there no more. He quit.

President Jerrel: It's your nephew, right?

Wilbur Robinson: Right.

President Jerrel: If the person who made this offer to him should have reduced those ten applications down to three or four. That was what Sandie Deig had told them. He didn't. He just made a choice and didn't send any of them over here to us.

Wilbur Robinson: Okay, Bettye. Now this young man has got to pay the consequences cause one of your employees made a mistake. I mean, that's embarrassing to the county. I would suggest, me,

President Jerrel: You want us to hire him right on the spot now?

Wilbur Robinson: Yeah.

President Jerrel: I wouldn't know him, and I want to look at him and talk to him. I want to talk to him. I talk to all employees that are hired by our outlying offices. Soil and Water, I sit through the job interviews. County Co-op, Burdette, so what's the difference it's a county job, and I think we have the right to interview the people. That's what they were to do, send two or three names.

Commissioner Mourdock: Let me make two points here and let me go back to what I was saying a moment ago before you came up. The issue of what should happen in this situation seems to me to be clear that a job offer isn't extended until it's extended in writing, and if that person is a county employee, it seems to me that letter ought to come from the county which means it ought to mean, it should mean it comes as the result of the action of the county commissioners.

President Jerrel: It has to come through here.

Commissioner Mourdock: Right. In the future, Pat, to your question, how do we prevent this from happening. That would seem to be the way to make this not happen again. The second point is where do we go from here on this particular instance. I don't know if the person in question is in here or not.

President Jerrel: Yes, he is. They sent three or four applications over.

Commissioner Mourdock: At the very least, as you're suggesting, Bettye Lou, the interview process with the screened candidates still needs to take place. That needs to happen sooner rather than later.

President Jerrel: Absolutely. I think you all need to participate.

Commissioner Mourdock: Sure.

Commissioner Tuley: I don't have a problem with that part. I guess, what I'm looking for and I've heard you say this—you as in Richard— if we have a problem and made a mistake what are we going to put in place to ensure that it doesn't happen again? Now, somewhere between the top management and that person over there, there's a breakdown that that individual apparently did not know or chose to ignore it. I understand that they are leaving, but what is Sandie's responsibility? Have you talked with Sandie to figure out what happened?

President Jerrel: Yes.

Commissioner Tuley: So what happened?

President Jerrel: She said he just did it on his own.

Commissioner Mourdock: Okay, to counter that in the future, how do we make sure that doesn't happen again?

President Jerrel: She won't let it happen again, I can guarantee she won't ever let it happen.

Joe Harrison, Jr.: Do you want to consider a motion to that effect and we can send them a letter telling them exactly how it's got to be in the future? That's the way it is.

Commissioner Tuley: I'm embarrassed sitting here knowing that this happened.

Commissioner Mourdock: I am too. I think we all are.

Commissioner Tuley: If we're going to bring some people in, then we need to look at those. If that person is, at least, in the list that they submitted over for review we'll bring them all in.

President Jerrel: I don't know him, and I've never met him.

Commissioner Tuley: I don't know him either. I didn't know anything about it until Wilbur called me today.

President Jerrel: I talked to your sister and told her that. He will be interviewed. Everybody will be interviewed.

Wilbur Robinson: He's been interviewed but not by the commissioners. My point is also, while I'm up here, Ms. Jerrel, Commissioner Jerrel, Mourdock, Tuley, if you got a procedure that you go through, why not go through it for everybody that you hire? She hires someone for her office, do the commissioners interview them?

President Jerrel: No. Only those departments that are under our direct jurisdiction. Those that I've been mentioning are in our budget directly under our responsibility. Auditor's autonomous. Recorder, treasurer, all of them. These others that I've been mentioning are directly under us.

Commissioner Mourdock: With the one exception being the part-time people. For instance, when Burdette hires a bunch of summer people they don't, but when they've hired anyone else at Burdette we have.

President Jerrel: We do.

Wilbur Robinson: Well, I hope you get this worked out and I hope I don't have to come back before the commissioners with negative feelings on it.

President Jerrel: Thank you for sitting through the meeting.

Wilbur Robinson: Thank you.

President Jerrel: Tony, you can call all of them and set up appointments.

Joe Harrison, Jr.: Do you want to do a motion?

Commissioner Mourdock: Okay, I would move then to see, Joe, if you would draft the letter, I would move that we send a letter to Ms. Aaron for a written explanation and also asking her to define what the steps are from her point of view to make sure this won't happen again.

Commissioner Tuley: Second.

President Jerrel: So ordered. Is there any other business to come before the board? Is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Meeting was adjourned at 7:01 p.m.

CONSENT ITEMS:

Employment Changes:

Clerk	Treasurer	Superior Court
Circuit Court	Health	German Assessor
Prosecutor	Sheriff	Burdette Park
County Assessor	PTABOA	Health

Travel Requests:

Auditor	Knight Assessor	Health
Soil & Water		

Auditor:

Submit monthly financial, cash and expenditure reports
Submit accounts payable vouchers

Sheriff:

Submit weekly jail information and reports

County Clerk:
Submit monthly report

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Erik Bentle	Wilbur Robinson
J.T. Kinkel	Jerry Bryan	Richard Helzerman
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
October 16, 2000**

The Board of Commissioners of Vanderburgh County met in session this 16th day of October at 5:35 p.m. in Room 307 of the Civic Center Complex with President Betty Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Vanderburgh County Board of Commissioners meeting to order. At this time I would like to introduce the people before you this evening. On my far right, Tony Greubel, Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley; Jane Laib, our Recording Secretary; Auditor, Suzanne Crouch; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. Will you join me in the Pledge of Allegiance.

Approval of Minutes

President Jerrel: Thank you very much. The first action item on the agenda is the approval of the minutes of the October 9th meeting.

Commissioner Mourdock: I'll move approval of the minutes as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Certification of the Executive Session

President Jerrel: The next item is the certification of the Executive Session.

Commissioner Mourdock: I would move approval of the summary minutes of tonight's Executive Session that began at 4:45 p.m. and ended at 5:30 p.m. and dealt with the county personnel issues and also with real estate purchasing transactions and pending litigation.

Commissioner Tuley: I will second.

President Jerrel: So ordered.

Jerry Bryan - Award APA001-2001 Car Wash

President Jerrel: Jerry Bryan for purchasing.

Jerry Bryan: Good evening. I have before you in your packet the three awards that I'd like to talk about tonight. These are the annual awards. The first one is Car Wash APA001-2001. I've been asked instead of having one car wash to be able to have different car washes throughout the city so that our vehicles are not held up in one spot. So we've endeavored to have a car wash on the west side, First Avenue, and then on the east side. And I'd ask for your approval of this award for this year.

Commissioner Mourdock: Before I make the motion, I'm curious, how do we...what is the policy on that as far as the people who have county vehicles? Are they required to get them washed once every week or just when they're dirty?

Jerry Bryan: I really don't know if there is a policy. Some people wash every week and some come every three weeks. I don't know if there is a policy for the car that you drive how clean it's to be kept.

Commissioner Tuley: I think these are primarily the sheriff's and police.

Jerry Bryan: Yes, sheriff and police department, things like that.

President Jerrel: (Inaudible.)

Jerry Bryan: The Board of Public Works has vehicles. There's undercover cars and things like that.

Commissioner Mourdock: I certainly support the idea of having more than one location. If for no other reason, you'd have vehicles spending more gas to get to one location. These are pretty well distributed. I'd move approval of the bid tabulations for car washes for the year 2001 as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan - Award APA002-2001 Crushed Stone
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Jerry Bryan: The next award before you is Crushed Stone APA002-2001. This is Mulzer Crushed Stone. They typically get the bid every year although we did send out about a dozen bid packages. They are imminently qualified. They have local facilities. I've had no problems as far as their quality of their material or invoicing, etc. We spend about \$130,000 with them for crushed stone in the city and the county.

Commissioner Mourdock: I'll move approval of the award for Crushed Stone to Mulzer.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan - Award APA003-2001 Sand and Gravel
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Jerry Bryan: Last item on the agenda for me is the Sand and Gravel. That is the same thing. Mulzer Crushed Stone has submitted the only bid although I did bid about a dozen companies. We spend about \$16,000 a year. I've had no complaints against Mulzer and I'd recommend that they be awarded the business next year.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: I've got one quick item that we failed to get on the agenda. I needed to get your approval to advertise the Computer and Copy Paper. Advertising dates for the record, Jane, APA022-2001 advertising dates would be October 26th and November the 2nd with an opening date of November 13th.

Commissioner Mourdock: I would move approval of the advertisement as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Thank you.

Erik Mollberg - PEG Access TV Presentation

President Jerrel: Commissioner Mourdock had a point, if any of you are here for the rezonings...is there anyone here for the rezonings? No.

Commissioner Mourdock: I thought we were going to save someone some time, but we didn't.

President Jerrel: The next item on the agenda is the presentation on the PEG access for cable television.

Erik Mollberg: Good evening ladies and gentlemen. I am Erik Mollberg, Chair of Region Chairs for the Alliance for Community Media, a national non-profit membership organization representing 3,000 public education and government access cable TV centers and the 1.2 million volunteers who provide public education and government access television across the United States. I am the Assistant Manager of Access Ft. Wayne. In Access Ft. Wayne, we program three channels, serve over 100 community service organizations, provide 20,000 hours of editing time, have 4,000 days of equipment check-out, provide gavel-to-gavel coverage of most political debates, and teach nearly 500 community producers. We do all that on an annual budget which is less than it takes to produce one week of "All My Children." On behalf of the community groups and individuals who use PEG access channels each week to produce over 20,000 hours of new local programming, more than NBC, CBS, ABC, Fox, and PBS combined in a year, I want to thank the Vanderburgh County Council for this opportunity to speak with you today. PEG access cable television, or public education government access TV, is growing and thriving not only in Indiana but also nationwide. In Indiana alone, there are over 40 such centers providing public government and educational programming. These facilities with channel space, equipment and staff to develop in their communities. In these facilities within Indiana alone, over 800 people from their respective community, volunteers their time each to assist producers of public and education and government access television. These people believe in the idea of people participating, not only in helping local government communicate with their constituents, but with the citizens of local government and making it more inclusive for the people. In Richmond, White Water Community TV produces a weekly program with the SPCA to assist residents with information about the care of their

pets and to help with pet adoption. In Michigan City, the Minority Health Coalition produces a live call-in show with information about "Super Shot Saturday" a vaccination program and other related issues for the minority community. Bloomington produces "Kids Alive," a reading program which is the longest running series on access television, running since 1975. In Ft. Wayne, Access Ft. Wayne operates both two public and one government access channel. Our government access channel video tapes and cable casts City Council meetings, Board of Public Works, neighborhood president's association meetings, live Council call-in shows, a call-in show for the Mayor, along with safety programming for the Ft. Wayne police and fire department. Our volunteers also video tape organizations such as the Ft. Wayne Dance Collective, the only modern dance organization north of Indianapolis who's mission is dedicated to enhancing the human potential through movement and other forms of arts. That's not even including the sports programming, local religious programming, and other live call-in shows for the community. PEG access TV programming reflects the thoughts, concerns and issues that communities are wrestling with and permits them to actively work together with community leaders to make positive changes. PEG access TV comes in many shapes and forms. It is up to each community to decide which bottle, model, fits their community best. In Bloomington, Ft. Wayne and Michigan City, they are operated within the public library. In Richmond, it is on IU East. In LaPorte, Paoli, Union City, Connorsville, Speedway, to name only a few, they are operated by the secondary education institution. Each city and municipality defines its own style. Cable company based and operated PEG access centers statistically have the worst record regarding service to the community and to local government. Cable company operated PEG access centers are rapidly being replaced by non-profit organizations who can provide greater services for the community for minimal dollars. The best means of funding an access center is through a portion of the franchise fee that the city receives from the cable company. In this way, the local municipality is taking local cable TV dollars and turning in back into local cable television programming. Nationally, it is traditional to fund access centers by using either one to two percent of the franchise fee, locating a non-profit organization to house and manage this facility thus forming a partnership between the community, non-profit and local government. It has been found when a city or municipality receives more than a five percent franchise or a five percent franchise fee and uses it all for general revenue, it could be misconstrued or understood as an unfair tax upon cable subscribers. Vanderburgh County and the City of Evansville stand poised to revitalize, recreate and regain control of the development of their communication information infrastructure and guarantee that it is not relegated to the back roads of the information super highway by large corporate entities managed by outside interests who have no civic investment in the communities that they serve. In conclusion, the Alliance for Community Media's Mission Statement is: "In order for democracy to flourish, people must be active participants in their government, educated to think critically, and free to express themselves." The mission of the Alliance is to advance democratic ideals by ensuring people's access to any electronic media and by promoting effective communication through the community uses of media. Thank you again for this opportunity to speak.

President Jerrel: Are there any questions? I have one.

Erik Mollberg: Sure.

President Jerrel: Does the School Corporation in Allen County have a station dedicated to the educational?

Erik Mollberg: Yes. We, actually Allen County is unique in that we have a educational access channel that's operated by Ft. Wayne Community Schools. We also have one that's operated by the college, IPFW. So it's kind of a higher educational access, again, that's something that's a little different.

President Jerrel: Then what you indicated that you operated on less than one production of some TV program. How much is that?

Erik Mollberg: Our annual budget is around—we receive \$250,000. That's from the franchise fee.

President Jerrel: From the city and the—

Erik Mollberg: From the city. Yeah. With that we have 12 staff, four editing rooms, two studios, remote production equipment. Anything from single cam corders, probably about 12 of those, to a portable studio with three camera production units that we take out to video tape Ft. Wayne Community Band, Dance Collective, Comet hockey, highschool sports. All of those things you may see for perhaps 30 seconds on a broadcast station and we can provide that programming in it's entirety.

Commissioner Mourdock: This isn't a funding request by any means, but by sake of comparison, Tony, I know you've kept us abreast a little bit, and I'm asking you cold here, but do you know what our total franchise fee was from what we did?

Tony Greubel: Approximately \$200,000 that the county receives. Then the city, and I'm only estimating, probably gets about \$750,000.

Commissioner Mourdock: Okay.

President Jerrel: Thank you very much.

Erik Mollberg: Thank you.

Tony Greubel - Submit 2000 Polling Sites for Approval
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President Jerrel: The next item on the agenda, Tony, you're up.

Tony Greubel: I'm just submitting a list of polling places. This is the exact same thing as in the primary.

President Jerrel: Have you received any request from anybody about any problems or anything that should have been addressed at all?

Tony Greubel: There's always room for improvement. One of them, for example, might have been in the 5th ward at Locust Hill Cemetery. We've had a request to move that location. We think we've found one that's, in 2002, we can probably use at a church nearby. We could, perhaps, go there this year still possibly. It is better but state statute kind of prefers that we leave the polling place the same place from the primary to the general. We don't have to. It's one of those things. We've had it here all these years and we can keep there or etc.

President Jerrel: I know I had a request to look at the Fairlawn School music room and another perhaps having two there. We did have two there at one time, then they

moved. Did these go through the registration office?

Tony Greubel: Yes, those came from Voter's Registration.

Commissioner Tuley: Just have one thing. It doesn't have anything to do with polling places as such, in a way it does. The ones that are in the schools, I left off Becky some information that came from our food services management. We need to get that to the appropriate people to determine if they want to eat at the school. They have to let them know by, I think, November 2nd.

Tony Greubel: Okay. If you want we can always wait one week.

President Jerrel: If we approve it tonight then it gives the school a chance to get their act in gear.

Commissioner Tuley: Yeah, I prefer not to wait, especially since it's the exact same as it was in the primary.

Commissioner Mourdock: I'll move approval of the 2000 general election polling places as submitted to us.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Do we need to do something formal in addition to the approval for the advertisement of those?

Joe Harrison, Jr.: You might as well approve permission to advertise. This will need to be published in the newspaper. I can't recall if the statute says two weeks before or—

Tony Greubel: I think it's even less than two weeks before.

Joe Harrison, Jr.: I would say to get it in as soon as you can.

Tony Greubel: If you like, we can do a Sunday paper since it has the highest subscription rate. Advertise it in the Sunday paper.

Joe Harrison, Jr.: But I'd try to get it in this coming Sunday.

Commissioner Mourdock: I would move that we advertise the 2000 general election polling places at the as soon as possible date.

Commissioner Tuley: Second.

President Jerrel: So ordered. Anything else? Okay.

Barbara Cunningham - Comprehensive Plan Update on Natural Hazards
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President Jerrel: Area Plan Commission?

Barbara Cunningham: As you remember in 1997, as part of the local participation in the Project Impact and Showcase Community Programs and the overall effort to make Evansville and Vanderburgh County disaster resistant committee, both the city and county committed to updating the information on hazards in the Comprehensive Plan. We said we would do that the next time we updated the Comprehensive Plan, and since this was the census year this last year, and since we will not be updating until we get the census information in, we thought it was time to make our commitment, and that's why we are with you. Our commitment was made to both the Federal Emergency Management Agency and to the Institute of Business and Home Safety which did designate Evansville as a Project Impact Community Showcase community. The Area Plan Commission's staff prepared a draft update of the natural hazard information in the Comprehensive Plan and after a public hearing on September 6th the year 2000, the Area Plan Commission adopted this amendment to the plan. On October 10th the year 2000, the update was also adopted by the town of Darmstadt. I talked to the President of the City Council and the plan will be going to the City Council, I believe, on November 13th. This evening we are presenting the plan update to the County Commissioners for adoption of the new information in the City/County Comprehensive Plan concerning natural hazards. The update is intended to help educate the public on hazards and ensure that mitigation continues to be considered in local land use decisions. The main goal of the disaster resistant community effort are to make Evansville a safer, more sustainable community by taking actions to reduce the potential for deaths, injury and damage in the event of a disaster and to speed the recovery of businesses in the entire community after such an event. I might also make note again, that Evansville and Vanderburgh County Project Impact Community received the national award from FEMA last year as a model community in the things that we're doing. So, I think what we are proposing to do, we are doing slowly, but we're trying to get things done in Vanderburgh County. The information that we could be discussing tonight will be inserted in the fiscal section, fiscal feature section, of the plan which currently contains discussion of earthquakes and floods. The proposed plan update includes new maps, graphics, replaces the existing text and maps on earthquakes and the existing discussion of the floodplain, except for the description of the levee system which remains the same. The information in the document on tornados in new material in the plan along with the goals, objectives and policies in the new hazard mitigation action plan. Text has been added about the historical record of earthquakes and tornados effecting our area. Policies have been developed to help guide local land use decisions that could impact hazard mitigation. The earthquake maps in the document for the Charleston Quake and the estimated seismic hazard map of Vanderburgh County showing the areas that may be more susceptible to liquefaction and ground shaking have boundaries that should be considered as generalize not fixed. I really must stress that fact, they are generalized. They are not fixed boundaries, so you cannot really look at them and see if you live on one side of the street will this happen, and if you live on the other will this happen. We had a lot of help in developing...the staff had a lot of help in developing this. If you look at the bibliography, I think we are really proud of the people that did help us develop this information. We'd especially like to thank Mr. John Hill as Assistant Director of the Indiana Geological Survey, Mr. Norm Hester with Central United States Earthquake Consortium, and Mr. John Sutter with the Center for Earth Science Information Research with the Department of, USGS, not Commerce but Interior for their technical assistance in preparing the plan update. I might also say the these gentlemen assistance John, Blaine and I with developing of the plan, not only in giving us information but in stressing the fact that these are generalized boundaries. They were not trying to make too severe; They were just trying to make it helpful for Vanderburgh County. As always, we greatly appreciate your interest in

planning for our community and your input in the Comprehensive Plan, and that's why it's here before you to, hopefully, be adopted. Public comment helps to shape the plan to better reflect the future needs perceived by the community. I might also say that the Home Owner's Association worked with us on the plan. We had input from them as with Project Impact members and Federal Emergency Management Center, etc. If you have any comments or questions, we'd be glad to answer them, if we can, now. If not, I request that a vote be taken on the adoption of the plan amendments.

President Jerrel: I have just a comment. I'm thinking now of homeowners or potential homeowners. It would be nice if there were some sort of little insert somewhere that described the elevations that are in the floodplain.

Barbara Cunningham: Flood elevations?

President Jerrel: You see the picture, but you don't get any...it doesn't say to you it's 195.6 or 200. It doesn't say.

Barbara Cunningham: It almost would have to be on a lot by lot basis to see what the elevation of what your house would be. We review that with every subdivision and with every...I don't know if we could do a whole plan that would do that. We do that with every subdivision and commercial permit that comes in.

Commissioner Mourdock: In the 100 year floodplain drawing, and anyone who wonders why we have so many struggles at zoning meetings need only look at this to see how much of Vanderburgh County is in the 100 year floodplain. Erin, you definitely need to get a copy of this for your first day on the job. I know this data or what's indicated on this map, in fact, came largely from the FEMA maps, and the FEMA maps do have the indicated flood elevation, what your asking for. So it may be that could be added onto this map. It's just a matter of scale to some degree.

President Jerrel: If somebody looked at our plan and they were considering building a home, and we just talked about this sort of thing, and it's right smack dab here, they might want to know.

Barbara Cunningham: Do you think that might be satisfied, I don't think the scale of the map would allow, but could that be satisfied with a statement in the plat saying if you have any questions on it should be referred, generally we refer them to the Building Commission as the final authority on the flood elevation. That's, Mrs. Jerrel, what they do. We all do that quite often. We have a check off to see if the flood elevation on our permits. We do check the maps and then we do refer them to the Building Commission for a final say on that.

Commissioner Mourdock: And as we've discussed at the Area Plan Commission meetings, Barbara, and we've had discussions here with Joe Harrison regarding drafting an ordinance or some specification requiring that on properties that are in the blue areas on this map, that when people purchase those properties, there is some reference given to the fact that there is borrow there.

President Jerrel: That's all I care about.

Barbara Cunningham: Can we add it? We wouldn't have to go back through the whole process to add that statement to it?

President Jerrel: No. Just so they know that if they buy a lot that's in this, that they are in the floodplain.

Barbara Cunningham: Or we would say that any questions about location, please contact the Area Plan Commission and Building Commission. Then they would...other than that, I don't know how lot by lot that you could really put it all on a map. You really need to have it looked carefully at because you could miss something so easily.

Commissioner Mourdock: Do you have a large version of this map?

Barbara Cunningham: Yes. We have that and we check every time we issue a permit. We also, the Building Commission has that information.

Commissioner Mourdock: I'd almost like to have a big map like this on our wall for rezoning meetings. It explains a great deal.

Barbara Cunningham: Do you want us to create one? We can do that.

Commissioner Mourdock: Sure.

President Jerrel: I think it would be...that's all I'm interested in. The people that come in here can see.

Commissioner Mourdock: If you do blow up to that large of scale, again this information is already on the firm panels. You could put those elevations on there which takes care of your comment too, Bettye Lou.

Barbara Cunningham: We could put some points of elevation but we couldn't do all, I don't think.

Blaine Oliver: No, we could put a few randomly throughout to give people some reference.

President Jerrel: I may be able to help. I'm speaking to the Impact Project Washington D.C. meeting, like we went to, a week from...the 13th of November.

Barbara Cunningham: You need to take this. They'll like this and I sent this to some of them, to the Insurance Institute and I don't know who. I don't know if I sent one to FEMA, but we need to. We can give you whatever we've got on that. If anyone wants a copy of this...

President Jerrel: Is there a motion?

Commissioner Mourdock: I'll move approval of the adoption resolution for the natural hazards addition to the physical feature section of the 1996 through 2015 Comprehensive Plan.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Suzanne Crouch, Auditor - Various

President Jerrel: Auditor? This is the permission to cancel our November 6th meeting.

Commissioner Mourdock: We actually have two things. This one, Suzanne, we got late so maybe you can explain that one. First of all, I'll move permission to advertise or, actually, cancel the regularly scheduled Monday meeting on November 6, 2000, which would be the night before the election.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Then the auditor has a second item.

Suzanne M. Crouch: It's just permission to advertise for bids for title searches for properties that will be moving to the commissioners.

Commissioner Mourdock: I'll move approval of that request to advertise.

Commissioner Tuley: Second.

President Jerrel: So ordered. The next item is the agreement with McCarter and Associates for the scanning project.

Suzanne M. Crouch: That's in conjunction with the other agreement that we had a couple of weeks ago. It has been reviewed by the county attorney and it is in order.

Commissioner Mourdock: I'll move approval of the agreement between McCarter and Associates for scanning.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Any Group or Individual Wishing to Address the Board

President Jerrel: At this time, if there is any individual that wishes to address the board at this time?

Richard Helzerman: My name is Richard Helzerman and I've come to speak to you about the problem of overcrowding in the Vanderburgh County Jail. The overcrowding is caused by unreasonable bonds set higher than the defendants, who are poor, can pay. One solution to the problem would be one or more pre-trial conditional release programs. The judges agreed to follow the recommendations of PMSI, and PMSI recommended implementation of pre-trial conditional release programs, but the judges have not yet done so. Last week I told you that a judge refused to provide Larry Wilson with such a program when I asked him to do so. This week the same judge refused to provide Larry with a program after his public

defender asked him to do so. Larry Wilson has been in your jail for two weeks. At \$25.00 a day, the judge's failure to provide him with a pre-trial conditional release program has cost you \$250. If he stays in jail the 70 days awaiting trial, he will cost you \$1,750. If it requires an additional 30 days for his pre-sentence hearing, he will cost you \$2,500. His bond, the cash part of it, is set at \$2,500. It will cost the taxpayers more than his bond to keep him in jail until he can be sent to the state penal system. If he were as rich as you or I, he would not be sitting in jail. I would like to remind you that former Sheriff Ray Hamner pled guilty to stealing over \$100,000 and has not spent one day in jail. Last week you told me that you favored the implementation of a pre-trial conditional release programs. You told me that I would have to work with a higher power than you to put pre-trial conditional release programs into effect. You said that you prefer that I work within the framework of Indiana law rather than attempt to have the programs imposed from a federal judge. I have worked up changes to the Indiana law that would require the judges to offer a pre-trial conditional release program similar to the one that I presented to you back in February. I'm asking you to take an action indicating your support for these changes. If you will do so, I will make efforts to present these changes to the legislators and ask them to implement these changes. I will also ask them to provide \$50,000 to provide a new jail. On page two, I have the existing law with regard to the judges...the first one is authorizing the Superior Court system and the second group are authorizing the Circuit Court Judge. I've highlighted the part, the existing part now, with yellow. On the third page, I've highlighted the change. The change says the judges of the courts shall follow the rules specified in IC33-5-43-7.1. The judges of the court shall have full power and authority to make and adopt additional rules and regulations for conducting the business of the court. The program than I'm asking to do is conditional. If the judges control how many people they put into the jail, this rule never has to take effect, but it puts a limit at 80 percent of capacity which I've encouraged you to do. The wording says that whenever the population of the Vanderburgh County Jail exceeds 80 percent of its capacity for two weekly reporting periods in a row, the judges will offer to every inmate who could be released on bond, the following pre-trial conditional release program:

- A. The inmate is released on condition that he call a parole officer once a day from a phone with caller ID enabled.
- B. If drugs are involved in the alleged crime, the inmate may be expected to take regular drug tests.
- C. If theft is involved in the alleged crime, the inmate may be expected to make restitution payments.
- D. If domestic violence or abuse is in the alleged crime, the inmate may be expected to participate in a counseling program.

The second thing is the same thing for the Circuit Court because there is a Superior Court and a Circuit Court. On the last page, I've put a few Bible verses. You ask us every time to say "Under God" and the first point says that God is revealed to His prophets in the Bible, intended that the punishment for stealing be restitution not imprisonment. Ephesians 4:28 says, "Let him that stole, steal no more, but rather let him labor, working with his hand the thing which is good that he may have to give to him that needeth." Exodus 22:1 says, "If a man shall steal an ox or sheep and kill it or sell it, he shall restore five oxen for an ox and four for a sheep." Numbers 5:7, "Then they shall confess their sin which they have done and he shall recompense his trespass with the principal thereof and add unto it the fifth part thereof and give unto him against whom he has trespassed." God, through his prophets in the Bible also warned leaders of government against oppressing the poor. This is Daniel 4:27 "Wherefore, O king, let my counsel be acceptable unto thee and break off thy sins by righteousness and thine iniquities by showing mercy to the poor, if it may be a lengthening of thy tranquility." The jail is overcrowded because the judges set bond

amounts so high that they accused, who are poor, cannot pay them. Thank you.

President Jerrel: Before you leave, his crime is a C felony, robbery with a weapon. That makes it a whole different story, Reverend Helzerman. That's the judge's discretionary. A gun is a serious implication.

Richard Helzerman: There was no gun.

President Jerrel: It says here, armed with gun - robbery.

Richard Helzerman: I know, but it's not right.

President Jerrel: Okay.

Commissioner Mourdock: Not right in the sense that you believe he's innocent? Is that what you're saying?

Richard Helzerman: I'm not here to say whether he's innocent or not. I'm saying that according to what he has told me, there was no weapon involved, since you brought that up.

Commissioner Mourdock: The information we have says robbery with a weapon.

President Jerrel: Would you like to see this?

Richard Helzerman: I believe you. I know it's a C felony.

President Jerrel: And it says armed with gun.

Richard Helzerman: That may or may not be true, and I indicated one other time that I don't think the prosecutors really understand what, or the judges understand what probable cause means. They put things in there and everybody believes they're true without (inaudible).

President Jerrel: I understand. If the judge feels that someone is a threat to the community, they shouldn't be given any bail. All I'm talking about is people—

President Jerrel: Fairness.

Richard Helzerman: I'm only talking about the people who have bail but can't raise it because they are poor. That's the issue. I know some people shouldn't be out on the streets, but if it's just because they're poor...the first time I got a list like that, there was someone in jail over 200 days on a \$150 bail. That's my point.

President Jerrel: Thank you.

Richard Helzerman: Thank you. I would like to say that there are four people here who came to express their appreciation for your public access provisions on the SIGECOM cable.

President Jerrel: Good. Is there anyone else that wishes to speak to this group? It's now or never.

Fievel Elliott: My name is Fievel Elliott and I'm the gentleman who invited Erik Mollberg to come down and speak tonight about the local and public access. If anyone does not know, there was not really anybody doing a local access program here in Evansville until a year ago, so I asked the County Commissioners and City Council to kind of make some phone calls to SIGECOM and get them to let us do the shows. They did that and I'm thankful that we've been able to get programs on this last year. I think, currently there are nine to ten shows each week, and they have expanded local access to Thursday because there is such an interest in it. Although one of the reasons I asked Mr. Mollberg down is that there have been a number of transmission quality broadcasting problems with Tri-State Interconnects who are showing the programs for SIGECOM. Repeated phone calls have gone to them and not just us but other people have told them that there are lines in your system and it's originating from you and not from the people doing the programs and would you please fix it? The problems are still going on now after months. Even this last Thursday, Wednesday, excuse me, I think there wouldn't have been any local access on that day unless so many people called in and complained. They said, "Where's local access? It's not on." They rushed to their computers and flipped some switches and we're sorry, we're sorry, we're sorry...but it's that kind of incompetence that's been going on for a long time. I see it as a lack of interest. I wish they'd show some more enthusiasm, but moreover, I wished they would fix the problems. I'm thankful that we have what we have, and I thank God that we're doing it. I'll finish with that because when I came here, I think, a year ago, I was asked to reschedule the meeting. You can come at a later time, there's a lot of people going to be here this certain night and we'll be really busy. I went ahead and came anyway and Richard Wadman, the President of SIGECOM, just happened to be here that night to talk about SIGECOM. I thank God for that coincidence, plus all of you and the City Councilmen really helped, not only me, but many of us get on TV. If anybody else has any comments on local access or any complaints or anything at all you want to say? Anyone here who does their own programming wants to say anything, now is the time to do it. Thank you sirs and madam.

Jim Causey: My name is Jim Causey. I got a program on at 5:00, it's called The Fourth Man. What Dave is saying about the lines, it's not in his camera. Fievel Elliott does the TV work for me. He does the editing for me and it's not in our program. What he was mentioning about USI out here before, I know it's a lot of money but it would be a great help to the community to have a public access that would be right. If you go through USI, they got professional cameras and stuff like that. The program would be a lot better and a lot better presented. The people that's on there would have a lot better image on there. I just appreciate the opportunity that I have to be on those programs. I thank the Council for hearing me and considering this. I want you to pray about it, if you know Jesus Christ as your personal savior, I want you to pray about it. A lot of these programs are religious programs. With these religious programs we aren't trying to cram nothing down nobody's throat. You know, the most important thing in this life is that we are going to have to stand before God and give an account, all of us. I only have to stand before you and you have to stand before me, but we all have to stand and give account. It's important to get the gospel out. I go to jails, I'm part of the Jail Task Force, and I go to the jails. Them jails are overcrowded. I go there four or five times a year. We got a group that goes and we go with pastors. I appreciate the opportunity to be able to go there and to be able to minister the gospel because I think it's very important that those men know the values of the gospel and knowing Jesus Christ as their personal savior. Also, I think, to work with the community, we can work together in religious and community to help them get jobs and get rehabilitated so they wouldn't be back in prison. So I just thank you for this

opportunity to be able to speak. Thank you.

President Jerrel: Thank you, Mr. Causey.

Commissioner Mourdock: Could you repeat your name, please?

Jim Causey: James Causey. C A U S E Y.

Fievel Elliott: I wanted to say one more brief thing. Fievel Elliott, again. Mr. Causey mentioned USI. What he's talking about is that Erik Mollberg had said, I don't think he said it when he talked, but he said earlier to me that he had spoken with David Black at USI who's the head of chairing of communications, TV and radio at USI. He asked him if there was enough funding provided by the City and/or County Council, I'm saying County Council and City Council, to help staff people to let the students use the facilities in the daytime, like they already are, but at night time to let the public come in and use it. It could be worked into where the students that wanted to get extra credit or experience would be there at night time to help the public use it. David Black did say that he would be interested in doing that. He said that money is the only problem. He said if the County Commissioners and City Council Members were interested in helping work together on that, that they would definitely be interested in having local access for the public at night time at USI. So that's what he is referring to. Again, thank you.

Phil Hoy: Phil Hoy, County Council. The reason I hesitated is, I saw under department head reports, Soil & Water.

President Jerrel: That's just the written report. You have another mission, don't you?

Phil Hoy: Yes. Actually, I have two missions. I do want to make a comment about what Mr. Elliott said because Mr. Elliott contracted me and we conversed. I was disappointed. I could not get a phone call back from SIGECOM at all, and I'm a customer. I can't get my e-mail access lines either and I'm a paying customer, so there are some things wrong with the system. I will tell you that. In terms of public access, he asked me to make that contact and one gets a little impatient when one does not get call backs. I understand some of the struggle you've been through. I came tonight to make an introduction on the record. We have brought in as a county employee, Erin Breetzke. She is the new water quality specialist. She comes from Goshen, Indiana. Has a bachelor of science, magna cum laude from St. Joseph College in Rensselaer with a major in environmental science and a minor in secondary education. She received her master of environmental science from the University of Oklahoma in July of 2000. Through her graduate research, she was responsible for the development and implementation of a wetland volunteer monitoring pilot program for Oklahoma. Interestingly enough, she has a State of Indiana teacher's license. She presented her personal research to small research groups at the annual meeting of the Indiana Academy of Science Society of Wetland Scientists South Central Chapter meeting in October of this year. She has many memberships and I'm not going to read all those to you because I know you're pressed for time. Anyway, I'm going to ask her to the mike at this time so you can meet her, although you've met her personally, but we wanted to bring her here tonight and also to show off the new shirts. So if you have any questions you'd like to ask Erin, here she is.

President Jerrel: Would you want to spell your last name for Jane?

Erin Breetzke: Sure. The last name is Breetzke, B R E E T Z K E. I don't really have anything prepared to say to you, but if you have any questions, I've only been working six days, but if I can answer any questions, I'd be happy to take those at this time.

President Jerrel: That's a region name.

Erin Breetzke: Yes it is.

Commissioner Mourdock: What your first impressions?

Erin Breetzke: Of county government and what I'm faced with?

Commissioner Mourdock: I won't put you on the spot with that. No, no. I simply meant first impressions from the sense of what we have in resources that you have access to and/or what you see as the demands on your time?

Erin Breetzke: Just from being in the office, it's a very supportive group and I have a lot of resources available to me both in the county and through extension services. Even through the state and federal employees working in the office, as well. So there are many opportunities ahead of me to help out Evansville and Vanderburgh County.

Commissioner Mourdock: And challenges. I was only partially joking before. I saw that Barbara Cunningham did give you a copy of that report. That says a whole lot when you simply look at how much of our total acreage here in the county is under the 100 year floodplain, and we're a growing county.

President Jerrel: You might want to include some comments when Mike Wathen presents...we have our department heads on our agenda that send their regular reports. As you become more involved--

Commissioner Tuley: She's already done it.

President Jerrel: I know, but you might want to remember that that is passed out at the meeting, part of the minutes and everybody has an opportunity to look at them. It would be important.

Erin Breetzke: To make more comments along with his?

President Jerrel: Anything that applies. You may have some issues that you want to raise.

Erin Breetzke: Okay, during that part?

Commissioner Mourdock: You'll see it here in a moment, John Stoll, who you probably haven't met, he's right behind you, who is the County Engineer, will give his report. He does that weekly. Steve Craig, who was here a minute ago--

President Jerrel: He's still here.

Commissioner Mourdock: He's with Burdette Park. He's going to give a report as far as what happened at Burdette. One thing that I think this board truly feels we need

is more frequent communication with Soil and Water. Doesn't mean, necessarily, every week somebody has to be here in person but, at least, if you hang around a few more minutes, you'll see what they do and understand why we get value from what they do.

President Jerrel: Nice having you on board.

Erin Breetzke: I'm happy to be here. Thank you.

President Jerrel: Thanks, Phil, for bringing her.

Phil Hoy: Your welcome. The other thing the supervisors asked me to do tonight is to appear for the supervisors, and you've seen Erin's first report and this is one week. What we need from you all is input on what you want on this report. We think she will do an excellent job and we want to assist her in that. She's going to stay and listen, but I think I'm going to say good evening and thank you for the time.

President Jerrel: Thank you for coming.

John Stoll - County Engineer

President Jerrel: The next item is County Engineer. We have rezoning at 6:30 so we may have to recess. Maybe you can get through with yours.

John Stoll: I don't have much. The first thing is a storm sewer acceptance for Pecan Ridge Subdivision. This is for 30 feet of corrugated metal pipe. This pipe is a discharge pipe for the retention basin in Pecan Ridge Subdivision. The developer has submitted the \$2.00 a foot fee for the pipe and it's recommended that the pipe be accepted.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The only other item I've got is in regard to last week's meeting. I failed to mention that in the consent agenda there was a deed that was being accepted by the commissioners for Burkhardt Road. This was for parcel 51. It was the Charles Mayton property. There were no signature lines or anything on the deed for the commissioners, but I just wanted to get it on record that that deed was included in the consent agenda. That's all I have.

Commissioner Tuley: Comment though. John, you and I talked about this awhile back. The need for cutting a what do you call it? Seal and crack repair?

John Stoll: Crack sealing contract.

Commissioner Tuley: For that subdivision. It's already cracking.

John Stoll: It's expected.

President Jerrel: Already?

Commissioner Tuley: Already.

John Stoll: The city did my subdivision several years ago and it cracked within a year, as well.

Commissioner Tuley: A year?

Joe Harrison, Jr.: Yeah, I know, yours is just months.

Commissioner Tuley: And there's a bunch of them. I don't know how we go about getting it done or have you look at it? Maybe it's no big deal but it just seems like, to me, that we spent a ton of money out there to do that and it's already cracking.

John Stoll: Everywhere where you put asphalt over concrete pavement, it's going to happen. The thicker you put it down, the longer it's going to take for the cracks to come back through, in general. Like in your subdivision, the curb height, the more asphalt you put in, the less curb you get. So you might prevent some of the cracking but you're going to increase the potential for drainage problems. It's not a real good tradeoff either way. That's something, as far as crack sealing, we were looking at next year. That was one of the things we budgeted for. Hopefully, we will have a relatively mild winter and won't have to spend tons of money repaving streets and it can go to crack sealing. Yours isn't the only subdivision.

Commissioner Tuley: Oh, I'm sure of that. The only other thing, in that subdivision, you know how we took care of that one driveway problem?

John Stoll: Um-huh.

Commissioner Tuley: There's one at 2700 Meadowlark, if we could look at it. That is working out well and it does not...granted, we haven't had any really heavy downpours, but it hasn't affected the drainage in any way, shape or form.

John Stoll: Good. Yeah, we can check that.

Commissioner Mourdock: John, when we spoke at the end of the meeting last week, you were to get me three things. Those three properties. What's our status? Do we have letters coming?

John Stoll: I've got the cost estimate for Elmridge. Still working on the letter for Peerless and Huckleberry drainage. I haven't had the opportunity to go back and look at the Meyer property on Peerless yet. I've got the estimate though.

Commissioner Mourdock: I'm sorry. Say again, the estimate for which one?

John Stoll: Elmridge. The manhole or box structure.

Commissioner Mourdock: That's the one with Taylor?

John Stoll: Correct. To build a cast-in-place box structure instead of putting in a manhole was going to be \$9,200, and to put in a manhole was going to be over \$12,000. Yeah, the manhole would be \$12,570. It was quite a bit higher because I thought we might get by with a six foot diameter manhole, but it would take an eight

foot diameter manhole to turn that pipe.

Commissioner Mourdock: And what was the other option at \$9,200?

John Stoll: Instead of putting in a round manhole, instead of putting in a precast round manhole, we would actually go out and build a cast-in-place box structure. So it would be basically the same type of design, it's just a substitution of a cast-in-place box instead of a manhole.

Commissioner Mourdock: On this specific property with those estimates, are you at the point to recommend one of those two to us as far as effectiveness? Obviously, there's a price difference and those would only be basically an engineer's estimate that we would otherwise put out to bid?

John Stoll: Correct. What we'd have to do is put together a small contract to actually place that out for bid. The option we would go with would be the cheaper of the two because they both will serve the same purpose.

Commissioner Mourdock: So you would give the bidders the discretion to bid it either way they wanted to?

John Stoll: We'd probably set it up to do it as a cast-in-place box.

Commissioner Mourdock: Okay. And from our discussion before I just want to be clear. You were telling me that on this particular property on Elmridge, we were, in fact, causing damage to the person's property the way the water was coming out of the pipe?

John Stoll: Yes. The skew of the pipe is causing a bank to erode out there. It is off the right-of-way.

President Jerrel: I had Bill Jeffers go out there and look, too, and he concurred with that. He sent me the information today.

Commissioner Mourdock: With the fact that we have that problem, I will then make the motion that we direct the County Engineer to prepare a bid package to rectify the problem with the box structure as he suggested.

Commissioner Tuley: Second.

President Jerrel: So ordered and I'll have to look at the funding source. I'll have to find the funding source.

John Stoll: I'll get you a draft of the letter for Peerless and Huckleberry tomorrow. I'll just fax it out to you. I can fax it to all three of you for that matter.

Commissioner Mourdock: Okay, also on that, would we have to get a temporary right-of-way?

John Stoll: Yes, because the right-of-way on Elmridge is 60 feet and the erosion is occurring probably 40 feet plus off the center line of the road. We will probably need two temporary easements because the property line runs somewhere in the vicinity

of that ditch.

Commissioner Mourdock: In that case, just to formally complete this little bit of the project, I would move that we direct the County Engineer and the County Attorney to work together to draw up a temporary easement document to facilitate this work.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Second property then, the one on—

John Stoll: Peerless and Huckleberry?

Commissioner Mourdock: Peerless, yes. You said that you've not yet prepared the letter that we spoke of?

John Stoll: Right. In fact, I was trying to finish it up just awhile ago. I'll have a draft of it by tomorrow.

Commissioner Mourdock: And we're still proceeding with that with the idea that we feel that we've done what can do, but we would need to hear back from a registered professional engineer or something along those lines to cause us to reconsider?

John Stoll: Right. I'm writing the letter to say that the driveway pipe on Huckleberry is a nine inch pipe, immediately upstream from that is a twelve inch pipe, and the next pipe upstream from that is a fifteen inch pipe. So I'm writing it on the basis that downsizing the pipe twice is causing the restrictions and, therefore, until those restrictions are taken care of, there's no need for the county to go out and spend fifteen or twenty thousand dollars to reroute the drainage.

Commissioner Mourdock: Okay. Last but not least, the property then where the ditch that the fellow wants the pipe?

John Stoll: I haven't looked at that one again yet.

Commissioner Mourdock: Have you heard from him recently, Bettye Lou?

President Jerrel: No.

Commissioner Mourdock: Maybe he's just been in contact with you on that one. That one may have just originated the call to you as far as putting the pipe in. He was going to pay for the pipe and then you were going to come back in and do the work.

John Stoll: Tony got the first phone call, if I remember right. Then Tom Goodman in my office met with him. Tom did the right-of-way research but since we spoke last Monday, I haven't been back out there to try and figure out where the ditch lies relative to the right-of-way line.

Commissioner Mourdock: So you will report back on both of those next week then?

John Stoll: Yes.

Commissioner Mourdock: We do meet next week? Yeah.

President Jerrel: Erik is not here and we do have his report.

Joe Harrison, Jr. - County Attorney

President Jerrel: County Attorney?

Joe Harrison, Jr.: I have two items. First is a proposal from the law firm of Barnes and Thornburg to serve as bond counsel in connection with possible correctional facilities, jail, community corrections complex, and juvenile detention center. This would enable them to start looking at options for the county in connection with our research of those issues and future decisions by this board. Again, it's Barnes and Thornburg of Indianapolis. I've got two copies of the agreement for the Commissioners to consider. Secondly, along those lines, I have an agreement with the financial consulting firm for financial advisory services of Crowe Chizek of Indianapolis to assist the county in financial advice concerning possible construction of facilities along the line that I just proposed for services to be provided by Barnes and Thornburg. Crowe Chizek has provided an agreement for the county to consider, as well, for their services to assist the county in this capacity.

President Jerrel: Any questions?

Commissioner Mourdock: No. Just to say it real simply, these two groups are going to help us find money to build the facility we need to take care of our jail overcrowding problem.

President Jerrel: Right. I think Crowe Chizek will come down Friday to speak to the Councilmen. I hope both of you can be there, too, at 8:30.

Commissioner Mourdock: I will not be able to be there. I would move approval of the two documents submitted by the County Attorney.

Commissioner Tuley: Second.

President Jerrel: So ordered. Is there anything else?

Joe Harrison, Jr.: No, that's all I have. Thank you.

Tony Greubel - County Buildings

President Jerrel: Superintendent of County Buildings?

Tony Greubel: I have nothing else.

Steve Craig - Burdette Park

President Jerrel: Burdette Park?

Steve Craig: I didn't know if you wanted to get into a discussion of the campgrounds tonight?

President Jerrel: Can we, since we are running into the zoning, can we do this Monday night? Is that alright with you?

Steve Craig: I'll bring that next week. Other than that, I just have my report. Steve Craig, Burdette Park. I don't have anything other than what we just discussed and my report.

Commissioner Mourdock: Just for the record, when we do talk about this next week, Steve, part of my question when I raised this a couple of weeks ago was who is staying there and how long are they staying there?

Steve Craig: I've got all of that.

President Jerrel: We appreciate your report and we'd like to give some time to this so next week we will—

Steve Craig: There's a couple different twists to that, the way the money is and that. The way the people have come and left. I'd like to discuss it some. It's kind of interesting.

Commissioner Mourdock: Sure, okay.

President Jerrel: We'll save time. Thank you. Is there a motion to approve the reports?

Commissioner Mourdock: I'll move acceptance of the department head reports including the Soil and Water Conservation District and the Ozone officer's report.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: Are there any questions about the employment changes? There is a pink slip in there for the employee—

Commissioner Mourdock: I would move the addition of the late pink slip to the consent items.

President Jerrel: Contingent upon the salary ordinance information.

Commissioner Mourdock: True.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Then I would move approval of the consent items with that addition.

Commissioner Tuley: Second.

President Jerrel: So ordered. ¹

Old Business

President Jerrel: Any old business to come before the board?

New Business

President Jerrel: Any new business? We have the insurance information on dental and vision.

Suzanne M. Crouch: We would just ask that the Commissioners consider keeping the same plan for dental/vision as we have. Obviously, the premiums will reflect next year's rates.

President Jerrel: Is there a motion to accept the currents plans with the caveat that they will be going up slightly?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered. Is there any other business to come before the board?

Commissioner Mourdock: Just one bit of continuing business to have in the record. Our jail numbers, Joe, do you have those at your fingertips?

Joe Harrison, Jr.: Prior to the meeting, the population figure in the jail was 297.

Commissioner Mourdock: Okay. Motion to adjourn?

President Jerrel: Is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered. Then we will immediately convene the rezoning meeting.

The meeting was adjourned at 6:40 p.m.

CONSENT ITEMS:

Employment Changes:

Coroner
Circuit Court

Health
Assessor

Prosecutor
The Centre

¹See page 23 for a complete listing of consent items.

Travel Requests:

Assessor	Nursing	Health
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Treasurer:

Submit Monthly Report for September 2000

Sheriff:

Submit Weekly Jail Information and Reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Jerry Bryan	Erik Mollberg
Barbara Cunningham	Fievel Elliott	Jim Causey
Richard Helzerman	Blaine Oliver	
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
October 23, 2000**

The Board of Commissioners of Vanderburgh County met in session this 23rd day of October at 5:43 p.m. in Room 307 of the Civic Center Complex with President Betty Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Vanderburgh County Board of Commissioners meeting to order. At this time, I would like to introduce the people before you this evening. On my far right, Tony Greubel, Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley; Jane Laib, our Recording Secretary; Auditor, Suzanne Crouch; Commissioner Richard Mourdock; and my name is Betty Lou Jerrel. At this time, I'd like for you to join me in the Pledge of Allegiance.

Approval of Minutes

President Jerrel: The first order of business is the approval of the minutes of the October 16th meeting.

Commissioner Mourdock: And I'll move approval of the minutes as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Certification of Executive Session

President Jerrel: The next item on the agenda is the certification of the Executive Session.

Commissioner Mourdock: I'll move approval of the summary minutes from tonight's Executive Session that began at 4:45 p.m. and ended at 5:30 p.m. It dealt with litigation pending against the county and potential real estate purchase options.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan - Permission to Extend APA017-2001 (guard rail)
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President Jerrel: The next item on the agenda is purchasing.

Jerry Bryan: Good evening, commissioners. I'm Jerry Bryan, City/County Purchasing Director. I have before you, in your packet, a letter proposed signature from CPI Supply up in Bedford, Indiana. They supply to the county the guardrails, end caps, etc. They are proposing, for the second year in a row, to hold prices current. In other words, no price increases and aluminum prices are up. I would

recommend to the county, and to this body, that we accept their offer of firm prices for another year.

Commissioner Mourdock: I would move acceptance of the city/county purchasing's recommendation.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Thank you.

First Reading/Public Hearing on Ordinance Amending Speed Limits
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President Jerrel: The next item on the agenda is the first reading/public hearing about the ordinance amending the speed limits. I think these are self explanatory. John, do you want to speak to these?

John Stoll: I didn't bring my list of which ones we changed. I know this was to make Virginia Street 30 mph throughout, Columbia Street 30 mph throughout. It was lowering Seib from 45 to 40, and off the top of my head, I don't remember what the other ones were but there were about six or seven changes. They were marked with an asterisk. I'm not sure if you got the copy that was marked with the asterisk.

Commissioner Mourdock: Yes, we have one. Campbell Road 30; Columbia Street, as you mentioned Burkhardt Road to Kimber Lane would be 30; Felstead Road, the entire length would be 35; Knollbrook Court, the entire length would be 20; Knollview Court, the entire length would be 20; Knollview Drive, the entire length would be 20; Seib Road, as you mentioned, Boonville-New Harmony would be 40; and Virginia Street, Evansville city limits to Circle Front Drive would be 30.

John Stoll: This is just in response to complaints we received and speed studies that have been done by the Evansville Urban Transportation Study.

Commissioner Mourdock: So all other streets on the list are as currently posted?

John Stoll: Correct.

President Jerrel: Is there a motion?

Commissioner Mourdock: Since this is a first reading for the ordinance, is there anyone here to comment about the speed limits? Seeing none, I would move on first reading, the ordinance amending Chapter 10.16 Section 010 of the Code of Ordinances of Vanderburgh County to establish the speed limits as submitted to us this evening by the county engineer.

Commissioner Tuley: Second.

President Jerrel: So ordered. Shall we set the next second/final reading for next Monday?

Commissioner Mourdock: I would move final reading to be October 30, 2000, also.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: We do need a roll call.

President Jerrel: Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

Any Group or Individual Wishing to Address the Board

President Jerrel: Is there anyone here who wishes to speak to the board tonight?

Richard Helzerman: My name is Richard Helzerman and I'm here to talk to you about overcrowding in the jail. Last week, I talked to you a little bit about Larry Wilson, Larry Wayne Wilson, and you said that he was charged with armed robbery. The actual charge against him is robbery, not armed robbery. This is an example of your jail computer system not talking with your Courtview System. Actually, I don't think there is any such a crime as armed robbery. If you don't believe me, you have the sheriff and the captain of the jail here. The jail is only a few...

President Jerrel: What's his name again?

Richard Helzerman: Larry Wayne Wilson.

President Jerrel: Did you find him? No, I want to find him in the big section. So what is the point?

Richard Helzerman: I said there was no gun or no arm involved and I don't think that you believe me. I would like to, if you don't believe me either of these two gentlemen can go down to the jailhouse. He was caught in the act of whatever thing he did. The policeman took him straight to the booking office and if there was a gun, they could produce it, so there wouldn't be any question about it. I would like to read just a little bit. This is from the paper 10/21/00...there's been some discussion about the prosecutor's role in the overcrowding in the jail, and I've not tried to spend a lot of time talking with you about the prosecutor's role because primarily, it's the judge's responsibility not the prosecutor. The prosecutor certainly has a role to play and this week is a glaring example of what the problem is. Now, I talked with Jeff Lantz and he told me two things: First of all, the prosecutor is filing way too many cases. When Jeff was the prosecutor he only filed 300 cases a year and now they are filing 2,300 cases a year. It's not just the number of cases, it's the number of charges that he files along with each case. Here's a case of a grandmother, 53 year old grandmother, who because of her daughter has to go out and work because of welfare reform, they can only be on welfare for two years and then they have to go out and work, she agreed to babysit her daughter's children. One of the children got diarrhea and died and she got accused of four charges. Three of them were Class

B felonies and one was a Class D felony. When it came to court, the prosecutor said 90 some percent of the cases I bring are found guilty, so I'm not filing too many charges. Now in most of the cases the people get put in jail and the jail is so horrible that they plead guilty to get the thing resolved because when they go to the state...and Larry Wilson when he was in the state prison there were only 16 people in his cell designed for 16. There wasn't 20 like he's in now. This woman, however, she thinks she innocent and she gives reason for it. For twenty years she's been a nurses aid. She knows when people have diarrhea and when they don't. She knows when people are in trouble or not. The disease just happened to come very quickly here. This is what her attorney says, "If Regina Cobb's death had occurred in my household," this is Scott Danks or one of the Danks, "in my household that...if Regina Cobb's death had occurred in my household that nobody would accuse me of anything, nobody. But because they live in the inner city, because they are dirt poor, they're met with child protective services and law enforcement officers in a hospital bereavement room following the death of the child." The reason the jail is overcrowded is pure and simple, the people are accused of crimes and their bail amount is too high. They are too poor to meet their bail. You have reasoned with me with I present this to you that when, and I finally got the information, I went to the federal court and looked up the filings. In the filings was an article from the newspaper dated 1998. What it said was in 1998 the Blue Ribbon Jail Committee was formed. They looked at the problem. They said the problem is that the bail's too high and the people can't come out. They hired two people to look over all the bails and they found five that were too high. Five doesn't sound like much out of a 100 people overcrowded, but within two months of that finding and when those two people went over everybody, the population went down below for awhile. When the judges thought that somebody was looking over their shoulder and reevaluating and somebody that had the clout and importance and public attention to call into question what they were doing, I think that they started assigning more reasonable bail and the population of the jail went down. Now when it was all done, they said there was only five and you guys stopped looking at it and the population of the jail went right back up again. The same thing happened just a few months ago or so when you decided that you would set the jail cap at 329. The numbers in the jail had been running 295, 284, 277, 274, but within one week or two weeks of when you said that the population could go to 329, it went right back up to there. Again, it's just the poor people. The reason the jail's overcrowded is simply because the people are too poor to have their constitutional right to a reasonable bail.

President Jerrel: Thank you. Carla, do you want to come up? Give us your name and your...

Carla Hayden: I'm Carla Hayden. I'm the Chief Deputy of the Vanderburgh County Clerk's office.

President Jerrel: What is it that you were interested in us hearing?

Carla Hayden: Okay, there was a meeting of the election board on Friday afternoon. During that meeting, Assistant Chief Deputy of Elections, Sue Hall came to the board with personnel problems that she has. She has two positions that are vacant and both party chairs said they can't find anybody to fill those vacancies. Those are usually filled by the party chairs. It was discussed during that meeting about approaching a temporary agency to fill those vacancies. Both representatives of both parties agreed that would be fine with them as long as they got to look at the names and verify everything was okay with that. One of the things that we had is

that those are put in at \$6.00 an hour. To hire through a temporary agency, those people are paid \$7.00 an hour plus, I believe, it's a \$3.50 fee that the agency gets on those. Our understanding is that there are funds let over from the previous election that could be transferred and used for those purposes. I just wanted to make the commissioners aware and we had also discussed hiring an additional two people through the temporary agency to assist because we have such a volume of mail-in ballots during this election.

President Jerrel: Are there any questions?

Commissioner Tuley: I want to make sure that we are talking about filling two empty slots plus hiring two more additional people? The biggest problem you have is because we can't get people is because of the rate we are paying of \$6.00 an hour?

Carla Hayden: Right, at \$6.00 an hour they can go to McDonald's and do better.

Commissioner Tuley: Are they going to go before the job study and see about getting that raised for the future so we don't continue?

Carla Hayden: I believe that is planned for the future but two weeks prior to the election we don't have time to do that.

Commissioner Tuley: Right, and you just want to use them for that two week period, right? Part-time? I mean, it would be full time, 40 hours a week, but only for a two week period?

Carla Hayden: For a two week period. Yes, they would be full time and there will probably be some overtime, I'm certain, involved with that.

Commissioner Tuley: But between now and the election?

Carla Hayden: I believe the time we talked about was through the election, probably through that Friday because there's some follow-up paperwork to do but that should be the end of it.

Suzanne Crouch: Do you have money in that line item now for part-time?

Carla Hayden: I'm not sure about that. I know that there are monies that can be transferred into that.

Suzanne Crouch: You might want to, if you don't have a contractual services line item, you might want to put that in place and get your money in there.

Carla Hayden: That's what we did in the clerk's office with the people we have now. We had to get into a line item for contractual services.

President Jerrel: We don't have anything to do with that. In basic theory, you need our blessing for this.

Commissioner Mourdock: Am I correct here? It sounds to me like you almost need two blessings. One is to do the Council Call to establish that line item?

President Jerrel: No, we wouldn't. She would, they would.

Commissioner Mourdock: So you'd do that on your own. Okay. So the other would just be for the temporary hiring then?

President Jerrel: Right.

Commissioner Mourdock: I would so move that we act to approve the hiring of the temps as requested by Ms. Hayden.

Joe Harrison, Jr.: As long as there is appropriate funding.

Commissioner Mourdock: Sure, contingent upon working with the Council to make sure there is funding for that appropriate line item.

Commissioner Tuley: And the second caveat was that they be verified by the two parties.

Carla Hayden: Approved by those, and the temporary agencies is suppose to fax me some names that we can run through Voter Registration for that purpose.

Commissioner Tuley: I'll second the motion then.

President Jerrel: So ordered.

Carla Hayden: Thank you.

President Jerrel: Thank you.

John Stoll - County Engineer

President Jerrel: We're ready now for the department head reports.

John Stoll: First item I've got is a notice to bidder for contract number VC00-11-01 Seminary Road Culvert #538 Removal and Replacement. This would be to install a 20 foot aluminum structure in on Seminary Road about half way between Bayou Creek and Cypress Dale. The contract would consist of the installation of the culvert only and will do the culvert separately as part of the annual bid. Once this culvert is replaced, since it will exceed 20 feet, it will have to be added to the bridge inventory.

President Jerrel: Is there a motion?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Second item that I've got is a change order for the Gregory Court Slope Stabilization Project. That was contract VC00-04-02. This is an increase of \$17,359.63. That increase was due to the additional pavement that had to be replaced once additional areas of the street had failed.

Commissioner Mourdock: I'll move the approval of the change order for Gregory Court.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The third item that I've got is a request from Bernardin Lochmueller for fees for the right-of-way acquisition on Burkhardt Road Phase Four. Back when they started these right-of-way acquisitions they had two parcels, parcel number 34 and 37 listed under a single owner. In the time between last January when that agreement was signed and the time that the right-of-way was actually written up and acquired, attempted to be acquired by the county, the properties were split. So now rather than being two parcels, there are four parcels. Now we have to have new appraisals done on the two additional parcels that were created plus reappraisal on the old parcel 34 and 37.

Commissioner Mourdock: Are there any improvements on the parcels? Why is it not just a per acre price divided by the acreage?

John Stoll: We asked about that, I talked with Joe. The way it was set up, they claim that they had to go back and do new appraisal work and new title work and all that to verify that it was still, I shouldn't say still, that it was new ownership. That it wasn't the same parcels we'd of had.

Commissioner Mourdock: Were you doing new appraisals or new title work?

John Stoll: This is new appraisals and buying fees. They have to approach new property owners as well. I'm sorry, I omitted that. The buying fee for each parcel was \$750.00.

Commissioner Mourdock: So, it's a change order to the original?

John Stoll: Correct.

Commissioner Mourdock: I'll move approval of the change order with Bernardin Lochmueller.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The appraisals, even though they had to be done again, they were at a reduced fee. They were \$250.00 less for redoing parcel 34 and 37, so we did get a price break there. The buying fee for the two new parcels that were created, parcel number 52 and 53, the appraisal fee was the same as what it was for some of the other parcels for the value finding appraisal which was \$140.00 each. The buying fee was actually less than what it was for some of the other parcels. The buying fee was \$750.00 and it was around \$1,000 so we got a little bit of a price break, not substantial, but we did get some. The last item I've got is a request from Morley and Associates to do a subdivision that would require draining part of their subdivision ditch into the Lynch Road roadside ditch. This is along Lynch up near Oak Hill Road. Buck Development is doing a new subdivision up at Lynch and Oak Hill at the southeast corner of that intersection called Amhearst Manor. For the lots

that abut the Lynch Road right-of-way fence, Morley is proposing that they cut a ditch on the subdivision side of the lots and then drain that ditch on the subdivision lots at periodic points into the Lynch Road roadside ditch so we'll have side by side ditches.

Commissioner Mourdock: This is on the south side of Lynch?

John Stoll: Correct. The two ditches, even though they will be running parallel, one of them will have to be maintained by the property owners, the portion that lies on their lots and we would just continue to maintain Lynch Road roadside ditch. What they were asking for was for permission to actually run their drainage out to the Lynch Road roadside ditch at periodic points. Those are shown, I believe, in red on that plan.

Commissioner Mourdock: Do we have the capacity in those ditches for the expanded drainage area?

John Stoll: Yes.

President Jerrel: This is the same ditch we did a contract for earlier this year for the—

John Stoll: We didn't do one yet, but we budgeted for next year to do the work. They are getting overgrown and the capacity is there. This is just a sketched out plan. They need to provide a detail plan that shows elevations.

President Jerrel: Do they notify property owners?

John Stoll: Right now it's all owned by Buck Development so he'll cut this one ditch outside the right-of-way as a part of his overall subdivision development, his original site grading plan.

Commissioner Mourdock: Are we giving him a temporary easement then or something to get onto our right-of-way to add that?

John Stoll: We could. Do you think we need to do that, Joe? I guess, one thing I was going to ask them for before we did anything is a more detailed plan making sure they didn't cut anything beneath the 100 year flood elevation or anything like that.

Joe Harrison, Jr.: What are they planning on developing there? Homes?

John Stoll: Single family residential.

Commissioner Tuley: But part of their drainage will be to drain into this roadside ditch?

John Stoll: Right. This ditch here with the red arrows. They're going to cut that new ditch, then at the points where the blue arrows are is where they will have it drain into the Lynch Road roadside ditch.

Commissioner Tuley: Is that something we commonly do?

John Stoll: We've not had a request like this before. The only other subdivision that

was done out there along Lynch was Ashwood Subdivision and it has a retention pond just on the north side of the right-of-way fence. They didn't actually drain out into the Lynch Road roadside ditch.

Commissioner Mourdock: Why does this not drain on the south side of the road where they are putting in the parallel ditch? Why does their ditch not terminate further to the east—

John Stoll: They're putting their basin over at that area.

Commissioner Mourdock: Is there another property between them and the creek?

President Jerrel: There's a lake here.

John Stoll: Yes, if I remember right. I can verify that. The creek is over here and here's the basin.

President Jerrel: Why don't you talk to him about that and ask him then we can do it next Monday night. You can just put it in there and do it Monday.

John Stoll: I know there is some additional property out there that when the county purchased right-of-way for Lynch Road was actually turned over to the parks department as part of a mitigation deal with the state because of the wetlands that had to be mitigated out there. I'm not sure if that property butts up to this or not, but I can check on that and let you know.

Commissioner Mourdock: You said that was your last item, John?

John Stoll: Yeah.

Commissioner Mourdock: Were you able to get copies to Pat and Bettye Lou of the draft letter for Mr. Batteiger?

John Stoll: Did you pass those out?

Commissioner Mourdock: The county surveyor is still checking something out before we send that on the elevation. I did speak with Ms. Taylor this week and obviously she had gotten some information from you, so she seems relatively pleased. I told her that either you or Joe would be talking to her about a temporary easement to allow access for some of that work.

John Stoll: I sent Joe an e-mail last week. We were going to prepare the documents and have Joe review it and take it from there.

Commissioner Mourdock: I understand that John is still working with Mr. Myers, is that the right name, Myers?

John Stoll: Right.

Commissioner Mourdock: On the other situation.

John Stoll: On that one, I'm going to check with Erik to see when the last time the county may have maintained that ditch. The ditch itself is holding water in a few spots like he has said, but to me, it looks like something that could be fixed just by

regrading the ditch rather than piping.

Commissioner Mourdock: But two key points, the ditch is off of our right-of-way?

John Stoll: Correct.

Commissioner Mourdock: Nothing the county has done has impacted that particular property? In other words, we're not causing any damage? We haven't caused any damage which is different from the first one that we already acted on.

John Stoll: We could only find a record of 16 ½ feet of right-of-way on that and the center line of the ditch is probably in the neighborhood of 25 feet off the right-of-way in both locations. It does meander back and forth but overall it's substantially off the right-of-way.

President Jerrel: And your recent letter on the Fulton Street Bridge. I appreciate all that detail and I know Pat and Richard do to. That should be in the record.

John Stoll: They did start working out there again today. They were removing the rip rap off the north slope of the creek. It's my understanding that they should start the excavation as soon as the rip rap is removed. I don't know that the signed change orders ever made it back down this way, but they did get the verbal okay like it said in that memo.

Commissioner Mourdock: I don't know that we have that letter in our packet to put into the record tonight. It's not in mine. Pardon? Oh, it's one of these that appeared magically?

President Jerrel: It needs to be put into the record. Give a copy to Jane.

Commissioner Tuley: Add that to the record.

John Stoll: I did get out there and take a look at that driveway you asked about, Pat.

Commissioner Tuley: Good.

John Stoll: I need to get ahold of Erik and see if they can put a wedge in there. It looks like it needs one.

Commissioner Tuley: Good. Appreciate it.

John Stoll: I'll get with Erik on that one too.

County Highway

President Jerrel: Okay, thank you. While we are talking about Erik, he had surgery this week. He's either home or going to come home. He had to have...he had a rare fusion of some kind done. He was in pain and they thought it was something else. They did an MRI and it was a fusion of vertebrae. He's been in a lot of pain for weeks. He's still in a lot of pain. They said if they had not done this, and the fact that they couldn't find what was wrong with him, and the fact that they gave him the MRI is the only way they were able to discover this condition. He would have been

completely immobile in about five years.

Commissioner Mourdock: Glad they found it, but I did have a question for him tonight and maybe you know the answer, Bettye Lou. There was a section of Maasberg that got paved—

President Jerrel: I saw it yesterday.

Commissioner Mourdock: Was that on our list with some of the other ones we had? I thought that was one of them that with the increased paving cost and all—

President Jerrel: I was just going to say that we're through. We've done everything.

Commissioner Tuley: No, we haven't done everything, have we? I'm looking at that but if you look at the written, it's to be done is 2001. Does it mean that it's not done? That's the way I'm reading that.

President Jerrel: Were these on this year's?

Commissioner Tuley: I couldn't find my copy of the original, but I do have a report from June 15th when we just started and they were on there. So my assumption was that those were approved. I have the same question that Richard does. I don't know how Maasberg got done when we could have done, if this is accurate and my assumptions are correct, it looks like we could have done a couple that were on there, Lindar and Tree Top.

President Jerrel: I don't know, but I'll ask him.

Commissioner Tuley: Yeah, I'd like to know. I mean, if we go through the process to identify the roads and we do it, I've said this before, we do it non-politically. We do it with the engineer and the highway department. I'd like to find out how that road got paved.

President Jerrel: I don't know.

Commissioner Mourdock: Do we expect Erik? Do you have any idea how long he's going to be gone, Bettye Lou?

President Jerrel: No, no, I don't.

Commissioner Tuley: What about Mark? Don't we have an assistant?

Tony Greubel: Mark was planning on showing up, but he caught the flu today. He expects to be back at work tomorrow, but he's at home sick tonight.

President Jerrel: So I'll ask that question of him and he'll give us something in writing.

Commissioner Tuley: Okay.

Joe Harrison, Jr. - County Attorney
--

President Jerrel: Okay, County Attorney?

Joe Harrison, Jr.: I don't have anything this evening.

Tony Greubel - County Buildings

President Jerrel: Superintendent of County Buildings?

Tony Greubel: I had to do a pink slip to release Michael Young from The Centre. Last Friday he was going over to the highway department. The one in your...in the copies you made, I accidentally put him under appointments when I should have put released. Sandy caught that. So the pink slip you guys sign tonight is released. I took out the incorrect one and put in the corrected one. So I reappointed him when I should have released him from The Centre.

President Jerrel: Anything else?

Steve Craig - Burdette Park

President Jerrel: Burdette Park?

Steve Craig: Steve Craig, Manager of Burdette Park. The first thing, I guess, do you have any questions on suggested rates for 2002?

Commissioner Mourdock: First question is that right, 2002?

Steve Craig: Yes. As of January 1st we'll be taking one year in advance rentals so they approve them now.

Commissioner Mourdock: I'm still getting use to not seeing a one in front of the year. That's alright.

President Jerrel: I thought they were reasonable. Your board approved them?

Steve Craig: Yes, ma'am. What we've been basing them on is we have taken the inflation rate and the raise that the county has given their employees. They added them together and got as close as they can to a dollar value so that every year we keep pace, at least, with inflation and with wages.

Commissioner Tuley: We didn't raise anything, it doesn't look like, up at the campground?

Steve Craig: No, sir. As a matter of fact we lowered part of that because we are starting to give a senior discount. I've been approached by some seniors last year and next year we will have a different rate for the swimming pool for anyone 62 and over, and I think the campgrounds have the senior rate which starts in 2001. It starts this January.

President Jerrel: That's a popular bonus.

Commissioner Tuley: The senior discount?

President Jerrel: No, the kids. The senior discount is too.

Commissioner Tuley: I can wait to get there but it's kind of nice to get all those discounts.

President Jerrel: Any questions? Anyone want to ask Steve about any of these?

Commissioner Mourdock: The question isn't about the rates with the campground, Steve, but I did ask that question a couple weeks ago about where we are with people staying at the campground? A year and a half ago we went through that. How are we handling that? Do we have any long term tenants out there?

Steve Craig: We have one person that with what we had classified...I looked up the minutes from when we had done this. It was in 1997 when we did this, August 18th. We have one person that's still staying with us. They were the ones that lived in the bottoms and they waited for FEMA for the last two years to settle up for their house that they had in the bottoms. FEMA told them that they couldn't go back to it anymore. It was one of the dam houses.

Commissioner Mourdock: That was in 1997.

Steve Craig: Right.

Commissioner Mourdock: So they've been there since '95?

Steve Craig: No, since '97. The only other person who's been there over a year is Mr. Mattingly. He don't stay there actually. His trailer stays there, but he travels around the United States. Both of them are staying in the row that was designated for unlimited stay. We had five spaces that we had said people could stay on an indefinite time basis. Other than that, nobody's been out there over a couple months at the most.

Commissioner Mourdock: Jane, would you make a note and pull up for me the minutes from, you said it was August '97?

Steve Craig: August 18, 1997.

Commissioner Mourdock: I just want to go over that again as far as what we said. You are referring to it as allocating the five spots for permanent stays. I still thought we had some caveats on that. It sounds so inherently wrong to me today in October of 2000, that I can't imagine why I would have agreed in '97 to it. If we're saying that people can stay in that park forever, that makes no sense to me.

Commissioner Tuley: He showed me those minutes and I voted for it too, and I have the same question. I don't know where my mind was or what I was thinking in '97 because if you go up there, like you said, the people have been there for three years.

Commissioner Mourdock: And that's wrong. Flat out wrong. We have to get away from that in my opinion.

President Jerrel: Do we have empty spaces? That's the question? Are there spaces?

Steve Craig: Yeah, we have eight people staying there. We do fill up on Memorial Day, Frog Follies, Fourth of July, BMX Races, Labor Day. We do fill the campgrounds up at those times.

President Jerrel: The rest of the times though?

Steve Craig: The rest of the time there are open spaces.

Commissioner Mourdock: But whether there...I don't care if there's a demand every night for a spot or if it's only totally full to capacity once a year, the idea that we have permanent tenants in a county park is inherently wrong to me.

Commissioner Tuley: I'm a get reacquainted camper this last year and it moves me the wrong way too. When you pull in there for a recreational weekend and it's obvious when people have taken up permanent residence there. They take on the look of a permanent resident.

Commissioner Mourdock: With the one individual you are talking about, while he's not there all the time but his place of residence is that doesn't matter to me, it's what's sitting there on our property that I think we need to look at. I guess we'll discontinue the discussion here.

President Jerrel: We'll get the minutes and you can read them.

Steve Craig: The one thing we had worried about was a cut back on income once we raised the prices, but we did it. That's what I was telling you last week that was kind of interesting. That the first year everybody had been there for a long time stay and that you could see where they left but the money has come back into its own. So running it as an RV site is not quite as profitable as renting them out on a long term stay, but it has come back up to where we have less attendance and make more money. We have less maintenance and less utilities the way we are set up now than we did before.

Commissioner Tuley: That's what I was getting ready to say, is there a way...I'm sure there's a way, would you do a cost analysis to show us what it costs us, the county, to keep the bath house open through the winter months for those folks to use as opposed to us saying, it's wintertime and if you want to pull in there...I'm not saying this very well, but if you didn't have it where people could permanently stay, how many people utilize that in the wintertime anyway? Would we have to have the bath house and all that stuff? Like over at New Harmony, November 15th I think there's one or two, I'm not sure, that was recently wired and heated so they can stay open through the winter months. The rest of it is shut down and nobody camps for the most part because they don't have the facilities. So can you do a cost and show us what you're receiving through the winter months to keep—

Commissioner Mourdock: I bet most of the people who are there long term probably don't use that part of the facility anyway. They probably have their own showers and all that.

Steve Craig: Correct. That's used mostly the six months in the summer when people are using the primitive camping and the pop-up campers.

Commissioner Tuley: So do we keep it going all winter long then?

Steve Craig: We have our washer and dryer, our laundry, is in there for the campsites and for people that use the chalets. We tell them that we have a washer and dryer up there that's a pay washer and dryer. That's half of that building and the

other half is used for a public restroom. It's open to the public as a restroom, the shower room is, because number 13 is a winter building that we are in the process of putting bathrooms in. Those people can use those restrooms in the winter too. There's not a lot of use of the restrooms and that but if someone comes in and does need them, they're there for them to use. We'll always have to heat it for the laundry part.

Commissioner Tuley: Financially maybe it makes sense, but I'm still like Richard, I'm struggling with the idea that we have people permanently living in the park.

President Jerrel: We'll get the minutes and look at what was said.

Steve Craig: I'm open to your suggestions.

Commissioner Tuley: I know what the minutes say. That's why I said I had a leave of absence from my mind, I think, when I voted for that in '97.

Commissioner Mourdock: I think I did too, I don't know.

President Jerrel: With that in mind, any other questions? If not, is there a motion to approve the—

Commissioner Mourdock: I'll move acceptance to the record of the Soil & Water Conservation District, the Ozone Officer's report, and the other county department head reports.

President Jerrel: And we do accept the recommendation of your Burdette Advisory Board.

Commissioner Mourdock: Yeah, let me do that first. I'll move acceptance of the recommended rates for the year 2002 for Burdette Park.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Okay, then I'll move into the record the department head reports as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: Okay, consent items. Are there any questions?

Commissioner Mourdock: I'll move approval of the consent items.

Commissioner Tuley: Second.

President Jerrel: So ordered. ¹

Old Business

President Jerrel: Old business?

Commissioner Mourdock: Just one bit of old business regarding community corrections, the jail, juvenile detention, etc. I guess, I don't know if this in anything other than informative but perhaps, Joe, you and I might meet with the people over at the Rescue Mission. Just kind of talk to them about what their long term thinking is with juvenile detention and have some conversations there. I've got some time coming up this week, and perhaps next week, perhaps more.

President Jerrel: That's a good idea though. I'd like for you to do that.

Commissioner Mourdock: I'll give you a call, Joe, to talk about that.

President Jerrel: Is there any other old business? We have, Pat and I did go to the PMSI meeting with the Council and a lot of good points were raised about a lot of issues. Council voiced their opinion. The financial representative was there and talked a little bit about the process. The issue of...Joe still has a report to present. We had originally asked him to survey all the surrounding areas as well as the Building Authority property to see where we go next. There has been information coming in about whether or not we want to look at future assistance in the scheduling of the meetings of the discussion like we did with The Centre on how something should be developed, and who would do it, and at what point we would accept a design. So that will be coming up. What else did we talk about?

Commissioner Tuley: That pretty well covered it. It was well worth while. It really brought a lot of the Councilmembers up to speed than maybe they had been because, like us, they sat in on a lot of individual committees but I don't know how many of them actually heard all four presentations to us. It was good that they were brought up to speed and know what we are trying to do and what we're looking at. It's a very extremely complex involved issue that we are going to be grappling with for the next several years. Somebody will be. I'll be involved through the end of this year.

President Jerrel: For the students that are here, are you USI students or high school students?

Unidentified: High school.

President Jerrel: North or?

Unidentified: North.

President Jerrel: Well, you might just want to think about this because this is an issue that also came up. What would you want this complex to look like? Should it be the jail and the community corrections and the juvenile detention in one building

¹See page 19 for a complete listing of consent items.

or should it be juvenile somewhere else and community corrections and the jail together? They did help explain that juvenile detention does not mean where you're sentenced to a juvenile facility here in Vanderburgh County. Detention is just like jail only it's for juveniles 18 and under that would have to be placed, or is it under 18? That would be held until they come before a judge for adjudication. In other words, if someone is arrested tonight for something, they must go before a juvenile judge. If it's serious enough between the arrest and when they are placed, they must be held somewhere. That's what kind of detention we're talking about. We're not talking about a judge finding someone guilty of robbery and sentencing them to boy's school or girl's school. This is just for the purpose of holding them. There was some discussion about that. If you all are interested in the future about that, you might want to discuss that in you class. You might also want to give us some input. We would value any feedback you might want to give us.

New Business

President Jerrel: Okay, new business?

Commissioner Mourdock: Did you want that in?

President Jerrel: Yes.

Commissioner Mourdock: We have a request from Sherman Greer. This is Earthquake Week Proclamation which I don't know if that's a prediction or just a proclamation. Vanderburgh County, Indiana proclamation: Whereas disasters are a fact in life and will continue to be a threat in the future. Vanderburgh County is vulnerable to many types of manmade hazards and long term commitment to mitigation and preparedness efforts by public and private members of the local community will minimize the loss of life and property while improving (tape flipped to side B) and whereas land use, new construction, retrofitting of existing construction, community education and information management are key components of any mitigation and preparedness strategy and the efforts to reduce loss of life and limited interruption of public service, resume business operations, manage response and recovery operations at a time when man continues to be the top priority in the hearts and minds of emergency management personnel. Therefore, the County Commission of Vanderburgh County does hereby proclaim the week of November 5th through 12th, 2000, as Earthquake Preparedness Week. So that is a motion that we accept his document.

Commissioner Tuley: Second.

President Jerrel: So ordered. Okay, any other business that needs to come before the board?

Commissioner Tuley: Is that something that needs to go into the record? Dale Naylor?

President Jerrel: Yes. This was just a letter. You sent to the meeting?

Commissioner Tuley: Actually, Curt Wortman went.

President Jerrel: Curt went, that's right. This is the letter to Dale Naylor who was the volunteer firefighter of the year. It's a letter that's in our file for us to sign.

Commissioner Mourdock: I presumed it was part of the consent package.

President Jerrel: It is.

Commissioner Tuley: Oh, it was? Okay, I'm sorry.

President Jerrel: Okay.

Commissioner Tuley: Actually, it's not. It's not listed on there.

Commissioner Mourdock: I'll go ahead then and formally move that we comply with the request of the Kiwanis Club of East Evansville to designate the volunteer firefighter of the year as Mr. Dale Naylor.

Commissioner Tuley: That's right, Dale Naylor. I'll second.

President Jerrel: So ordered. Is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

CONSENT ITEMS:

Employment Changes:

Surveyor	Superior Court	County Highway
The Centre	Election Office	Community Corrections
Health	Sheriff	

Travel Requests:

Health Dept.

Auditor:

Submit accounts payable vouchers

Weights & Measures:

Submit monthly report

Assessor:

Declare obsolete computers surplus

County Council:

Dale Naylor, Firefighter of the Year

Sheriff:

Submit weekly jail information and reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Sheriff Ellsworth	J.T. Kinkel
Richard Helzerman	Jerry Bryan	Carla Hayden
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
October 30, 2000**

The Board of Commissioners of Vanderburgh County met in session this 30th day of October at 5:35 p.m. in Room 307 of the Civic Center Complex with Vice President Richard Mourdock presiding.

Introductions and Pledge of Allegiance

Vice President Mourdock: Okay, good evening. We'll call the October, my calendar says 27th but that's not right, the October 30th, 2000, meeting of the Vanderburgh County Commission to order. I have a few new faces in the audience so I'll make some introductions. At my far right is the Superintendent of County Buildings, Tony Greubel; our County Attorney, Joe Harrison, Jr.; County Commissioner, Pat Tuley; my far left is Jane Laib who's our Recording Secretary; and the County Auditor, Suzanne Crouch. Mrs. Jerrel had a little too much leaf raking in the past few days, so she is rather immobile. I understand she hurt her back a bit. Hopefully, she'll be up and around tomorrow, but she will not be with us tonight. Will you join us for the Pledge of Allegiance, please?

Approval of Minutes

Vice President Mourdock: The first item on our agenda this evening is the approval of minutes from the October 23rd meeting.

Commissioner Tuley: I'll move approval of the minutes from the October 23rd meeting as submitted by the auditor.

Vice President Mourdock: I'll will say second and so ordered.

Certification of Executive Session

Vice President Mourdock: Second thing on our agenda this evening is for summary minutes of tonight's Executive Session. Just by force of habit, I guess, Pat, I'll go ahead and state that our summary minutes of this evening's meeting would note that the county attorney, Commissioner Tuley, the auditor, and I were present. We discussed pending litigation against the county and county personnel matters.

Commissioner Tuley: And I'll second or put that in form of a motion and—

Vice President Mourdock: And I will...with you making the motion, I will say second and so ordered for the summary minutes.

Erik Bentle - County Highway

Vice President Mourdock: Despite the order of things on our agenda, I know that Erik Bentle with the county garage is here and probably shouldn't be here this evening per his doctor's orders but wanted to have a brief discussion. So Erik, if you don't mind, we'll go ahead and do the county garage section first. We do have your report in here from the normal weekly report. I don't if there's any questions about that, Pat? Or anything that you want to ask Erik or Mark?

Erik Bentle: As far as paving, we are done for the season. We start rock and shoulders probably the mid part of this week. We'll be doing that until the weather gets bad enough where we can't do it again. Then we'll finish it up the rest of the year. Basically, that's all I have unless you have something for me.

Commissioner Tuley: Erik, I'm sorry you felt a need to come out here tonight, but I am glad that you're here because I just want to go over this...some of the things that we talked about on the phone today, I'd like to get on the record. There was discussion last week that started out because it was pointed out that a portion of Maasberg road, I think it was 4,500 foot of it, beginning at Baseline down to the wooden bridge that was put in a couple years-- a year ago--whenever it was, was paved. Going back and reviewing the approved paving list for this year and looking at the amended paving list for this year that was amended to add, I think, at that time we may have added West Haven Drive, Magnolia Drive, and Meadowlark Drive. I don't remember if there were any other amendments to it. Maasberg was never on there. Given the fact that this year in addition to the money that we had allocated for road repairs and given the fact that we had to go back and ask for another \$300,000, and given the fact we still have something like 13 or 14 roads that did not get done this year because, quite frankly, we ran out of money, the question becomes why did Maasberg, a narrow two lane gravel road, get paved?

Erik Bentle: Well to start with, the list we give you every year is a projected list of what we--like a wish list. What we hope to get done. Very rarely, except last year, did we finish the entire list. This year, of course, the way the oil prices were, we had trouble even getting half of the list done. So, like you said, we went back and asked for more money. We made that decision at the beginning of that oil crisis that we had to do the worst roads in the county first. The roads that we did not get to we figured could wait, at least, another year to be redone. Maasberg was done...we were out on the far north side, Campbell Road, Walnut, doing the ones out in there and Maasberg just happened to come up that it was falling apart. It's an old gravel road that's used by several people who live on that road right there. It's got nice houses. The farm equipment that uses that road has destroyed it. On the road itself, one lane was almost completely cut through. It was crumbling and falling apart and I thought safety reasons wise, we need to get some sort of base on that road to hold it together for the winter or we were going to completely lose it. Gravel was not going to be the solution.

Commissioner Tuley: Erik, how many of these nice homes are out there that you just eluded to?

Erik Bentle: There's three or four on that road.

Commissioner Tuley: There is one, I think, that runs along the road in the section that was paved. I was out there yesterday.

Erik Bentle: Okay.

Commissioner Tuley: So there's one home out there. Now, as far as...what exactly did you do to the road in terms of shoring it up, correcting it, and whatever?

Erik Bentle: We patched base in the parts that were falling apart and patched some dirt down the shoulders to try to hold the edges together. Then we put base and a half inch of surface over the top of that base to bind it together trying to hold it together for the winter. We want to get it on our list for next year. That way the

whole thing will be paved next year.

Commissioner Tuley: So the portion that was done, was it the full—was it completely necessary to do the 4,500 square foot given the fact that we didn't have that much stuff, that much money, or that much material left? Was 4,500 foot of it crumbling? Is that what you're saying?

Erik Bentle: I think it was necessary, yes.

Commissioner Tuley: Given the fact that you work for the County Commissioners and given the fact that the County Commissioners are the ones that you and the county engineer bring to us the list of roads that you recommend that need to be done, didn't you feel it important to come back to this body and say, "I know we ran out of money, and I know we were short, and I know we didn't have roads done, however, I feel like there's a problem out here on this road that needs to be done?" You didn't think that was necessary?

Erik Bentle: Yes, and I explained to you earlier that's probably what should have been done, but at the given time, we were out in the area and had the equipment there. I felt it was just something that we should have done and got over with and it was finished.

Commissioner Tuley: Even when you were here on October the 9th and just casually mentioned something about Maasberg and not one of the three commissioners picked up on the fact, at that time, that it wasn't on...that was another opportunity to say, "Hey, by the way, this is important and I think it needs to be done."

Erik Bentle: I apologize for not bringing it to your attention.

Commissioner Tuley: I don't want you to misunderstand. I'm not trying to micro manage what you're doing out there, but I think when we put together a list, and I'll say it this way, I don't know, Richard asked me if I think this was done for political reasons what possibly was the motive or what was the political gain for having this done? I have sat here and publically applauded these other two commissioners and the garage and the county engineering department for putting together a list every year of roads based on the...not based on districts of commissioners or based on who lives on the roads. It just made me a little suspect that there's more in this decision making than the fact that that road may have been crumbling given the fact that you were getting pressure from Councilman Wortman to get that job done and given the fact that Councilman Wortman's been trying for seven or eight years to get that road paved. It amazes me that without a call from the sheriff's department or without a call from the school corporation, buss drivers or anything else, that suddenly that road was crumbling to the point that it had to have asphalt put on it. Now, you've given your explanation and, as I told you on the phone, I have had no problems with you out there whatsoever. I think you've been a good county supervisor out there and you have a good report with your men. We've not had to deal with a lot of problems like we've had to deal with in the past because, I think, you have a handle on what's going on there. You dropped the ball on this one, is the only reason that I'm not going to move that you be terminated for making this decision in and out of this board's authority. I think this board is who you work for not Councilman Wortman. Having said that, I'm going to let it go with the understanding that I don't want to micro manage. I don't think this board wants to micro manage, but I really think given the fact that we were really short on money and had a lot of roads to pave, you should have came before this board. I think you

recognize that now.

Erik Bentle: I was also under the understanding that when we made the decision to do the worst roads first that if we did run into one that needed to be done, it should have been done. Am I correct?

Commissioner Tuley: If we go through and create a list, unless you run into an emergency and if you want to call an emergency, I think only this body has the right to declare an emergency and go ahead and do it. So, at that point in time, between you and whoever the commissioners are from this point forward, need to come to an understanding of that. If the other two commissioners or three commissioners are here after I'm gone, if that's the understanding, that's fine. That's between you and them, but I don't think we ever operated this board under that operation or understanding since I've been here for eight years.

Erik Bentle: Okay. Like I said, I apologize for that. Like I told you on the phone, I made the call. If you think that I dropped the ball, it was me that did it. I made the call to do it because I thought it was unsafe. I did not think it would last through the winter just putting gravel on it. It wasn't going to work.

Vice President Mourdock: Erik, let me jump in on this because I understand Commissioner Tuley's concern. Clearly, as he said a moment ago, only the commissioners can officially declare an emergency and there are certain statutory things that means. In this case, I just want to reinforce the point that, yes, what you said a moment ago it absolutely correct. You said that any money we had left over, and that was discussed at this board in a public meeting, if we had any money left over, we were going to take care of the worst ones. At that point too, the worst ones, especially when you use the term "emergency", it's something that we need to know about here. So, I want to make that point. I would though go on the record also, Pat you made the comment a moment ago that when this came up on October 9th and, in fact, were provided the information at least the week before because in the weekly progress report that Erik submitted the week of October 2nd for what was happening back in September, we were given the information in writing then that the work at Maasberg was going to take place. Now, I know what you're going to say, "It went by all three of us and that doesn't necessarily mean that just because it was on there that it was automatically approved to go ahead and handle something that wasn't on the list." I'm just making the point, as you said before, all three of us had information and it was at our fingertips and we didn't see it.

Commissioner Tuley: You're right, that don't make it right. That's when I begin to wonder if we're playing "catch me if you can," and I don't like that game.

Erik Bentle: No, and I don't either.

Vice President Mourdock: I'll say for the record, I don't think that's what the situation is here. I think Pat and I agree that he's done an excellent job out there and you are to be complimented, Erik. The problems that Pat was eluding to that we use to have at the garage, we haven't had since Erik's been out there.

Commissioner Tuley: We haven't had personnel problems like that since.

Vice President Mourdock: We just want to make sure that the money the county has to use for roads is allocated most wisely. I, like Pat, don't want to micro manage every decision, but when you're thinking of something as an emergency... this is

tough because on the one hand I applaud your initiative in recognizing it, but on the other hand, we need to know about it as well.

Commissioner Tuley: One final question. What would be your best estimate of what that cost?

Erik Bentle: Right off the top of my head, I might have it down here. I don't have it on this list I've got here.

Commissioner Tuley: Somebody had to give you the figure because I understand—

Erik Bentle: I've got the figures, but I just don't have it on this list right here. Let's do a comparison of 4,500 feet. I would say close to maybe \$28,000.

Commissioner Tuley: \$28,000?

Erik Bentle: I might have mis-worded that while ago as an emergency. It's not like the road was completely going but it was something that was not going to last through the winter. Putting rock in it was not going to solve the problem for those people that have to drive up and down the road. The farmers drive up and down the road. The people that live out there.

Commissioner Tuley: How many people live—are going to drive down that road? That was something that Councilman Wortman tried to tell me, that everybody is using that road now. Nobody used it before when it was all gravel, but now that it's only half gravel people are using it?

Erik Bentle: You'd be surprised. When we were working out there the traffic. I didn't think there was that much either but there was more traffic out there than what I realized. People cutting through. It's a cut through right there from Baseline to Boonville-New Harmony.

Commissioner Tuley: Well, I've got other concerns about it that I won't say publically. Richard knows what they are and the attorney knows what they are too.

Erik Bentle: Okay.

Commissioner Tuley: It all comes back to safety now?

Erik Bentle: Myself, I thought it was a safety issue. Yes, I did.

Commissioner Tuley: Okay.

Erik Bentle: We've been dealing with gravel roads forever. In Union Township we've got a couple left at the far north end and most of them we can repair pretty easily but this one was half into the road and coming apart. The rock was not going to stay in it. You drove it so you saw there was no shoulders out there.

Commissioner Tuley: No shoulders whatsoever out there.

Erik Bentle: Me and Mr. Stoll, the Engineer, have already discussed that trying to do something with the shoulders.

Commissioner Tuley: You discussed that before or after the decision was made?

Erik Bentle: Before.

Commissioner Tuley: About putting shoulders on it before it was asphalted?

Erik Bentle: When we were talking about having it paved he said to start with, we need to do something about the shoulders too.

Vice President Mourdock: Again, that whole discussion took place before the paving was done?

Erik Bentle: Yes.

Commissioner Tuley: John, is that right?

Erik Bentle: Pretty sure, isn't that right, John?

Commissioner Tuley: I'm sorry, I thought you were back there where you normally are. I didn't look over here.

John Stoll: I don't remember talking specifically to Erik about it right before it was paved, but in the past, yeah, there were several discussions. Every time that road had been mentioned for paving one of the issues and my concerns was, and Erik's too, I believe, was the fact of the width of the road, lack of shoulders and limited right-of-way. There wasn't a whole lot we could do to really upgrade the road.

Commissioner Tuley: Okay, but you don't recollect being consulted and asked if it needed to be paved this year in order to hold it together?

John Stoll: I talked to Erik about it earlier today, he said we spoke about it but I don't recall a specific conversation.

Commissioner Tuley: Okay.

Vice President Mourdock: Okay. Anything else from the county garage tonight?

Commissioner Tuley: Nope.

Jerry Bryan - Various Awards

Vice President Mourdock: Thanks. We'll go back to our regular agenda then. Item C is Purchasing, Jerry Bryan. Is he still here?

Jerry Bryan: Good evening. I've got several awards here that I'd like to bring before the commissioners. The first one is a Gas and Fuel Oil bid, APA004-2001. Last year Petroleum Traders Corporation in Ft. Wayne had the majority of this bid and then Gabe's Oil Company, locally here, had the tank wagons that go to the garage and the golf course, etc. This year, Busler's submitted the lowest responsible responsive bid and I would recommend to this body that they be awarded the contract. The total amount of this contract is \$429,650. Mr. Mourdock, this is one where we use the O.P.I.S. oil price plus their margin and then they send me a weekly summary of the O.P.I.S. and I double check their pricing so that we ride with them when it goes up and we also ride with them when it goes down. So we monitor those prices very,

very carefully. State Board of Accounts wants us to do it, and I want to do it to make sure we are getting the money that we are paying.

Vice President Mourdock: The \$429,000 isn't really a set price. It's just based on a number of units you project?

Jerry Bryan: That's a guesstimate for what we will use this year.

Commissioner Tuley: Jerry, who did you say had it last year?

Jerry Bryan: It was split, Mr. Tuley, between Petroleum Traders out of Ft. Wayne. They had it last year and then Gabe's had the tank wagons where there's about ten different delivery spots in the city and the county where they'll run their tank wagon around like the fire departments, golf courses, etc. where they'll give two or three thousand gallons to this tank, this tank, this tank.

Commissioner Tuley: Pardon me for putting on my other hat right now and asking these questions—

Jerry Bryan: I know you're doing the other bid too for the School Corporation.

Commissioner Tuley: So you got from Petroleum Trader's, did you get that monthly reporting that you were making reference to on the O.P.I.S. and their margin? Didn't have any trouble getting that out of them?

Jerry Bryan: No. I started it two years ago and they had the bid for the last three years. They can operate on a penny a gallon because they are so large. They have millions and millions of gallons. I asked them if they were just buying the business? They said they can operate...last year they won the bid with .0179 so they got a penny and a half which is a little bit better. This year they probably took a look at their cost figures and said, "Hey, maybe we're too low for these guys." I think they caught themselves in a catch 22 here.

Commissioner Tuley: You want a recommendation to award to, I think, it was Busler's you said as the low bidder, and I'll so move.

Vice President Mourdock: Second and so ordered.

Joe Harrison, Jr.: Jerry, did that go to the Board of Public Works?

Jerry Bryan: Yes, sir. They approved it this afternoon.

Joe Harrison, Jr.: That's what I wanted to know.

Jerry Bryan: Moving right along here, the next item is the Surfacing Materials. I have four contractors: Jerry David Enterprises, Gohmann Asphalt, E & B Paving, and J.H. Rudolph. Again this year, I recommend to the commissioners here that we use four sources where we'll have an east side and north side city delivery and then the north side in Haubstadt. That has worked out very well for the people that use the concrete and use the hot patch to call for the lowest—or call for the bidder—or the company that's in your area for the hot patch. This is one, Mr. Mourdock, where we use the formula where hot patch had gone from \$80 a ton to \$180, and they were screaming like a mashed cat. We used that formula and it's in effect right now, and it has helped them somewhat. Excuse me for that terminology.

Vice President Mourdock: That's alright, it's a wonderful word picture. So that terminology was a part of the bid for all four of these?

Jerry Bryan: Yes, sir.

Vice President Mourdock: And they all accepted that terminology?

Jerry Bryan: Yes, sir. There again, I also get copies of the per ton mix because that's the basic petroleum ingredient and I'm also watching those very carefully. The State Board of Accounts was glad that we did that. We just have to monitor these prices, and who knows what's going to happen on the oil prices this year? I don't know.

Commissioner Tuley: So your recommendation then is to award all four of them at unit cost?

Jerry Bryan: Yes, sir.

Commissioner Tuley: I'll so move at this time.

Vice President Mourdock: Second and so ordered.

Jerry Bryan: That was approved by BPW this afternoon. Okay, next one is Oil Products. This is two people, Busler Enterprises and Emmick Oil. Normally, I have the fellow from Henderson, Kentucky, Home Oil Company bids the thing but it got waylaid on his desk and I'm not in the habit, Pat, of calling vendors and asking them to submit their bids. I don't have time and you don't either. He just dropped the ball, so I just got two real good prices. Busler Enterprises submitted the lowest bid they had. They had the bid last year and did a good job. I always find out if we've had any complaints about their service, pricing, quality or anything, and I've had no complaints on Busler's. I'd like to recommend that we use Busler's for next year for these oil products. This is transmission fluid, hydraulic oil, the greases; Kind of the rope, soap, dope stuff for the garage.

Commissioner Tuley: I'll so move with the recommendation of Mr. Bryan.

Vice President Mourdock: Second and so ordered.

Jerry Bryan: I'd like to table Batteries until next time, could I do that?

Vice President Mourdock: Sure.

Jerry Bryan: And drop down to Commercial Fueling. Commercial Fueling is the service stations that fill all the police cars, the sheriff, fire department, and all the department heads that use city vehicles. Busler's had the bid last year. They renewed it as a carry over but I felt like we should go out into the marketplace and have this thing rebid just to see what the prices are. Gabe's Oil Company submitted prices. Thornton Oil Company out of Louisville used an outfit called Fleet One and their prices were really high. Busler's submitted their prices using the O.P.I.S. again. They have a seven cent markup. They did have the bid last year and I did not have any problems. They have one...one of the rules for this bid is that you have to have two service stations open 24 hours a day to service all the police cars and the county vehicles also. So you can't have just a one service station outlet handle this bid. It's got to be somebody that can really stay open and work with you around the clock,

so I recommend Busler's be awarded this bid.

Commissioner Tuley: I'll move that Busler's be awarded the Commercial Fueling as recommended.

Vice President Mourdock: Second and so ordered.

Jerry Bryan: Approved by the BPW this afternoon also. I guess, the last thing on there, Joe, that I have is the Family and Children's Service bid.

Vice President Mourdock: I think we need to move that we have a motion to open those bids.

Commissioner Tuley: I'll so move at this time.

Vice President Mourdock: Second and so ordered. Okay, anything else for Jerry?

Commissioner Tuley: No. Thanks, Jerry.

Vice President Mourdock: Did John Stoll come back in the room or is he still outside? We'll skip John for a moment. Tony, would you see if you can find John and we'll be back to him momentarily?

Ordinance Amending Speed Limits - Final
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Vice President Mourdock: We'll jump down to item E. We have a final reading of an ordinance amending speed limits in Vanderburgh County.

Commissioner Tuley: I think this is the second and final reading on this particular item as outlined. I think John did a good job last week of pointing out the changes and, at this time, I will move for the approval of the ordinance amending Chapter 10.16 Section 010 of the Code of Ordinance of Vanderburgh County concerning speed limits as recommended by the county engineer.

Vice President Mourdock: Okay, and this is a public hearing for this. Is there anyone here who wishes to speak about the final reading of the ordinance for amending speed limits? Seeing none, we have a motion so I will say second and so ordered. We need a roll call vote. Commissioner Tuley?

Commissioner Tuley: Yes.

Vice President Mourdock: And I will vote yes.

John Stoll - County Engineer

Vice President Mourdock: Okay, item D, John Stoll. It says collecting swale at Amhearst Manor. I don't know why you're collecting swale, but let's hear what it's all about. What are you going to do with it once you collect it?

John Stoll: That was the ditch that Morley and Associates was wanting to put in alongside of the Lynch Road right-of-way fence. I don't have any revised details just yet so I'll have to bring it to the next meeting.

Vice President Mourdock: Okay, so we need to defer that again?

John Stoll: Right.

Any Group or Individual Wishing to Address the Board

Vice President Mourdock: With that, any group or individual wishing to address the board who's here this evening?

Richard Helzerman: My name is Richard Helzerman and I've come to talk to you about the problem of overcrowding in the jail. Last week, Councilman Mourdock said that I could obtain a copy of the jail report from Tony. Tony gave me three of these reports last week. Thank you. The report titled Confinement Report dated 10/25/00 shows 301 inmates with 166 of those awaiting trial, over half. Of those 166, 106 could be released if they could raise their bond. The fact that they did not raise their bond is evidence that the bond is excessive. The Constitution of Indiana forbids excessive bond. The judges took an oath of office to support the Constitution. If the judges were true to their oath, the jail would have only 195 inmates and it would not have been overcrowded. You took an oath of office to support the Constitution. I would ask you to use whatever influence you may be able to exert upon those judges to encourage them to reduce these excessive bonds to an amount that the pre-trial detainees can reasonably be expected to raise. Since the judges are setting bonds too high to be met, the next best option would be to implement pre-trial conditional release programs. If these 106 inmates were put into a pre-trial release program, it would cost the county \$636 a day according to my estimate of \$6.00 per day. At \$25.00 per day, it is costing you \$2,560 a day. Such a program would save the county \$1,924, almost \$2000 a day. With these 106 gone, there would be 73 beds available to rent out to the Federal Courts. If 40 of them were filled at \$40 a day, there would be an additional \$1,600 a day income to the county. Thus a pre-trial conditional release program would generate a savings of \$1,900 a day. An income of \$1,600 a day for a net gain of \$3,500 a day which is over a million, or close to a million dollars a year. In the past, the county has allowed the judges to set up these types of conditional release programs. Unfortunately, when that judge retires or gets upset with the local contractor, the program suffers. Since there are two courts and many judges, it would make more sense for the county to establish these types of programs and operate them according to written policies and procedures adopted by the commissioners and funded by the Council. Attached to this statement are the following: Former Berlin Wall Guard Guilty of Manslaughter, quotes from the Constitution, quotes from the 1984 agreement with the Federal Court, copy of jail rules and regulations about classifications, article stating that jail classification rules are not enforced, the jail inspection report, the PMSI Executive Summary Report, and an overcrowding article. You're part of a system that is denying fundamental human rights to at least 301 people by forcing them into an unsafe jail. If you would keep your oath of office and support their Constitutional rights, 106 of the 301 could have been released and the jail could have been safer. Even though you do not have direct control over the judges and sheriff, you can express your opinions and offer your support to the strategic implementation of pre-trial release programs that are the only hope of solving the overcrowding problem soon. Now here's an article from the August 22 local paper, page A5. A former Berlin guard found guilty of manslaughter. It says among those killed under his command. He did not kill them, but the people under his command killed them. Now, this killing was done according to German law, but it was against human rights. When the government changed, this fellow was held accountable for those people

killed under his command even though he didn't kill them. Now, the situation you have in Indiana, the Constitution forbids excessive bail, but the laws of Indiana allow the judge to set what's a reasonable bail and they are setting them unconstitutionally too high. So your situation is close to this particular one. On the next page, I have the oath or affirmation of office. This is Article 15 of the Constitution, Section four. Every person elected or appointed to an office under this Constitution shall, before entering these duties, take an oath or affirmation to support the Constitution of this State and of the United States. Section 16 of the Indiana Constitution says that excessive bail shall not be required. The next page, I have a copy of a paragraph from the 1984 agreement that the county made with the Federal Courts to keep the courts from passing some rule to enforce or to end the overcrowding. It says in the defendants' agreement that in any overflow situation, aggressive or violent inmates of all sexes will be identified and segregated from the non-violent, non-aggressive inmates to the best of the defendants' abilities. On the next page is a copy of the rules and regulations of the jail that in your answer to the last Federal suit, you said that every inmate receives a copy of. Page seven, Classification. Inmates shall be classified as middle, medium, or maximum security risks. Two, inmates shall be classified and segregated according to age and sex. Three, jail officials shall use their best efforts to maintain the classifications and segregation. On the next page there is an article from the Courier from January 29, 2000. Man arrested in child support case spends a scary night in jail. I thought I might be killed was the lower headline. The sheriff's department officials said there are not enough jail cells to keep different classes of inmates separated. Here's a man who was afraid he was going to be killed because there was not separation. The next page is a copy of the Vanderburgh County Jail report by the state inspector. At the bottom, it says that overcrowding is so severe at times as to be particularly unsafe for staff. Now notice that it's not just the prisoners here, it's unsafe for the staff. The staff are your employees and you are responsible for their safety. It's unsafe for the staff and generally inhuman for the inmates. We do not recommend the continued use of this jail in an overcrowded situation. Next page, I have a copy of your PMSI report. At the bottom it says, PMSI recommends the courts strategically plan to implement pre-trial conditional release programs. You paid \$100,000 and they told you this is what you need to do, and I would hope that you would do it. The last page, I found this very interesting. Overcrowding disappearing at the county jail. This is Thursday, March 19, 1998, when the county first appointed the Blue Ribbon Jail Committee. They looked at the problem and said the problem is there's too many people, pre-trial, not being released. The bail is too high. The bond is too high so there's too many people there. When they had that public attention and everybody was looking at it, you hired two people to look over all those things. All of a sudden, the populous of the jail went down. I've underlined here, "Suddenly within a month or six weeks or so, our jail population is down. I don't know why. Jail figures for February 1 through yesterday show a peak inmate population of 289 on February 1 dropping to a low of 212 on March 4th. Within four weeks it went down to 212, way below the maximum of 256. In the last 30-40 days, the population has significantly dropped Young said. Young is now the Federal Judge in charge of solving this problem. Young said also that some judges may be looking a little closer at setting the level of the bonds. Thank you.

Vice President Mourdock: Okay, thank you. Anyone else wishing to address the commission this evening?

John Stoll - County Engineer

Vice President Mourdock: County Engineer, John Stoll.

John Stoll: First, I'd like to request authorization for the County Attorney to proceed with condemnation for parcels number two and number twenty-three on the Burkhardt Road project. Parcel two was owned by the Scales Brothers and parcel twenty-three is owned by Albert Scales. Attempts to secure those parcels have come up empty and I forwarded the files to Joe's office for him to proceed with filing the condemnation.

Commissioner Tuley: I'm sorry, I was sitting here reading something. Okay, to begin condemnation for the two properties?

John Stoll: Yeah, parcel two and parcel twenty-three.

Commissioner Tuley: I'll so move.

Vice President Mourdock: Second and so ordered.

John Stoll: Next, on Burkhardt Road as well, on parcel nineteen we originally made an offer of \$1,050 for the property we were acquiring. Included in that was a fence. The property owner disputed the amount of money that was in that for the fence replacement so the consultants went out and got some revised figures. Now they are recommending that we offer \$2,042 because the fence cost did show that they were higher than what was previously offered.

Commissioner Tuley: I'll so move for the change in parcel nineteen as recommended.

Vice President Mourdock: Second and so ordered.

John Stoll: Next, I'd like to recommend that the county accept streets in Vanderburgh Industrial Park Subdivision. This is 2,076 feet of Foundation Avenue, 1,020 feet of Foundation Boulevard, and 1,020 feet of Foundation Drive.

Commissioner Tuley: I'll move the county accept the roads in Vanderburgh Industrial Park Subdivision as recommended by the engineer.

Vice President Mourdock: Second and so ordered.

John Stoll: Next, on Vanderburgh Industrial Park project, the Industrial Foundation is requesting an encroachment agreement approval for installing a sign in the median out at Foundation Boulevard and Highway 57. What they are proposing, the sign would be 333 inches long by 253 inches high.

Vice President Mourdock: Let me understand, they're again asking for this encroachment to put in a sign on our right-of-way?

John Stoll: Right. It just says Vanderburgh Industrial Park with their logo on it.

Vice President Mourdock: Does this encroachment agreement include all the necessary legalisms of liability and indemnification?

Joe Harrison, Jr.: Yes.

John Stoll: Yes.

Commissioner Tuley: I'll move approval at this time then.

Vice President Mourdock: I will second and so order.

John Stoll: Next, I've got a Notice to Bidders for contract number VC00-11-02, the Boonville-New Harmony Road/Schlensker Ditch Sanitary Sewer. This is for the sewer that the county committed to a couple of years ago that would run from the Schlensker Ditch lift station that was installed as part of the Daylight Sewer. This is the gravity sewer that runs south off that lift station back to the 17 homeowners who were opposing the IDEM permit for the Daylight Sewer. This will set a manhole. This will get the manhole to the northwest corner of 57 and Boonville-New Harmony. From there on, they would have to do a Barrett Law project to extend it to serve their individual houses.

Vice President Mourdock: Do we know if they are starting that process?

John Stoll: Do not know.

Vice President Mourdock: This is back in to Bohemia Drive or something?

John Stoll: Bohannon. The easements were finally acquired and that's what's been holding up this project for quite some time. That's really it. There was really no other issue.

Commissioner Tuley: You need a motion then to approve it?

John Stoll: Notice to Bidders for advertisement.

Commissioner Tuley: I'll so move.

Vice President Mourdock: Second and so ordered. Jane has the signature file or Tony. See Jane panic.

John Stoll: Next, I've received a supplemental agreement from Bernardin Lochmueller for their inspection services on the Fulton Avenue Bridge. The amount of that agreement is \$83,071 of which fifty percent will be the county's cost. I've forwarded a draft of the agreement to Joe Harrison for his review. The agreement doesn't require our commissioners' signatures at this point, but subject to Joe's review and approval, I'd just like to be able to forward that to INDOT if that's okay with you. The way that process works on those construction inspection agreements is the agreement must be reviewed by INDOT before any county official signs it. Once Joe's okay with it, I'd send it to INDOT. They would review it and send it back down here for signatures at a later date.

Commissioner Tuley: Move approval.

Vice President Mourdock: Second and so ordered.

John Stoll: The last item that I've got is a request for your approval to proceed with soliciting quotes from contractors for the removal of the bridge on Boonville-New Harmony Road. This bridge is out at the southeast quadrant of Boonville-New Harmony and I-164 where the old portion of Boonville-New Harmony Road got cut

off by the interstate project. The bridge is not necessary, it's in poor condition, and it's recommended for removal by the bridge inventory report. What we were going to do since the drainage area has been significantly modified by the interstate project, is remove the bridge and then put in a 36 inch pipe to handle the flow that would continue to go through there.

Commissioner Tuley: Move approval.

Vice President Mourdock: Before I second, how much is that going to cost and is it really worth it?

John Stoll: It's—

Vice President Mourdock: We're not vacating our old right-of-way correct?

John Stoll: I wish we could, but the property owner would have to petition us to do that. We were going to do it for safety reasons mainly. The bridge in it's current condition, since it's documented through the inventory that it shouldn't be there and it's in poor condition, if somebody was out there and had an accident, we are kind of concerned that it would create a liability situation. We are estimating that it will be under \$25,000.

Vice President Mourdock: Still a whole lot of money even under \$25,000. Is it just a steel bridge?

John Stoll: Yes. It's got a steel guardrail on it. Nothing that meets current standards. The road is in terrible shape as far as condition wise. It's been patched and we're not going to go back and put in any current standard 29 foot road. We're just going to match what's out there with basically rock.

Vice President Mourdock: Your request is to put it out to bid as opposed to doing it ourselves?

John Stoll: We are going to get quotes on it rather than put it out for bid, since it's under \$25,000.

Commissioner Tuley: I'm still okay with my motion.

Vice President Mourdock: Okay, I'll say second and so ordered.

John Stoll: It's been recommended in the past, and we've budgeted some money for it for this year, that's why we are bringing it up at this time.

Vice President Mourdock: Okay. You didn't have anything else, correct?

John Stoll: No.

Vice President Mourdock: First of all, I would note for the record that John submitted to us his weekly update on the Fulton Bridge and also gave us two letters here that we had spoken of previously. One to Ralph Myers and one to Harlan Batteiger. Did you get a chance to look at those, Pat?

Commissioner Tuley: No, I'm sorry, I didn't.

Vice President Mourdock: I just had the originals here. I don't know if you want to take a look at them.

Commissioner Tuley: I'm sorry, I did see the one to Mr. Batteiger. I saw the draft on that one. I didn't have a problem with it.

Vice President Mourdock: I just wanted to add them to the consent items.

Commissioner Tuley: We'll just move to add them to the consent items. That would be fine.

Vice President Mourdock: I'll say second and so ordered then that we add those to the consent items.

John Stoll: If you haven't had a chance to review it, if you want any changes let me know and I can get it taken care of.

Vice President Mourdock: I read the one and haven't yet thoroughly read that one but believe it's in the context of what you and I had previously discussed.

John Stoll: Right. They need to take care of some situations, their own conditions, before we proceed with spending any county money on their problem. The other one that you asked about out on Elmridge. We drafted a temporary right-of-way form that Joe **(tape flipped to side 2)**. We're going to try to get the property owners to sign off on that then we'll proceed with that project as well.

Vice President Mourdock: Okay, very good. Anything else?

Commissioner Tuley: Not for John.

Jane Laib: John, did you address the Bunner warranty deed? Was that something we were going to do tonight or was that something we were waiting on? J.P. brought that to me and I thought we were going to do that tonight.

Vice President Mourdock: Do we need to wait on you, John, or should we go on?

Joe Harrison, Jr. - County Attorney
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Vice President Mourdock: Next up then is the County Attorney.

Joe Harrison, Jr.: The only thing I have is the reading of the one bid that was submitted concerning the transportation for the Office of Family and Children's Service. There was one bid submitted. It was submitted by River City Yellow Cab of Evansville, Indiana. I think I'll just read their bid submission. They are proposing \$9.00 for up to four passengers per one way trip from a point in Vanderburgh County to another point in Vanderburgh County. Secondly, they are proposing \$18.00 for a round trip in Vanderburgh County which takes less than an hour. Third, \$4.50 for each in-route stop to drop off or pick up additional passengers. Fourth, \$1.25 per mile for an out of county trip plus \$9.00. Lastly, \$2.00 for each trip which is canceled after such trip has been dispatched to the person's residence or point of pick up. I would ask that you take these under advisement or this proposal under advisement.

Jerry Bryan: Joe, a quick question? I go to the Board of Public Works and I go to all

their meetings, and it just occurred to me that the announcement they made, although it's election year time, when they got those federal funds for the county and the city for transportation services, you'll recall that the city knocked off that bus system out there and that increased this type of service that the county had to do. I would think that some of those monies that are coming back into the county and the city from the federal government would that kind of decrease and help the load on services like this?

Joe Harrison, Jr.: Well, you'd think, but I don't know.

Jerry Bryan: Maybe the trickle down effect doesn't get there. Maybe it sounds good, but it doesn't really work?

Joe Harrison, Jr.: Yeah. I doubt if we are realizing anything from that but we could. I don't know. I would ask that you take a look at this and review it and get back to us at the next meeting concerning this particular proposal.

Jerry Bryan: That would be fine. Thank you.

Vice President Mourdock: Certainly if there is, in fact, a change of conditions, there's nothing in soliciting the bid that obligates us to execute the document so we could always rebid it if, in fact, those changes are valid.

Jerry Bryan: Right. Okay.

Commissioner Tuley: I'll move that we take that under advisement and wait for Mr. Bryan to report back to the board.

Vice President Mourdock: And I will second and so order.

John Stoll - Continued

John Stoll: The other item that Jane was talking about is there is a deed for the commissioners to accept for parcel 48 on Burkhardt Road in conjunction with the claim form for the payment for that right-of-way. This is the Bunner parcel and there's no signature lines or anything. It just needs to be officially accepted by the commissioners.

Vice President Mourdock: Is there a motion then that we accept that deed as referenced?

Commissioner Tuley: So moved.

Vice President Mourdock: I'll say second and so ordered.

Tony Greubel - Superintendent of County Buildings
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Vice President Mourdock: Tony Greubel, Superintendent of Buildings, do you have anything?

Tony Greubel: The county auditor wants to declare several pieces of office equipment surplus from a calculator to a Pentium computer which is obsolete.

Then in your direction, I arranged a meeting for you and the county attorney to meet with Steve Perry with the Youth Care Center on Thursday at 4:00 p.m., if that's okay?

Vice President Mourdock: Does that work for you, Joe?

Joe Harrison, Jr.: Yeah, that's fine. Where?

Tony Greubel: Here in the Commission Office.

Vice President Mourdock: That's pursuant with what we talked of last week as far as options with the Youth Care. Okay.

Tony Greubel: That's all I have.

Vice President Mourdock: I guess, we need a motion to accept those items as surplus then, Pat.

Commissioner Tuley: I'll so move.

Vice President Mourdock: And second and so ordered.

Steve Craig - Burdette Park

Vice President Mourdock: And Burdette Park, Steve Craig.

Steve Craig: Good evening, Steve Craig, Manager of Burdette Park. First thing I've got is the Discovery Lodge site work is coming along well. The lake is finished and we are waiting for some rain to start filling it up. All the seed and fertilizer is down. They still have some work to do on the road that's going through it, and the contractor poured the first retaining wall today with the intent to have them all poured by the end of the week. That's where we're at right now on the O'Day Discovery Lodge. Then you got my work sheets.

Vice President Mourdock: I've got to ask, in your O'Day Discovery Lodge report you said the lake has been dug and fish attractors have been installed. What is that, bait? What is a fish attractor?

Steve Craig: They were large 15 inch PVC pipes that Mike Wathen and Otis said we should put in there and cut holes in them. Then the fish, when they have their small ones, they can hide in there and it's a place for the fish to survive in a new lake like that.

Vice President Mourdock: Okay. Live and learn. I know there's some folks, or at least I think there's some folks, in the audience tonight that are interested in the subject that we've spoken of the last couple of weeks. I don't know if you want to lead that off, or Pat if you want to start? We do have some information. We had asked for the minutes of the meeting back in 1997 which Jane provided for us, and Tony had also provided the letter that this board had signed on August 18, 1997, regarding the policies that were put into place at that time regarding how long stays would be. I'll just note for the record that in that letter of August 18th 1997, what the board agreed to was five spaces on row one which would be an unlimited time stay. Eight spaces on rows one and two that would be limited to a six month stay. And

fifteen spaces on rows three and five which would be limited to less than a six month stay. So, Pat?

Commissioner Tuley: I think what we were trying to just ask is what we did in '97 is that something we want to continue? I think we've asked Steve to put some numbers together and talking with Steve this afternoon, I think he's got some numbers that he got late this afternoon and probably has a formal report that he could give to us at our next meeting.

Vice President Mourdock: Alright.

Steve Craig: I got them jotted down but, like he said, I don't have them in a report.

Vice President Mourdock: And, of course, we couldn't plan on Bettye Lou's absence for tonight, but I know she wants to be part of that discussion as well. I feel badly for the couple folks that have come to talk about this issue. The microphone is open to you if, in fact, you would like to address the board with your concerns. If you would please state your name and address.

Harold Long: My name is Harold Long on Lot 13 at Burdette Park. It's a scary situation for us because that would put us out of our district for my daughter to go to school. It would probably cause an overwhelming financial burden on me too, to look for a new home or rental place. I was just wondering if the figures are coming out right, which you've just said, what I figured was by our three years of staying there, which we've been there three years, it doesn't bother us with the trailer. I make a good living. I could afford a home, but at forty years old I don't need to get myself trapped into a big burden. Our situation was a flood. There's just a variety of retired people out there. In the three years that I've been there, we've never seen an overcrowding of the lots. We've never seen an abundance of people staying there. There's probably six to eight days where it even gets close to crowded. I was just wondering if moving us off the lot is going to cause any type of revenue for Vanderburgh County? I've listened to you all talk about shortage of funds, but I guarantee you that ours has been a help to the county with us staying up there. I'm just wondering why suddenly it seems to be a big thing of moving us off. I understand certain rules and regulations. We live by them. Our only rule that we've broken is longevity. I'm just wondering now since there's not too many areas that would take RV's. Our situation was a flood situation which took the government three years to handle our flood situation back in '97. It took three years. I was not about to get a second mortgage by paying on the house that I owned down on Old Henderson Road. I was not going to get myself into a lease because the government was taking their time on settling our problem. We waited it out three years. We lost money, rents went up, mortgage went up, everything has gone up. For me, at forty, to catch up and buy a new home would be impossible with a family. I've heard that we could be put on the Fannie Mae Program or that program where they help you out in financing homes and stuff. I keep wondering, we can go through that program and spend \$15,000 of the government's money on that program for us to get a home or just let us sit and pay our dues. We aren't asking nothing out of the government. Most of the people are retired and take care of the park and cause no problems. It just seems to be a big issue and makes some people worry. That's basically what I want to contribute to you because it doesn't seem like such a big situation. It just doesn't.

Vice President Mourdock: Thank you, Mr. Long. Pat, do you want to respond to that?

Commissioner Tuley: Actually, please don't go away because something you said just...you make a good living—

Harold Long: I think I make a good living. I make a good, fair living. But for me to worry about retirement and I've raised three kids already. That's a hand hold in itself. I've never made a great lot of money until now. I've worked 68 hours a week for all my life for 18 years at the same spot. I pay my taxes and I've done all that. It's the fact that I don't need to be put on a government program. I don't want to get on a program. If I'm going to get a home, I'd like to pay for it myself. I would like to raise the money myself. In the situation we're in right now, we save money and have a reasonable life. Not stress free, you still have certain problems like medical and all that stuff, but I can't see where the government can see by putting me on the Fannie Mae Program or causing me to get a rental place or to cause me to get a loan for a home to pay the maintenance cost...I'm not denying that all who do it don't deserve it. I'm not denying it at all. I did for 18 years. I lived down there without asking the government for any help for our situation. When they put the codes on the house and made it hard to keep our house and made it hard to sell because it's in a flood zone area, I have to take what they gave me. We came out with nothing hardly at all.

Commissioner Tuley: Is it your intent to ever move out of the park?

Harold Long: Well, my daughter is 13 years old and I was hoping that she would go through school. In our situation, we take it one step at a time and see how it goes. She's 13 years old and that's five years. I'd like to see what's going on down the road. I can't guarantee my future. If I get on the Fannie Mae Program and lose my job and then I lose my home. I'm the average person. I live on the average means. What's my income? What's next week? I've raised three kids and I've barely survived through those years down there. So yeah, we have a little break right now and we're enjoying it. We don't do any damage to the park. I clean the park up every morning when I walk my dog. Steve will testify to that. I help keep the park clean. Take a look at the figures, I can't see where we are a burden. Somebody asked me today if I was a burden on the taxpayers? How can I be? I pay rent, \$327 for a lot and I pay my taxes. I'm not asking nothing out of the government either, but it seems to be an issue to push some of the people who travel through here and stay at a lot here and there. Older people stay there the majority of the time. Eventually they'll need a place. I don't know what longevity is all about and what the big deal is?

Commissioner Tuley: I think what we are grappling with is the goal of the park in terms of the campground. Is it to be a campground or, in essence, to become a trailer park? I think that's what we're grappling with.

Harold Long: I don't think I see the essence of becoming a trailer park. I've seen trailer parks and I don't think you have the potential of becoming a real place. They seem to hold the rules and regulations pretty well. They force whoever causes problems out. Everything's been fine. We've never seen any major trouble whatsoever over there. As long as people are reasonable clean and keeping everything nice and clean and helping out the situation with income. Take a look at the figures. It doesn't make a lot of income off camping either off the whole year. We see it, we watch it.

Commissioner Tuley: I think what we're grappling with though is, if we have five or

six people who want to live up there permanently—

Harold Long: I think it's all based on the retired people because where they settle and after awhile you travel around and you hurt and need a place to stay awhile. Maybe that could be a problem for some people that don't understand that. I don't know. For us, our situation is what it is. I'm not saying that we're going to stay there forever, I truly doubt that. My intention is not to do that, but to make it and let my daughter raise up in the school district that we've been uprooted—

Commissioner Tuley: At 13 what does that make her? An eighth grader? Seventh grader? So that must be Perry Heights?

Harold Long: There's property, we watch property, but we've watched property skyrocket for us to try and catch up. We want to save the money. We don't have the money right now. Take a look at my record. I've never paid anything. I've paid everything off. I've never borrowed too much. I've never asked hardly much out of the government at all in our situation down there. Thirty-three high waters and two floods. I survived down there and I'd be happy to stay down there, but they made it hard on us to sell the place eventually down the road for some type of investment. Even though we knew that, but regulations, I don't know. I try not to get much into that after three years. It gets tiresome.

Commissioner Tuley: We're just looking at it right now.

Harold Long: I understand.

Commissioner Tuley: I've been through there a couple of times this year, and what started this discussion three years ago was the way some people kept their property.

Harold Long: I've seen some of it and I agree with it, but take a look at us and a variety of some of the other people.

Commissioner Tuley: When it really becomes to look like someone is taking up permanent residence, and I've seen your place and believe you me, yours doesn't look like that. You guys keep your place nice. I've been by it and I've seen the dog on the chain when the dog's outside. It's not allowed to roam free. The dog I saw up there didn't make any noise or cause any problems. The question comes back then, how many of those sites are we going to allow? If any? How many are going to maintain and keep a place like you keep yours?

Harold Long: I hope it goes our way.

Commissioner Tuley: Right now we're just taking a look at it. We're not trying to scare you or whatever, but it goes back and it was truly intended to be a campground and it truly has become your homesite is what it's become.

Harold Long: A homestead for temporary times. I'd like to have an answer for you but I can't. Not at this time. We had a three year plan based on the government the first time when they came up with the flood program. We waited three years for an answer on the insurance program and wondered why they were going to deduct the insurance money from our overall sale of the house? They managed to do that. Once you take \$28,000 out of \$44,000 that leaves nothing. Once you pay the mortgage off it leaves only \$2,000 for us to move out on and supposedly be happy

about. I had \$2,000 after 18 years of putting time in there. Yeah, I'm worried because we're settled in and we're at a good pace. We didn't think we were really causing any major problems.

Vice President Mourdock: Mr. Long, you probably said it but I didn't catch it. When did you first move in the park?

Harold Long: Around the end of '96 or around '97. That's when the government decided...we went through an eight month spree and they finally decided to say hey, look we're going to bring a program in. Then they brought in a program and I decided to work overtime. I've always worked 68 hours a week. So they took the '96 income and I work hard and that penalized me in the one program where we would have made a decent money from the house. Well, they waited two years to put us in another program just, I guess, to keep us quiet or keep it going. We waited two years. What were we suppose to do for three years? It got settled last year, finally.

Vice President Mourdock: As you heard me say at the outset, I know Commissioner Jerrel wants to be involved with this discussion as she was at the original one. Again, I apologize that she couldn't be here this evening. I think it's appropriate that we carry this discussion forward to next week.

Commissioner Tuley: Actually two weeks because we won't be meeting next week. I think you're right, Commissioner Jerrel was involved in the discussion that you eluded to back in '96 or '97. Unfortunately, like you said, we didn't know until late this afternoon for certain that she wasn't going to be here tonight. I think we should continue this and Steve will, at that time, get us some facts and figures. I don't know so much if it comes down to strictly finances. It becomes what the park is, what the park is suppose to be, and where we're going with it. I think that's more, from my perspective, where we need to look at it from.

Vice President Mourdock: For what it's worth, that's is my point of view also. That it's a philosophical discussion. It's not about who's necessarily keeping their stuff up the best, and certainly not about who's doing it the longest. It's just what is the overall vision for the park as far as what is the park meant to be? You said it well, is it gonna be a park or is it gonna be a trailer park? Okay. We appreciate your comments and you're certainly welcome to come back in two weeks. We will not meet next Monday night.

Commissioner Tuley: What is that, the 13th? Yeah, the 13th.

Richard Helzerman: If I may? It would appear that there's a little need for some kind of a program like this. I don't know if you have a zoning category that is for this kind of housing. It maybe that you can indicate to some private developers that you would be open to setting a zoning up for the more permanent things because there does seem to be for that. While I agree with you that that's not the purpose of it, I think the big problem is the people that live there all the time, they get possessive of it. Then the strangers coming in don't feel really welcome because they are outsiders. If everybody was an outsider, there wouldn't be that problem. It may be that you need a zoning change or category or something so that the private market could provide that need.

Commissioner Tuley: Good point.

Vice President Mourdock: Okay, thank you. We have also, for our review tonight, the reports from the Soil and Water Conservation District and the Ozone Officer. They're in the file, Pat.

Commissioner Tuley: I'll move approval of the department head reports as submitted.

Vice President Mourdock: And I will second and so order.

Consent Items

Vice President Mourdock: And we have consent items which we've now amended slightly to add those two letters that I gave to Tony.

Commissioner Tuley: The two letters that you spoke to will be added to the consent items and I'll also move approval.

Vice President Mourdock: And I will say second and so ordered.¹

Old Business

Vice President Mourdock: Is there any old business before us this evening?

Commissioner Tuley: I think we've already handled it.

New Business

Vice President Mourdock: Any new business?

Commissioner Tuley: None from me.

Vice President Mourdock: Is there a motion to adjourn?

Commissioner Tuley: I will so move.

Vice President Mourdock: Hold on. For the record, our jail update, Joe?

Joe Harrison, Jr.: Yes. The number this evening was 282 and that's the lowest in several months, since August.

Vice President Mourdock: Very good.

Commissioner Tuley: Now I'll so move for adjournment.

Vice President Mourdock: And I will second and so order.

Meeting was adjourned at 6:42 p.m.

CONSENT ITEMS:

¹See page 23 for a complete listing of consent items.

Employment Changes:

Highway Dept	Election Office	Circuit Court
Health	Prosecutor	Sheriff

Travel Requests:

Knight Assessor	Health	Perry Assessor
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County Engineer:

Bunner Warranty Deed
Harlan Batteiger Letter
Ralph Myers Letter

Auditor:

Surplus Office Equipment

Sheriff:

Submit Weekly Jail Reports

THOSE IN ATTENDANCE:

Richard E. Mourdock	Patrick Tuley	Jerry Bryan
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Erik Bentle	Harold Long
Richard Helzerman	Others Unidentified	Members of Media

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
November 13, 2000**

The Board of Commissioners of Vanderburgh County met in session this 13th day of November at 5:30 p.m. in Room 307 of the Civic Center Complex with President Betty Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Vanderburgh County Board of Commissioners meeting to order. I see familiar faces and you know everybody here, so we'll move to the Pledge of Allegiance. If you'll stand and join me, please.

Approval of Minutes

President Jerrel: The first item on the agenda is the approval of the minutes from the October 30th meeting.

Commissioner Mourdock: I'll move approval of those minutes as submitted.

Commissioner Tuley: I think you better let me move for approval. I think you were president that night. I'll move approval of the board minutes of October 30th as submitted.

Commissioner Mourdock: And as vice president then, I will say second and so ordered.

Jerry Bryan, Purchasing - Various

President Jerrel: The next item then is the bid opening for Liquid Asphalt.

Jerry Bryan: Joe, I had just one bidder for Liquid Asphalt. Do you want me to go ahead and talk about batteries, Bettye?

President Jerrel: Yes, go on and take the rest of them.

Jerry Bryan: In your packets, I have an award summary of the battery bid. This has been approved by the BPW. We had a lot of good bidders this year, Batteries Plus, Dealer Service, Evansville Battery, Holderfie Battery out of Bowling Green, and Busler's. The lowest responsible and responsive bid was submitted by Evansville Battery at \$9,167.51. They had the bid last year. They have serviced our different departments, and we have a lot of different batteries in the city and the county. I've received no complaints. I recommend that they be awarded the battery contract for next year.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Open Bids

Commissioner Mourdock: Formally, I'll move the opening of bids for the Liquid Asphalt.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Thank you.

Tony Greubel: Commissioners, we have two other, actually three other bid packages to open that weren't on the agenda. One is for VC00-11-05, that's for Old Boonville-New Harmony Road Bridge #254 Removal and Culvert Installation.

President Jerrel: Is there a motion to that effect to open those?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Tony Greubel: Then the other was for VC00-11-01. That's Seminary Road Culvert Removal and Replacement #538.

Commissioner Mourdock: I'll move approval of the opening of that bid.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Tony Greubel: Then the other two are just for Land Title Deeds to do property searches. We have two bids to open for that.

Commissioner Mourdock: I'll move that we open the bids for the title search.

Commissioner Tuley: Second.

Tony Greubel: Then we have three quotes for the boiler that you've already seen for the county highway garage under a different agenda.

President Jerrel: Did you second all that, Pat?

Commissioner Tuley: I'm sorry, yes, I do.

President Jerrel: And I'll say so ordered.

Les Shively - Request to Change Street Name
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President Jerrel: While you're opening and preparing those, let's move to item C,

Les Shively: Madam President and Members of the Board of Commissioners, my name is Les Shively representing the developers of Riverwind Pointe Subdivision. This is a subdivision that was approved a couple of years ago. Mike Feldbusch is developing this, and this will be the home office for your business, is that correct?

Michael Feldbusch: Yes.

Les Shively: We're about half done with construction at this point?

Michael Feldbusch: About half-way, correct.

Les Shively: When we went before, when Mike went before the Plan Commission, they had asked him...his original design for the access road to the subdivision known as River Pointe Subdivision which, by the way, dead ends into a cul de sac within the subdivision. The Evansville Urban Transportation Study asked that he line that up with Fickas Road which is to the west on the other side of Green River Road. He did that and, at that time, the name of the access drive to coincide with the name of the subdivision was to be Riverwind Pointe Drive. After we complied with EUTS request to line up, they then imposed a condition that we name the road Fickas Road. We don't want to call it Fickas Road for marketing purposes. We'd like to go back to our original intent to identify it with this development and call it Riverwind Pointe Drive. That's simply our request. I don't think the public's going to be confused by this because it doesn't go through. This is an access road that stops at a cul de sac within this particular subdivision. Quite frankly, as Mike was telling me earlier, I didn't realize this, but it's no different than what we have on the north and south sides of Lloyd Expressway. On one side it's Eagle Crest and on the other side it's Cross Pointe. Both were done to extenuate and identify for marketing purposes, the commercial lots within that and this would be consistent with that. We were told, although there's not really specific guidance in the ordinance, we were told that we had to come to the Board of Commissioners to ask for that name change.

President Jerrel: Are there any questions?

Commissioner Tuley: Excuse me Les, did you see a copy of this letter that Barbara sent to us?

Les Shively: No, and it's kind of funny she wouldn't send me a copy of that.

Commissioner Tuley: I just underlined some things and I want you to tell me if during the other hearings if...what's stated in there, I guess, is what was stated in there factual as far as you know or don't know?

Michael Feldbusch: We did not receive a copy of this.

Commissioner Tuley: That's what I said, you can read it, but—

Michael Feldbusch: Yes. As quickly as I read it—

Les Shively: It's inaccurate as far as one point, and I think it's important to go

through the steps. The subdivision was laid out with a different point of entrance that did not line up with Fickas Road. At that time—

Commissioner Tuley: So this was at subdivision review?

Les Shively: Yes. At that time, Riverwind Pointe Drive was the name that was going to be utilized.

Commissioner Tuley: Then EUTS wanted you to change it to line up with Fickas?

Les Shively: And we said fine. At the time when they asked us to line it up, there was no discussion about having to use the name Fickas Road. That was when they appeared... actually what happened was, after the sub review, the report was sent to the members of the Plan Commission for the meeting where the primary plat approval action takes. It was at that time, for the first time, the developer became aware of the fact that they also wanted to impose this additional condition that it be Fickas Road. I don't think the public is going to be confused, and I don't think it's going to affect public safety at all because—

Commissioner Tuley: There's no way for that to continue on beyond. I mean, your building is on the very end of it, isn't it?

Michael Feldbusch: No, not exactly.

Commissioner Tuley: There's a huge building. Is that where it terminates? There's a huge building that's somewhere down there.

Michael Feldbusch: There's lot six right here and the right-of-way ends at lot six and there's not public thoroughfare through there. We've got a large investment going out there, and we do land surveying all over the United States. We simply, for marketing, want to have a better sounding name.

Commissioner Tuley: I understand.

Michael Feldbusch: We plan on moving in there on April 1st.

Les Shively: Again, with regards to the comments about bad precedent. It's no more bad precedent than Cross Pointe Boulevard and Eagle Crest or Crossing. It's the same. Mr. Stoll is here this evening and talked to me briefly before the meeting. I don't think the county highway engineer has any problems with this other than the fact that if we have to go back to Planning Commission and ask them to remove that condition, we might have to do that, but we would like to go back to the Planning Commission having told them first that we came before the County Commissioners seeking their approval for this name change.

President Jerrel: The name Fickas is a family name. It's FICK and it's correct on Barbara's but not on yours. It's FICKAS. That related to those properties that they originally owned. That's the originating name. What's your pleasure?

Commissioner Mourdock: I would just make one comment and that was that I wasn't here, on this board, whenever the Cross Pointe, and what's the other side you were referring to?

Les Shively: Cross Pointe on the north and Eagle Crossing, Crest, excuse me, on the south side.

Commissioner Mourdock: If I had been, I probably would have argued strenuously. I'm sure that someone would have made the point, at that time, that one of those is in the county and one of them is in the city which is different than in this situation where both sides of the road are in the county. Regarding the safety issue, that's a very intangible kind of thing. It may, in fact, never be an issue but you always have ambulances that are on the run going from one to another. Having recently spent about three days in Atlanta where one street turns into another street just by passing through an intersection time after time, I find that very maddening and confusing. I don't know that it is necessarily a good issue. I understand your need for doing the marketing or wanting to incorporate that, but –

Michael Feldbusch: Just one point, if I may?

Commissioner Mourdock: Sure, go ahead.

Michael Feldbusch: This street is only about 640 foot long and is a dead end.

Les Shively: It was never designed, Mr. Mourdock, to be an extension of Fickas Road to the east. It was never designed to do that because of its limited purpose of providing access. We did not want to access that point. It was after we were told to line up for whatever reason then they imposed this additional condition.

Commissioner Mourdock: I understand that it was not imposed to be a thoroughfare all the way through what you said was lot six. I understand that.

Michael Feldbusch: It ends at lot six.

Commissioner Mourdock: However, the safety issue doesn't necessarily go away or is necessarily not limited by the fact that there is a dead end there. Somebody in one of your buildings down in lot six suddenly clutches their chest and falls over, emergency crews still need to know how to get there. I do have that concern.

Michael Feldbusch: By the way, we do a lot of local engineering, surveying and marketing as well, and we would hope that our location would become well known as Riverwind Pointe Drive.

Commissioner Mourdock: I understand that.

Commissioner Tuley: Behind lot six, what happens or what's the location of I-164 behind lot six? Besides the fact that you're right-of-way terminates at lot six, is there anyway that at any point in time that would be able to continue on beyond? You know we have to look at it because you know what happens? This is what you're going to do, but I want to make sure that at no point there's nothing that can ever go back here.

Michael Feldbusch: Well, this is agricultural land, okay? This has been approved up to this common line of lot six here. We envision like a motel or hotel facility back here. There's no way that there could be a dedicated right-of-way through here. In fact, a dedicated right-of-way was never asked for or contemplated by the Planning Commission at all.

Commissioner Mourdock: I missed part of that, I'm sorry Mr. Feldbusch. You see the hotel or motel on that piece?

Michael Feldbusch: Right. That's why that lot was made so large which is 3.34 acres. There's absolutely no way that could be extended. EUTS nor the Planning Commission nor the County Surveyor's office or County Engineer asked for that roadway to be extended. There's absolutely no plans whatsoever.

Les Shively: I think if you really look at this area out there, what you'll see is that people are going to access this commercial subdivision by Green River Road. They're going to come from the south from the I-164/Green River Road exit or they're going to be coming from some point north heading south on Green River Road. Fickas Road, given where it is and how it's laid out, is not going to be a major point of traffic flow into this subdivision and that was never the design. We were forced to make that change which we really didn't think made a lot of sense in view of the fact that we were not developing further to the east or extending the road. If this was an extension, it would be a totally different story.

Commissioner Tuley: Les, does it extend to anywhere further east of you or does it terminate right now at Green River Road?

Les Shively: What's that, sir?

John Stoll: I think it terminates at Green River Road.

Commissioner Tuley: It does terminate at Green River Road? Does it pick up any place further east?

Les Shively: No, sir. You're almost into, getting close to Warrick County.

Commissioner Tuley: I know 164 must come right—

Les Shively: It comes around. That's the terminus point.

Michael Feldbusch: In fact, further down by Vann Avenue, Fickas where it crosses Vann turns into another road name there. I can't recall what.

Commissioner Mourdock: Fickas west of Green River is all residential currently, is that correct?

Les Shively: That's my recollection, yes.

Michael Feldbusch: And some agricultural land and wooded area.

Commissioner Tuley: My initial reservation was what you and I talked about. Where we use to live on South St. James at the corner of our house there was a sign that as soon as you passed by it, it changed names, but St. James did pick up at a point further south. I think that's what led to some of the confusion. It doesn't look like here that's ever going to be a possibility is my thinking now on this one. It's never going to start up again.

Commissioner Mourdock: I agree, it is not. Let me go ahead for purposes of a motion and I'll request a roll call vote. For the purpose of the motion to change the

street name from Fickas to Riverwind Pointe—I said it wrong. The street name if done as requested would be Riverwind Pointe—

Les Shively: Pointe is spelled with an E on the end.

Commissioner Mourdock: Yeah, Riverwind Pointe Drive, all three words.

Les Shively: Yes, sir.

Commissioner Mourdock: Again, for the purpose of the motion here, I would move approval of the change of the name from Fickas east of Green River to Riverwind Pointe Drive.

Commissioner Tuley: Second.

President Jerrel: And I'll call for the roll call vote. Commissioner Tuley?

Commissioner Tuley: I'm going to vote yes because of the termination of that road and there's not a possibility of that to ever start back up again because of 164, so I'm going to go ahead and vote yes.

Commissioner Mourdock: Okay, I'm going to be consistent with my philosophy here, and I wish you no ill will, please understand, but I just have the vision of people coming off of 164, especially if there's a motel back there, and they come upon that intersection on this side is going Fickas and on this side is going something else so I'll respectfully vote no.

President Jerrel: And I'll vote yes. I ride my bike out there and there's no way that they are going to be looking for Fickas Road.

Michael Feldbusch: Thank you very much.

Les Shively: Just as a point of information, I talked with Mr. Stoll prior to the meeting, we are also going to put up no parking on either side of Green River Road at this entrance. Mr. Stoll believes that even though that's his part in the county, the city has jurisdiction of maintenance in that area so he's going to double check that, but I wanted to at least let you know of our intentions to improve safety by putting no parking to the north and to the south of our entrance there on the east side of Green River Road.

Michael Feldbusch: Semi and tractor trailers are coming off of I-164 and they're parking in the deceleration lane. When you pull out of this roadway to get on Green River Road, we really have concerns for our safety. Thank you very much.

Tony Greubel - Boiler Replacement at Highway Garage
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President Jerrel: Item D, Tony?

Tony Greubel: I've obtained quotes for a new boiler out at the county highway garage. The low quote was from Tri-State Boiler Systems. I was wondering, and

we have money in place from County Council.

Commissioner Mourdock: Were there multiple bids taken on this?

Tony Greubel: Sterling Boiler Mechanical \$51,500, Shweizer Heating & Air Conditioning \$50,400, and Tri-State Boiler Systems \$48,304.48. All the quotes were comparing apples to apples and oranges to oranges for the same heating system. So I recommend that it be awarded to Tri-State Boiler Systems for that amount.

President Jerrel: Is there a motion?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered. Can you call them and tell them?

Tony Greubel: I'll call them tomorrow.

President Jerrel: You might even want to fax it to them because of the weather.

Suzanne Crouch - DMG-Maximus Contract
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President Jerrel: Next item on the agenda is the contract with DMG-Maximus. Did you have anything you wanted to add to that Suzanne? That's the one we do every year.

Suzanne Crouch: Yes, that's the annual contract. Last year the cost was \$15,750 as is proposed or rather this year as is proposed for 2001. In 1999 they receipted about \$96,000 into the general fund. This year to date we've receipted in about \$117,000 so it's well worth the money.

Commissioner Mourdock: I'll move approval of the contract with DMG-Maximus as recommended.

Commissioner Tuley: I've got a question for you though. You look at the agreement to provide the services, the actual contract, I guess. They are asking us to check option one or option two. Option one is a one year agreement.

Suzanne Crouch: That's what we typically check is the one year.

Commissioner Tuley: Okay, so we are just going to do it for one year, right?

Commissioner Mourdock: I'll make my motion specific to the one year term.

Commissioner Tuley: I will second.

President Jerrel: So ordered.

Suzanne Crouch - Permission to Advertise Cancellation of Meetings
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President Jerrel: Cancellation of which meetings?

Commissioner Mourdock: December 25th and January 1st is what's recommended.

President Jerrel: Okay, December 25th we will not meet.

Commissioner Mourdock: Darn, I was really planning on it!

President Jerrel: January 1st we will not meet. Can you imagine?

Commissioner Tuley: Imagine that, we won't be here.

President Jerrel: Is there a motion to approve permission for advertising the cancellation?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Any Group or Individual Wishing to Address the Board

President Jerrel: At this time is there anyone that wishes to speak to the commission? Reverend Helzerman?

Richard Helzerman: My name is Richard Helzerman and I've come to talk to you about the problem of overcrowding in the jail. For about three weeks I've been receiving the daily and weekly reports distributed by Captain Williams. The statistics that I quote are taken from my analysis of the report titled "Inmate Days in Jail" beginning 10/30 through 11/5. This report shows that during one week 510 inmates were in the jail. Of these 251 were released which is about one half. So the population of the jail is continually turning over at a very high rate. This report shows an average number of days in jail at 46. However, if you take the average of the number of days in jail of the people who were released, it is much lower, about 20. In other words, when you make that average, you got some that are still there and some that have been released so the true picture of how long people are in jail is not being reported in any of these three reports that you're getting. The true number for this particular week was 20. The average days in jail was 20 days instead of we've been talking about 68 and 70 and 90 days. For this time, it's only 20. The average number days spent in jail is not 46 that this report shows and not the 67 days shown on the other report. I've taken this group of 251 people who were released from jail and graphed the number of inmates versus the number of days in jail. Most of the people put into jail are released in less than one day. Over half, 58 percent or three out of five people, were able to raise their bonds amount in less than 24 hours. By the second day 67 percent, about two out of three, were released and by the third day 78 percent, seven out of eight of the inmates, had raised their bond and were released. These numbers illustrate, once again, that the majority of the people in jail are those who are simply too poor to raise their bond. Seven out of eight inmates appear to be able to raise it in just a few days. The average number of days spent in jail was 20, but the standard deviation was 60 days. This indicates a wide variation in the number of days spent in jail. In order to apply standard queuing theory, the days in jail should follow a poisson distribution which has a standard

deviation equal to the average. In your case, it's way off. This in turn indicates that the system is in an unstable state and that any predictions about the future needs for jail beds would have very large errors. If the average time spent in jail were 20 days, and there were seven new inmates a day, the jail would need only 140 beds. The current capacity of 268 would leave a comfortable margin. With the large standard deviation there's an eight percent chance that the days spent in jail is $20 + 60$, which is one standard deviation over, $20 + 60$ or 80 days. This calculation gives 80×7 or a need for 560 beds. If you build a 500 bed jail, there's a 10 percent chance that it will be overcrowded. The state recommends a jail size of four per thousand of population. At 160,000 population that's 160×4 is 640 bed jail. The chance that that size jail would be full is six percent. These are rough calculations based on one week's data. I'm willing to refine these calculations for a one time charge of \$5,000. These numbers indicate, however, that building a larger jail will not solve the problem because the system does not have enough judges or court rooms to handle ten cases a day that arrive on the business day. There's such a wide variation. You've seen the numbers. Sometimes you have 430 and sometimes 277 with 250 going out every week, there must be the same number coming in. The numbers sling all over the place. A better solution to the problem of overcrowding is to put in place a pre-trial conditional release program. According the daily report dated 11/9, the jail held 294 inmates. This is $294 - 268$ or 26 extra. There's 26 crowded in there that you don't have room for. Of the 294, 168 were waiting trial. If they could raise their bond, if they had bond and could raise it, they would be out. If 26 of those 168 were on a pre-trial conditional release, the jail would not be over its capacity. You only need 26 people this particular week to avoid the overcrowding. If 74 of the 168 were released, the jail could be operated safely. Now, the capacity is 268 but if you have 268 in there, it's still not a safe way to run a jail because you can't separate the violent from the non-violent. My company, Dictionary Data, is willing to provide a pre-trial conditional release program at a cost to the county of \$6.00 per day. Now this is no capital cost, no additional (inaudible) in place if the judges never use it, it doesn't cost you a dime, okay? If they do use it, it's \$6.00 a day. I'll run this program for you. There's some points about it:

- ▶ The accused must be able to be released on bond.
- ▶ The accused will file a request for a speedy trial so he won't be hanging around forever and ever.
- ▶ If the victim of the crimes agrees to a specified monetary amount for damages, and if the court and prosecutor agree, then the charges will be dropped if the accused pays the damages in full. This would save a lot of jail space locally and in the state prisons and may be more effective at detouring crime than putting people in jail. We know that putting people in jail does not detour crime.
- ▶ If the accused is working, some part of his earnings will be paid to the victim or victims.
- ▶ The accused will have no contact with the victim or victims unless prior permission is given in writing and approved by the court. This should protect the victims if they are afraid of the person.
- ▶ The accused will stay at home except for work, church, and other necessary trips. The accused will have a phone at home with caller I.D. reporting enabled.
- ▶ The accused will call from home within one hour before leaving home for an authorized trip.
- ▶ The accused will call from home within one hour of returning home from an authorized trip.
- ▶ The program provider will randomly call the accused at home to verify his

presence.

- ▶ The provider will report to the court, prosecutor, defense attorney and any other interested parties, a log of contacts weekly.
- ▶ The provider will have the power to punish the accused by returning him to jail for one non-work day in jail for the first missed call. Now the problem we have in our whole society in treating criminals is the time between the problem and the punishment is too long. You've got murderer's out there for ten years that haven't been punished. This way, if someone misses a thing, I or my company or whoever is administering this program will know it within a couple hours because we know when they should be back from work and BANG, they are back in jail immediately. You get immediate punishment not—it's not a killing punishment, it's just one non-work day that they would get, but it would be immediate which is much more effective for learning.
- ▶ The provider will have power to punish the accused by returning them to jail for two days for the second offense.
- ▶ The provider will have the power to punish the accused by revoking his release for a third missed call or any violent or threatened violent behavior.
- ▶ The accused will submit themselves to rehabilitation programs specified by the provider including educational, personality and vocational testing as well as remedial and counseling programs. This is the thing that the constitution says, the basis of treatment of criminals will not be punishment, it will be rehabilitation. Your system is not doing any, or hardly any, rehabilitation, and the state is doing very little. Larry Wilson was in there for almost a year and he only got one reading program of six weeks. Most of the time, the programs were too full or they didn't have an instructor or something like that. For \$6.00 a day, that's enough money to provide these kinds of programs.
- ▶ The provider will have first right of refusal for computer equipment declared surplus by the county for use and training programs. You have all kinds of...you buy new computers all the time. These ones that are out can be just as well gone...if a guy is out on this program, we put a computer in his house. We put educational software on there that teaches him how to read and write and do arithmetic and other things. He'll have computer skills which is necessary to most new jobs. If he completes the program successfully, he gets to keep the computer. So you have a reward if he does good and a punishment if he does bad and it's immediate.
- ▶ The provider will make available to the sheriff's department the most current location of the accused through the internet so the sheriff or police department can call up the internet and see that this guy is at home or this guy's at work. He suppose to be there or whatever.

Each person released will save the county \$19.00 a day, since it costs \$25.00 a day to keep the accused in jail. About 100 of the 168 pre-trial defendants should qualify for the program which would save the county \$1,900.00 a day. If 40 of these 100 open beds are rented to the federal government at \$40.00 a day, the county will receive \$1,600.00 a day in income. If it costs \$25.00 a day, this would be a net income of \$40.00 - \$25.00 or \$15.00 a day, or \$600.00 a day. This would exactly offset the \$600.00 a day the county would pay the provider for administering the pre-trial conditional program. So it doesn't cost you a penny, if the program works the way I think it does. If nobody uses it, it doesn't cost you a penny. Now, it's going to take three years to build a new jail. This pre-trial conditional program should relieve overcrowding until such time as a new jail is functioning. I have a couple of graphs here.

President Jerrel: Mr. Helzerman, could I stop you a moment because we can look at the charts? You know, I'm going to say this again, everyone of these items except

16 actually could appear as a minute on a docket sheet because only the judge can grant all of these items. We just simply do not have the authority. I mean, I'm not denigrating what you've done because I think you're very conscientious and you certainly want to make things better. Why don't you take this to the judges instead of us? We can't do this. I mean every week you've given us these programs and is that not correct?

Commissioner Tuley: Absolutely.

President Jerrel: We have no authority to do it. None.

Richard Helzerman: I understand that you don't have authority to force the judges to do something.

President Jerrel: Why would we hire someone? This authority rests with them. We cannot usurp it in any way.

Richard Helzerman: If you will write a letter or something asking the judges to talk to me, I will do that. I have requested to talk with Mr. Heldt and Mr. Bowers through their secretary, and they have not returned my calls. Kiely was willing to talk to me when he was running for judge. He gave me a bunch of numbers and I worked them over. The problem is that you've got three programs like this that the judges have set up. You've got the corrections complex. It's a big mess. It's an old building that's falling down. You've got all kinds of problems with it. That's something that a judge set up on his own authority through his friends. When his friends got out of the business and he's retiring now and the county is stuck with something. You got another problem with the juvenile thing. The juvenile judge was friends with somebody and he set up a program and as long as those two guys were friends, he put enough people over there and they made money and everything worked fine. The judge gets mad at this guy and bingo, he doesn't send enough guys over there, they're out of money, and you knock out \$100,000 to rescue it. You're looking at a drug program now with Trockman, but that's his baby. It's a countywide problem, it's a system wide problem. What I'm asking you to do is give leadership to make it available so it's a county program, not a judge program, okay? This doesn't cost you anything unless the judges do it, but the judges are busy, busy men. They've got all they can do, believe me, to handle all these 2,600 cases that the prosecutor has thrown at them. If you can give them a program, here it is. I'll put a word processing document on their system. All they have to do is push a button and all that paperwork will come out with the right names and the right cases.

President Jerrel: Nobody is going to accept that kind of liability. I mean, I don't want to shut you down because I know how sincere you are, but how many ways can you say no? We don't do it, it's not ours. What can we do? What can we do to make you understand that you're going to have to find an audience who will accept this and listen to you? It's not this group. That's the reality.

Richard Helzerman: I understand that, but I appreciate you listening to me at all.

President Jerrel: Many of the things you say are very valuable, if someone wanted you to do it, but they don't want somebody to do this.

Richard Helzerman: I understand that, but it's still...the reason they don't want it is

because if you put someone in that crowded jail long enough, they are going to plead guilty to something they didn't do just as well as if you tortured them and beat them with a rubber hose. It's an outrage. It's a moral outrage and this is the only thing that I know to do.

President Jerrel: You probably have other people that feel like you do or think like you do. You need to work on it from that standpoint until you get someone to give you an audience for your ideas. I mean, you've got some good ideas but to order people to get telephones with I.D.'s and that sort of thing, none of that is practical. The idea of the reason they are not released is often that the judges don't want them released.

Richard Helzerman: If the judges don't want them released, then he shouldn't set a bail. If they would just be honest, okay? Rather than setting a bail that's too high to keep them in, they ought to say that this guy should not be released.

President Jerrel: They do that by putting the bail high. That's their way. They talk in a different language than you do.

Richard Helzerman: Yeah, but it's still a lie. It's a falsehood. It's deception. It's against their vow for the constitution which says excessive bail—

President Jerrel: So you've not had anyone other than this body permit you to relay your thoughts?

Richard Helzerman: This is a system wide problem.

President Jerrel: We know that.

Richard Helzerman: It's a waste of my time. I know that your time is more valuable than mine, but my time has a value to me. I have 30 years experience solving problems like this. I've gone into hundreds of companies and solved bigger messes than this and saved tons of money, and time, and effort, and all kinds of things like that. Until...to make a system wide program work-- to solve a system problem, you have to have the support of the top organization and that's you. If you will approve anything like that, then I'm going to go to the Council because they are the next step down, and I'm going to bug them as much as they'll let me until they approve it.

President Jerrel: We can't sign a contract without money in place. We can't sign a contract if there's no money in place, and there's nothing that gives us the authority to take all of that away from a judge so we can't sign a contract.

Richard Helzerman: You're not taking anything away from the judge because the judge has to approve it. All you're doing is giving the judge a way—a pre-trial program.

President Jerrel: I'll tell you what we'll do, we'll make a copy of this and mail this instrument to every judge. Tony, will you do that? Out of...because I know you're working on this and it's important to you, but that's as much as we can do. Is that not correct?

Commissioner Mourdock: Yes, that is correct.

Richard Helzerman: Well, I appreciate that very much.

President Jerrel: We'll mail one to every judge.

Richard Helzerman: Thank you.

President Jerrel: Okay, County Engineer.

Unidentified: Can I talk?

President Jerrel: Sure. I'm sorry, I didn't know you wanted to.

Fievel Elliott: Hello, I'm Fievel Elliott. I am a local community access producer of public educational and governmental programs which are shown on Sigecom Community Access Channel 9. I have been taping and producing shows now for the last seven months. Currently, I've taped, I think, 90 shows for other people including my own. Actual shows I've taped and produced nearly 50. The reason I'm here today is to say a few thanks to each of you real quickly. I was invited to a conference in Dayton, Ohio a couple of weeks ago. It was hosted by the Alliance Community Media. As you may or may not know, that is across the country they have PEG facilities, public, educational and government. They actually paid my way to come up there for three days. I took a series of workshops where they told me how PEG is started in communities, how it's operated, how the government uses it, the schools use it and the public uses it. Something I just wanted to show you today is this. This is the Alliance Community Media Review Magazine. It comes out four times a year. It's printed in Washington, D.C. and distributed across America. This is a special issue about government access. So it's not Fievel's crazy ideas, it's a national thing. In here there are articles by government officials and people across the county who have their own community access and how they use government there. There's an immigrant here, there is a disabled group using it. One thing in particular, I've marked the page, is ballot measures and candidates, informing voters through community partnership. In many places across the country there are, the city council in Ft. Wayne, Indiana, I believe, every city councilman has his own call in show. The mayor has his own call in show. People in the county council have their own call in shows. County commissioners have call in shows. What I wanted to close with is that I've been here a number of times before and I've told you the benefits of public access and how I've benefitted from it. I've seen how I've helped people do shows where they've gone to the Tri-State Food Bank or the Diabetes here locally, the races and walks they've had, for the American Cancer Society. I've seen a number of non-profit programs. My point is that I would love to see each of you on TV. Mr. Greubel here, Tony Greubel, I'm interested in what he has to do as county commissioner of buildings. That's interesting. Joe Harrison, Jr. here has a very interesting job. So many people come through him. So much information comes through him everyday from being an attorney. Patrick Tuley here, County Commissioner, has many interesting things to say. When you were in an accident and you were up in the hospital or in your house, there could have been a live feed up there in your room and you could have actually been here on a TV screen playing a part in the meetings that you missed through public access.

Commissioner Mourdock: Actually, he couldn't. We checked into that and there's a statute that prevents that.

Commissioner Tuley: We tried to do that for one meeting.

Fievel Elliott: Really, Wow. Richard Mourdock, I saw you on a commercial for, I

think, corrective laser eye surgery.

Commissioner Tuley: He knows his commissioners.

Fievel Elliott: I have to say that I have problems hearing you. In my sick mind, I've actually thought that you've mastered the technique of not talking very loud. On that commercial you came though—

Commissioner Mourdock: (Inaudible.)

Fievel Elliott: What?

Commissioner Mourdock: I said, I'll get better at it.

Fievel Elliott: Although on that commercial you came though very clearly. Not only did I see you, but I could hear you. Many people in this community will remember you for that commercial. Some people even think you write for the newspaper now. I saw that a couple of days ago and according to them, no you don't. So you're not masquerading as a night time reporter. Susan Crouch there, we've had disagreements on things in the franchise where I thought she had control over certain things and I can point out on paper where she does but even her, I would like to see her on TV. There are things that pass through her, cross her desk every day. The information she has down there and on the second floor is so interesting. It's a valuable wealth of information. Even the recording secretary here, I'm sure she could have a TV show too. People in the audience. The young man back here who does the services for the, I can't think of your title, what is it?

John Stoll: County Engineer.

Fievel Elliott: County Engineer. I think someday you might want to be something else. You might want to sit up here where they are sitting. You could use public access to do that. Burdette Park back here, that's interesting. All these things have a number of interest. I always hear people tell me, I don't want to be on TV. I'm ugly. I've got wrinkles. I've got crows feet. You're created in God's image, by the way. You're all beautiful people, and I love you and respect you. Right now this is probably going out to nearly 20,000 households. I know that. About an average of three people per household. That's 60,000 people and will be shown three times. That's 180,000 chances that each of you could have to make a difference. Even if I back track that and I say there are 20,000 households. There are two people in those households who are voters. That's about 40,000 voters. Now let's say that one percent of them would be watching programs about government with you commissioners on there. That would be 400 votes that you might have gotten, Commissioner Jerrel. I don't know how many votes you needed, but that 400 might have helped.

President Jerrel: Or might not have gotten.

Fievel Elliott: I think I'll stop there. Hopefully, now if you want to, you can put me on the spot.

President Jerrel: In closing, I'd just like to say that we have learned from you and we appreciate that. I think anytime we can share information, you've been very good about that and we appreciate that.

Fievel Elliott: I appreciate all that each of you have done.

President Jerrel: Thank you very much.

Fievel Elliott: Thank you.

John Stoll - County Engineer

President Jerrel: County Engineer.

John Stoll: First item I've got is a request for street plan approval for section three of Stonecreek Subdivision. This is the large subdivision that is going to go in out at Kansas Road and Seib Road. The southern sections of that subdivision have already been approved. This picks up about a third of the way from the south end of the project. A third of the way from Kansas Road, I should say, and continues north to the north boundary. I've reviewed the plans and would recommend that they be approved.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The next item I've got is a request for a storm sewer acceptance in section four of the Season's Subdivision. This is for 102 feet of 12 inch concrete pipe, 102 feet of 18 inch concrete pipe, 374 of 24 inch concrete pipe. The total fee from the developer was \$2.00 a foot which was a total of \$1,056. We have received the check so it's recommended that the pipes be accepted.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: I need to add to that, at the southwest corner of that subdivision on lots 37 and 38 there was some additional pipe that was added that was not part of the approved drainage plan, and it has since been installed and it has fences installed over the top of it. This acceptance does not include that pipe since it was not part of the original plan. The \$2.00 a foot fee was not submitted for that either. The next item I've got is a change order on the Lynch Road/I-164 Interchange Project. This is for an increase of \$16,785.08 or which 20 percent will be the county's share. The need for the increase is a result of the fact that the maintenance and traffic plan for the construction of the pier out in the I-164 median omitted the temporary concrete barrier wall that needs to be installed to protect the workers who will be working out there in the median. So that was an increase. There was a decrease because the contractor substituted one type of piling for what was originally speced out. Basically, there was originally a bituminous coated piling speced as part of the project and the contractor has since submitted and gotten approval for a non-bituminous coated piling. The net change is an increase of \$16,785.08.

Commissioner Mourdock: I'll move approval of the change order.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The next item I've got is in regard to Amhearst Manor Subdivision. This is the one that I brought in here a few weeks ago from Morley and Associates. They were requesting to discharge storm water from this subdivision into the roadside ditch along Lynch Road. This subdivision is in the city, and the city approved their drainage plan in this fashion. So it did call for the storm water to go out to the roadside ditch along Lynch. They were not required to have any detention because of their proximity to Pigeon Creek. They basically wanted to drain the water out and get it out of there before all the rest of the drainage areas contributed to Pigeon Creek. In regard to the issue about the draining out to the Lynch Road right-of-way, based on this letter from Morley and Associates, they said that the top soil has been striped off those lots and prior to that the property did drain to that roadside ditch, but since they striped the topsoil, there's a small lip about six inches at the right-of-way fence where they excavated the topsoil out. So they said they're not really changing the drainage patterns. Rather than having it sheet out across the entire ditch, they will collect it and discharge it into the ditch at a few selected points through there.

Commissioner Mourdock: So, again, is this just advisory, John? I don't know if we need to act on anything here, do we?

John Stoll: Other than the fact that they will be working in a minimal way in the Lynch Road right-of-way. I'd say it would need approval and it's recommended that it be approved. It's not really approving their drainage plan, they just will be punching those ditches out in those selected locations into the Lynch Road roadside ditch.

Commissioner Mourdock: I'll move approval of the, sounds strange at a commission meeting, I'll move approval of the drainage plan revision for Amhearst Manor as recommended by the county engineer.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, I would like to request approval to have the bid opening changed on the Boonville-New Harmony Road/Highway 57 Sanitary Sewer from November 20th to December 4th. This is due to the fact that we just received the specifications for the project today so we need to give the contractors ample time to look at the project.

Commissioner Mourdock: So moved.

President Jerrel: So ordered.

John Stoll: The next item I've got is a change order on the Vanderburgh Industrial Park Project. This is a net increase of \$84,447.22. The reason for the large increase is primarily the result of three items. One, the original contract quantities submitted by the consultant for the asphalt on Highway 57 were wrong. They had based their quantity calculations on four inches of base asphalt and 2 3/4, I mean 1 1/2 inches of intermediate asphalt. The actual plans called for eight inches of base asphalt and 2 3/4 inches of intermediate asphalt, so we have a substantial overrun

on the basis of the plan quantity was wrong. The plans were correct. INDOT did want the 2 3/4 inches of intermediate on the eight inches of binder, I mean, the eight inches of base, I'm sorry.

Commissioner Mourdock: John, who's the contractor on this?

John Stoll: The contractor was B & B and the consultant was Bernardin Lochmueller.

Commissioner Mourdock: So the county's contract is directly with B & B?

John Stoll: Correct.

Commissioner Mourdock: And are you saying that the plans when put out to bid were wrong? It sounded to me like you were just saying the contractor bid it wrong.

John Stoll: No. The plans were incorrect. I shouldn't say the plans were incorrect, the plans were correct. INDOT did request the eight inches of base and 2 3/4 inches of binder out there. They didn't calculate the asphalt quantities correctly on the itemized proposal in the contract. So that's where the discrepancy was. It basically had half as much base in there and 2/3 of the binder in the contract quantity. The other items that ran that total up were also in regard to State Road 57 work. Out there, prior to the county getting started with the project, there were raised pavement markers in the asphalt out there. When INDOT approved the plans for the permit for this project, they did not have the raised pavement markers included as part of the work. Since the project started, they in turn sent a letter down saying that they were requiring the raised pavement markers to be reinstalled. That was an additional \$8,500. Then we also had some poor soil conditions, so we had to install some under drains and do quite a bit of sub-grade stabilization out on Highway 57. That cost about another \$15,000. Those items are primarily why the big increase. There were other under runs and over runs on numerous items like a few feet of pipe under run or over run here and there, but that was the three biggest items that were in here. The change order itself will in turn result in the entire bond will be used up and will be \$16,168.20 short for paying out the balance of the contract. There is money in the economic development River Boat Account to cover that extra over run.

Commissioner Mourdock: This is to finish the project? This is the last of it?

John Stoll: This is the end of it. Well, I shouldn't say that because there's another letter from INDOT, but I've already forwarded it to the Industrial Foundation. INDOT requests, well, they are now requesting 400 feet of guardrail out there along the east side of Highway 57. The original plan called for 40 feet of guardrail. They have since told us to take the 40 feet down, which was done, and they requested basically the guardrail to run along the entire length of the east side of the project. I informed INDOT that the money, funding, was used up and that request be forwarded to the Industrial Foundation. This was done from the county's perspective, but the Industrial Foundation will probably still have to deal with that issue.

President Jerrel: Do they realize that these create problems for us?

John Stoll: Yes.

President Jerrel: They do?

John Stoll: Yes, and Dave Franklin in my office was asking them why wasn't this all brought up to begin with? Because like when I was talking with Joe, if we would have known all these things up front then the bond issue amount could have been bumped up and we wouldn't have had these problems.

Joe Harrison, Jr.: The only good thing is that we had the big contingency in there up front except for the \$16,000. We had all that in there just covering these types of things. We figured that something would come up and it did.

John Stoll: Someone with INDOT said that they dropped the ball and they should have had all these things in there up front but that doesn't do us any good right now.

Commissioner Mourdock: I'll move approval of the change order for Vanderburgh Industrial Park as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The last item that I've got are revised permit applications for the Corps. of Engineers permit and the IDEM permit for the McCutchan Road Bridge. These were originally submitted a few weeks ago. Since then, we've reviewed the plans, we've requested a few changes, the consultant has since made the changes, and they necessitate getting revised permits to IDEM and the Corps. It's recommended that these be signed so we can forward them to the Corps. and to IDEM.

Commissioner Mourdock: I'll move approval of the signature of the permits.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Is that a 404?

John Stoll: It's a 401. That's all I have unless you have any questions.

President Jerrel: One. Suzanne, when do the final encumbrances have to be in?

Suzanne Crouch: December 21st.

President Jerrel: Okay, we want to make sure that we get the interchange money encumbered, and Mt. Pleasant Road encumbered, and Eickhoff right-of-way purchasing encumbered. Is there?

John Stoll: Burkhardt.

President Jerrel: And Burkhardt encumbered so that they keep moving.

Commissioner Mourdock: Sure, let me just make that in the form of a motion. I'll move that we direct the engineer to work with county council just to advise them of that. That we do encumber the funds that were mentioned there.

Commissioner Tuley: Second.

President Jerrel: So ordered. Thank you.

Erik Bentle - County Highway

President Jerrel: County Highway.

Erik Bentle: Erik Bentle, County Highway. You have my progress reports for the past two weeks and my work schedule for last week and this week. We finished rock and shoulders on Frontage Road between Old Princeton and Owensville last week. Right now we are in the process of rock and shoulder on Baehl and Nesbit Road. Also, we'll have all of our snow equipment lined out, loaded up and ready to go by the end of the week so we'll be ready for snow when it starts flying.

President Jerrel: Do you have adequate salt?

Erik Bentle: We've got a full barn of salt right now so we won't have to worry about purchasing any until a little bit further down the road.

President Jerrel: Any questions? Is there a motion to accept?

Commissioner Mourdock: I'll move that we accept the highway department's report.

Commissioner Tuley: Second.

President Jerrel: So ordered. Thank you.

Joe Harrison, Jr. - County Attorney

President Jerrel: County attorney.

Joe Harrison, Jr.: Just double checking a bid here real fast. The first item I have is the Liquid Asphalt bid. There was just one bid that came in. It's bid number APA016-2001. The responder to that bid was J.H. Rudolph and Co., Inc. The bid amount is \$48,500. I ask that you take this bid under advisement.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: The next batch of bids is for the Old Boonville-New Harmony Road Bridge #254 Removal and Culvert Installation Contract VC00-11-04. There were four bidders. They are as follows:

Bridge #254 Removal and Culvert Installation	Contract VC00-11-04
CCC of Evansville, Inc.	\$10,341.14
Koberstein Trucking, Inc.	\$9,775.00

Bridge #254 Removal and Culvert Installation	Contract VC00-11-04
Southwest Engineering, Inc.	\$8,930.00
Deig Bros. Lumber & Construction Co	\$13,425.00

Joe Harrison, Jr.: I'd ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: The next group of bids relates to the Seminary Road Culvert #538 Removal and Replacement Project. It's project # VC00-11-01. There were seven bids. The bidders are as follows:

Seminary Road Culvert #538	Project # VC00-11-01
Naas Brothers Trucking, Inc.	\$38,529.32
Deig Bros. Lumber & Construction Co	\$37,471.00
Phoenix Construction Company	\$33,922.00
Woodward Backhoe Service	\$34,720.50
CCC of Evansville, Inc.	\$25,997.69
Ray Stradtner Excavating, Inc.	\$45,517.29
A & M United, Inc.	\$41,322.00

Joe Harrison, Jr.: I'd ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Time out. I think, the county engineer has a comment.

John Stoll: Just one thing. The Boonville-New Harmony was on the basis of a quote so, if it's alright with the commissioners, I'll just proceed with getting a purchase order after we review those rather than bringing any form 96 to be signed next week.

President Jerrel: Okay, so you want to—

Joe Harrison, Jr.: You want to select one of them right now, are you saying?

John Stoll: Well, after I review them, with the commissioners okay, I'd just like to proceed with getting a purchase order on that, since it was done on quote. It wasn't an actual bid.

Joe Harrison, Jr.: Okay, but we still need to come to a meeting and have it formally approved.

John Stoll: Okay.

Joe Harrison, Jr.: So you can submit it for the meeting on Monday. The next group of bids relates to the tax sale title work. There were two bids submitted.

Evansville Titles Corporation	350.00 each - no Steve Goad
Mills Land Title Corporation	\$250.00 each - no stipulations

Joe Harrison, Jr.: I ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: That's all I have. Thank you.

Tony Greubel - County Buildings
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President Jerrel: Superintendent of County Buildings.

Tony Greubel: I have several items. First of all, Shirley James notified me that a Katherine Hill, one of our appointments on the Pigeon Creek Greenway Committee, has resigned from that. She, as normal, nominated someone that she would like us to consider to take her place. It's Dr. John Bies, 6049 E. Oak, Evansville, 47715.

If you want to consider appointing him to the Pigeon Creek Greenway Committee to finish her term. Actually, those terms are indefinite. They serve, more or less, at our pleasure. They are not set for one or two years. You can think about it or we can take it under advisement for a week or so.

President Jerrel: They've been after us for two months. Never did get his name right.

Tony Greubel: It's Bies, Dr. John Bies. All of our other appointments were nominated by Shirley James.

Commissioner Mourdock: I'll move approval of the appointment.

Commissioner Tuley: I'll second.

President Jerrel: So ordered.

Tony Greubel: Then we received a letter from the prosecutor's office today asking to vacate room 202 here in the Civic Center and they occupy the former Pigeon Township Trustee's office. I took the liberty of sending them a letter back saying the board would likely would not have a problem with that, but it will have to be done by January 1st since the Public Defender Commission was needing a place to start operating from on December 1st–January 1st. I wanted to let you know that if we receive something in writing back saying that their offer is still good, is that something we want to consider, trading office space like that? It's approximately the same square footage.

President Jerrel: They agreed to take the second floor because the prosecutor wanted the first floor. It's their department.

Tony Greubel: Child enforcement.

President Jerrel: The only issue is the Building Authority wanted to take a lot of time to get a consulting architect to how best to use the rooms and all that kind of thing. I want to remind you all that if we are going to get 40 percent reimbursement, they've got to be in a place operating, and if we want the rent, we've got to have it. We've got to be moving on this. So, if the prosecutor really wants that space, which he really does, then I think we have to say it's a go, but they need to be out and moving before the end of December. Like in the middle of December so they can get moved in and get moving.

Tony Greubel: I think I put down December 15th as a suggested date to be moved out of there.

President Jerrel: It's a favor of the public defender people because the room down there is empty. I think we need to do it. It accommodates the prosecutor too, but we can't fool around with it. We need to move.

Commissioner Mourdock: Do they understand the importance of that deadline? As far as doing everything so that we—

Tony Greubel: I told them that it was imperative that they be operating in this facility by January 1st. I'll give you an update on that next week. One final thing. There were several late pink slips submitted from a couple different departments. One pink

slip that you have in your packet...I received an e-mail from the sheriff's office to remove one person who was listed on a pink slip with multiple names so I printed the e-mail and attached it to the pink slip and crossed that person's name out. So you'll notice that when you're signing the pink slips tonight. That's all I have.

Steve Craig - Burdette Park

President Jerrel: Okay, Burdette Park. Do you want John to?

Commissioner Mourdock: No, I want to get with him when we're done.

Steve Craig: Steve Craig, Manager of Burdette Park. First of all, you got my projects list that I turned in. Then you had a summary of income between 1999 and 2000 that I submitted in my packet. Then the third thing that I submitted was the campground income sheet with an estimate of expenses and intake for the five months of the winter. If you have any questions?

President Jerrel: What about the campgrounds? Do you all want to talk about that?

Commissioner Mourdock: I thought we'd talk about it tonight actually. At the meeting you missed, Bettye Lou, we had several people in the audience that night that wanted to address it. Obviously, we did not want to move forward without all three of us being here. Steve forwarded to us, or Jane forwarded to us, and I was just looking for my summary of it, but gave us a little update as to where we were when we had that meeting back in 1997 in August. I think the floor is pretty well open as to where we go with this at this point. Clearly, the minutes reflect we did have several spaces out there that we left open for long term stays. There's at least one person living out there who's been there for about three years at this point.

Steve Craig: Three to three and a half.

Commissioner Mourdock: And expressed at the meeting two weeks ago that he hoped to be there for another four to five years until his daughter would graduate from highschool. She's not yet a freshman. My personal opinion is that goes far beyond what the park is for, and I think it's prudent that we establish some guideline other than what we currently have to make sure we don't have a full time mobile home court out there but instead have a park.

President Jerrel: Does your board ever talk about this, Steve?

Steve Craig: We had approached it three years ago and they had made recommendations which, at that time, we discussed. That's when you guys made the decision that the present rules are based on.

Commissioner Mourdock: Here's a summary of what we had. Just to read it into the record we have five spaces on row one for an unlimited length of stay, eight spaces on rows one and two would be limited to a six month stay, and fifteen spaces on rows three through five would be limited to less than a six month stay.

President Jerrel: This was the recommendation in '97.

Commissioner Mourdock: Right. That's what we acted on in '97 and implemented.

President Jerrel: Right. Have you changed your mind?

Commissioner Tuley: We used words like "permanent" and "unlimited" and I've got a problem with that. I'm sorry for the gentleman sitting here, but that's an example of why. We've got someone who's permanently living in the park, and I don't think that's what we intended when the campground was designed and put in. I don't think it was. I thought it was more intent with the recreational weekend, weekly camper.

Commissioner Mourdock: Steve, how many folks do you have there now that have been there for more than say 90 days, or how often do you have people who are there for more than 90?

Commissioner Tuley: Can I rephrase your question?

Commissioner Mourdock: Sure.

Commissioner Tuley: Whether they are there or not, their trailer is sitting there.

Commissioner Mourdock: Yeah, good point.

Steve Craig: As of this morning, we had eight people that were there, and I would say that three of them had been there for more than 90 days.

Commissioner Mourdock: And that's answering the question in the context that Pat just asked? Their trailer has been there longer than 90?

Steve Craig: Correct.

President Jerrel: That makes another question. Are we just providing a parking spot for a trailer that they otherwise would have to put somewhere else?

Steve Craig: Well, some people actually when they move in may leave for a couple weeks maybe even a month and leave their trailer there. One of the problems that we had three years ago was that our rent was so cheap that we had several people who's trailer had been there for several years, but they were just using it for a storage place. That's why we had raised the rent to reflect a living...so that they are living there.

Commissioner Tuley: I have my trailer parked in a barn right now for \$30 a month. For storage that's pretty high right now, what they are paying at Burdette.

Steve Craig: Right, that's over \$300 a month for rent right now would be kind of high for storage.

President Jerrel: So there are not five spaces being used for unlimited now? Just three.

Steve Craig: Two, two that I know of.

Commissioner Mourdock: Wait a minute. You said a minute ago though that you had three.

Steve Craig: That was 90 days that you said. We have some that are on the six months sites.

Commissioner Mourdock: Forget what the sites are for a minute. I don't care which row it's in. How many sites do you have that we've had people there for more than 90 days.

Steve Craig: I think it's three.

Commissioner Tuley: I thought it was eight a minute ago.

Steve Craig: There is eight all together but people have been coming and going. There's eight. Last week at one time there was five and then over the weekend there was nine and this morning there was eight.

President Jerrel: Just three that are there—

Steve Craig: Three of them have been there over 90 days.

Commissioner Mourdock: Three trailers?

Steve Craig: Yes, sir.

Commissioner Mourdock: Not counting people, just three trailers that have been there more than 90 days. Okay.

Commissioner Tuley: Can I expand on that a little bit too? How many greater than 90 days of those three. I know we've got one that's been several years. What's the status of the other two?

Steve Craig: One's been there over a year and the other one's been there, I think, about eight months.

President Jerrel: They basically just want to just continue living there. In other words this is just like permanent—

Steve Craig: Mr. Long, at the last meeting, had informed us that he would like to stay there for at least four to five more years until his daughter graduated from highschool. I'm not sure of the other gentleman's name, it might be Mr. Mattingly, but Judy, the Campground Manager, has not indicated that anybody wants to make that a permanent residence. I think one of them that's been there eight months is working on a job here in Evansville and as soon as the job is over, he will be gone because he has a permanent residence.

President Jerrel: Can you tell me why the one man, I wasn't here—

Commissioner Mourdock: He's here.

President Jerrel: I guess I don't understand—

Harold Long: Mine is entwined in a lot of things.

President Jerrel: You want to come up?

Commissioner Tuley: He was flooded out by the river in '96.

President Jerrel: Oh, okay.

Harold Long: Mine started back in '96 during the flood. The government said they would take eight months to a year to settle our situation. It took three years and a half, roughly around three years and a half. During that time I asked the question will any money be deducted from my overall sales such as double indemnity insurance as they claim. Well, I never got an answer for three and a half years. That is the most important question. After that, we waited for three and a half years for the government to settle our relocation while other people were getting it done within eight months to a year. So what was I suppose to do at the time? Have a double mortgage? Double insurance? Double taxes? So I chose a trailer because once the final bid come in and I did not like it, I'd move back down to my house and fix it up and sell it.

President Jerrel: Were you on Old Henderson?

Harold Long: Yes, I was.

President Jerrel: Were you one of the brick homes?

Harold Long: Yes. They never gave me an answer. The government never gave me an answer on that question. I've wrote many papers to the government about this situation, but it took three years and six months. Why would I want to get myself mortgaged out or even get myself in a program? I don't want to be in a program. I have paid everything myself so why would I want to get myself into a double mortgage, double insurance, or even get a renters lock me up while waiting around for the government to take care of a situation that took three years and a half or three years, excuse me, let's give you the minimum - three years.

President Jerrel: So you are all finished with—

Harold Long: Yes, ma'am. We are done. We end up with nothing because of that one law, double indemnity insurance. They took \$28,000 out of me and that left me with nothing. Which sense that makes, I don't know because if I would have sold the house without you ever knowing it, I would have got to keep the insurance money.

President Jerrel: Could you have moved the house?

Harold Long: Ma'am there's a lot to the situation. I mean, if you are going to look at it financially and money wise, I don't need all that. I'm not asking for anything now either. I do not want to go into the Fannie Mae Program or whatever, the housing program, which you all have offered me \$98,000 for a home. I do not want to get myself in a debt situation again. We all know what that takes. I'm looking forward to some type of retirement. I do not want to stay there the rest of my life. I wouldn't have stayed there the first eight months if the government would have given me the answer to what I asked for three years. I have paperwork. I will bring it. I will give it to you all. Since time has dragged on and on, what was I suppose to do? I'm not a rich man so why in any common sense would I get a double mortgage? What makes no sense at all is that you're willing to give me \$15,000 in a program, in a grant program to get a house. A \$5,000 deposit grant and another \$10,000 if I live there another ten years. I don't want your money. I pay rent, I pay your lot rent. We do no damage. There are three people. You hardly have anyone coming to

Burdette as it is. I don't know if you look at the facts and figures whatever it takes. If it's because of the utilities that you're putting into it, I could see the problem there. I could even see if it gets down the road and it starts picking up business, I've got no problem with that. To make it a big issue as it is makes no sense to me when you've got people that you're wasting money on with programs. You got some people who ignore the programs or use the programs. We went through years of that. We ignored all the programs. We're not asking for (inaudible). We pay rent there because my daughter goes to school at Perry Heights. To get me land in the county or anything to put my trailer on, I cannot do. They don't allow RV's in the county or in the city. You have a code for that now too. The county made it hard for me to sell my home down there through the years through these programs. Plus putting up with vandalism. Were we going to move back in the house and spend another \$30,000 fixing it up because the government took three years? I believe we were not priority on the list of flood, I agree. I had no disagreement with that, but one lousy question that I asked for three years and not one person gave me an answer until the day came up that they gave me the bid, gave me ten days, and said yes, the money will be deducted. That's crap. Ten days to get an answer. To what? Go back to a house that's been destroyed by vandalism, by a certain code that's been put down to make it harder for me to buy or sell? So, I do not understand. All I'm doing is paying my dues and trying to stay away from your programs, to raise my daughter. My plans were to go out west with the investment...I put in 18 years down there, to go out west with money that I was supposedly, hopefully wouldn't be taken away from me. Twenty-eight thousand dollars was deducted from my overall sales. Yes, you gave me fair market value, but \$28,000 was taken and after that I had nothing. I had nowhere to go. We had comments from all sorts of FEMA workers about why did we buy a trailer? Were we going to get an apartment, then move back to a rotted house plus have a year's lock lease. Nobody would take us with your programs either. Six month rental program? It's hard to find anybody who would take you for six months in you guys program. So we (inaudible) if the bid is no good, move back down. You would have solved the whole problem if you would have given me an answer the first time it was asked. I asked that from '96 in Rockport, Indiana, from a Valerie Morris. I've got names, I've got lists. I've asked everybody before and nobody will back up what they say. That's government, that's people, I don't know. Usually, I back up my word. We had hear say from all around from governments.

President Jerrel: Since I wasn't here last week, you are wanting to stay—

Harold Long: I'm wanting to stay to whatever...try to buy land now. I can't even stay up with the price of land. I'm saving money now. I've raised three children at that home down on the river and I didn't ask for anything from nobody, 33 high waters and two floods and we lived through it. Coastguard, we helped people and did a variety of things.

President Jerrel: Two of them are gone or just one?

Harold Long: What?

President Jerrel: Of you children.

Harold Long: Two of them are gone, one now.

President Jerrel: So you have one left at home and that—

Harold Long: Goes to Perry Heights for two more years and then go to Reitz. If it's up to your ruling and you say leave, we'll leave. I've dealt with it before, it's no big deal, but I sure can't see what such a big issue over this is at this time. You have programs. You have people who are retired that are just holding on to their respect living in trailers out there because they don't feel that they want to get stuck back into (inaudible) so they are living in trailers. They are honest people and they pay. We all pay, but what is the big issue over this is beyond me. I cannot see...here's a question, you said Mr. Mourdock, you said that I'm only one person and you represent 1000, where are the 1000 people who are complaining? Where are they? You said philosophy...philosophy - government should be helping. Where does philosophy go in when it was '96 for three years? So philosophy doesn't really (inaudible) after three years of looking at facts and figures that everybody threw at me. Philosophy doesn't cut it. I'm not asking nothing but I just don't understand your issue...such a big issue. Is it a trailer lot? Nobody out there treats it like a trailer lot. If you honestly go up to someone and say, "leave because you're making it trashy," most of the time they leave. Where is it being a trailer lot? Being a campground you don't have the people coming in for that unless you foresee it, which I hope you do, but up to now I haven't seen it in the three years that I've been there.

Commissioner Tuley: Steve, can you name me a state or county park in the state of Indiana that allows permanent residence in the park?

Steve Craig: I've not been able...when it gets to the RV parks, into a campground, into a trailer court, I've not found any government owned RV camps that allows anyone to stay for an indefinite period. That's usually the distinguishing point between a privately owned trailer court and a campground/RV court. Most of them, I believe New Harmony is a two week stay then you have to move, but you can come right back but they do make you move to a different site or part of the campgrounds.

Commissioner Tuley: I think they make you move out of the park. I don't think you can go from this lot to this lot after two weeks. I don't think that happens.

Steve Craig: Is that the way it is? I've not been able to find any government campgrounds that allows anyone to stay an indefinite period of time.

Commissioner Mourdock: You're using, Steve, the word government it seems broadly. Do you mean that even beyond Indiana?

Steve Craig: Yeah, I just came back from Gatlinburg and I had talked to some people down there. The parks that do allow RV's to camp down there, they have a two week period in which they can stay. The ones that you see outside of Pigeon Forge and Gatlinburg are privately owned. They love for you to stay as long as you want because they are in it for the profit.

President Jerrel: Okay, row one, I'm reading what we did before. At the time we did row one, we did an unlimited stay and now we don't like that because we didn't mean unlimited in the sense of something less than a year, or two, or three?

Commissioner Mourdock: Unlimited to me is by definition, unlimited. It's whatever. I have to confess to a faulty memory here because I like to think that I'm fairly consistent and I just don't recall us agreeing, as a body, that unlimited was something that we wanted to do. We had that discussion and I recall the discussion specifically about different rows for different lengths of stay, but the idea that we

basically allowed people to stay there indefinitely was not something I understood to be the case and something that I still happen to think is not the right public policy.

Commissioner Tuley: I have to agree with him.

President Jerrel: You defined it here.

Commissioner Mourdock: Oh, really?

President Jerrel: "For the sake of this discussion, permanent henceforth shall mean an unlimited stay."

Commissioner Tuley: I think I quoted a few weeks ago saying I must have taken a leave of my mind during that discussion. You've got the minutes so we know what the minutes say, but I don't think the taxpayers envision that park being a permanent place of residence for anybody. I don't think they should provide a permanent residence for anybody...or we should, taxpayers and everybody else.

Commissioner Mourdock: Bettie Lou asked the question earlier, Steve, and I don't know if you answered it completely, has the Advisory Board out there had anymore discussions about this issue since this has come back up in the last 60 days?

Steve Craig: Our meeting is Wednesday and our previous meeting was the Wednesday before. We meet once a month and they have not met since this issue has come back up. We will be meeting Wednesday.

President Jerrel: I don't want to pass anything to them at this level, if we either want to do it or don't want to do it. We have about 15 pages of minutes here. I think we need to make the decision either we are going to agree to have minimal and if permanent means unlimited then we are going to have to live with that in that first row, and if we don't want to do it, we probably need to have the meeting next week serve as a public hearing—

Commissioner Tuley: There may be other people besides him that would like to have input in it.

President Jerrel: Then make a decision and vote on it and move on.

Commissioner Mourdock: Okay, I'll follow up with that then. In the spirit of having more discussion if there are other folks like Mr. Long who would wish to make comment, I'm fine with that, but I guess I would kind of lay the challenge down for you, Steve, to take to the Advisory Board to defend. If anyone on that board or the board as a whole wishes to do that, defend to this body why we should have more than a 90 day stay. You said two weeks in other places and we're saying 90 days. It's still a lot longer than two weeks.

President Jerrel: I think if we could, if it wouldn't be an imposition, if they are going to meet Wednesday, could one of them come with you Monday night?

Steve Craig: That would be fine.

President Jerrel: I think we'd appreciate that. They are our board and if you could have them come and explain how they feel. I think we've all agreed that board has

worked well and have handled the fee setting and everything. I'm willing to let them do that, but I'd like them to explain if that's what they want to do, to explain why.

Steve Craig: That would be fine.

President Jerrel: Is that alright?

Commissioner Tuley: Sure.

Commissioner Mourdock: That's fine.

President Jerrel: Okay, then that's the way we'll do it. We'll let them make a recommendation and defend it and we'll act on it whatever—how good their defense is.

Harold Long: Are we saying that I would have to get out in 90 days?

(Tape Change:)

Commissioner Tuley: I think whatever the outcome is, if there is to be a decision that changes, that would have a dire impact on that gentleman back there, that maybe we could make these effective June 1st or something like that so that he would have ample time if, in fact, this board does decide to change that rule to not disrupt his daughter's school this year. Let her get through this grade and know that he has six months or whatever it would be to find a suitable location.

Commissioner Mourdock: I'm comfortable with that, Steve, if you would pass that onto the board as well.

Steve Craig: I will.

President Jerrel: Okay. Thank you.

Steve Craig: Do you have any other questions on my reports?

President Jerrel: Is there a motion to accept all the other reports?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: Among the consent items with the exception that you need to note that has been crossed out from the sheriff's department.

Commissioner Mourdock: With that exception, I'd move approval of the consent items.

Commissioner Tuley: Second.¹

President Jerrel: I was going to ask Eric, he's here, I was just going to ask him a question, okay? Do you mind coming up?

Eric Williams: No.

President Jerrel: You still have a role with the community corrections? I spoke to Senator Bob Meeks today and he and Representative Bower are the two people who are doing the budget hearings now, and he gave me the dates. I don't have them written down here, but they meet like, I think it's three days this week and two days the next week and then that's the end of the operation. It's kind of like County Council meets the first week and listens to everybody what they want and then the next week they make a decision and the final vote is in September. Do we have our grant in yet?

Eric Williams: I don't believe so. Sheriff Ellsworth and Major Woodall are both traveling this week to, I can't think of the name of the conference that's going to be dealing with those issues for submission of the grant to get it all fine tuned.

President Jerrel: Okay.

Eric Williams: ICAC sounds...Indiana Community Corrections something or other.

President Jerrel: The reason I'm asking, you see what I'm saying? If we're going to try and change something to get additional funding, we are going to be out of the loop because they are making those kinds of overview decisions. It's like...it doesn't mean that the legislature can't move some things within it, but the schools basically know. They take the count the third week in September and they pretty much know that there are that many live bodies and they are going to pay on the formula. The same thing is true here. I mean, we likely aren't going to have a chance to get anymore if we don't get that grant in by, at least, December 1st.

Eric Williams: It's my understanding, and I haven't had day to day working operations with the grant rewrite, Major Woodall and the Sheriff are handling that for the most part. I'm handling day to day finances and items like that. It's my understanding that they have a plan of action in place to make sure that this all times right. I know they've been in constant communication with the appropriate people up there to make sure that this timing all works out. I know that it's been a matter of discussion at our staff meetings on a regular basis. What that exact timing is, I do not know.

President Jerrel: And the only reason I brought it up is that I spoke to Senator Meeks today and I began to get worried about it. I spoke to Vaneta Becker about it and her bill and Brian Grimes is going to join her on that, but none of it's going to mean anything if...could you see next Monday see that we get a report on the status of the grant? And the amount, if any, change from \$382 plus, plus up to whatever?

Eric Williams: Certainly. I'll ask Major Woodall to show up. That would be the most appropriate since he's actually writing it?

Commissioner Tuley: Is the sheriff going to be able to travel because I understand

¹See page 35 for a complete listing of consent items.

that he's been quite sick?

Eric Williams: He's been sick since last Monday. He's got the flu to end all flu's apparently. He came into work a few hours today.

President Jerrel: Are the flu shot available?

Tony Greubel: I haven't seen the memo come out yet from our health department.

President Jerrel: That's kind of frightening because—

Suzanne Crouch: (Inaudible.)

President Jerrel: Thank you.

Eric Williams: No problem.

Old Business

President Jerrel: Any old business?

Commissioner Mourdock: One bit of old business. Tony gave you copies of this letter which several weeks ago I mentioned that Joe Harrison and I were going to get with Steve Perry at the Rescue Mission and ask him some questions pursuant to the presentation he had here six weeks ago about using the Rescue Mission more for juvenile detention. I put the letter together and sent it out to him and obviously he and his board will get back to us with a concrete proposal. Maybe that's a little to strong, with a proposal as to what they might be able to bring to the table by way of an enhanced facility over there. As soon as I hear back, I will report.

President Jerrel: Any other old?

New Business

President Jerrel: Any new business?

Commissioner Tuley: None.

President Jerrel: Okay, motion to adjourn?

Commissioner Mourdock: Wait a minute. Just for the record, Tony, on the jail information, we did not have in our charts again this week. Would you please keep doing those?

Tony Greubel: Yes.

Commissioner Mourdock: With that, I'll move for adjournment.

Commissioner Tuley: Second.

President Jerrel: So ordered.

The meeting was adjourned at 7:11 p.m.

CONSENT ITEMS:

Employment Changes:

County Council	Sheriff	Health
Community Corrections	Clerk	Prosecutor
Superior Court	Knight Township	

Travel Requests:

Health	Knight Assessor	Computer Services
Veteran's Services	Soil & Water	

County Engineer:

Submit warranty deeds for Burkhardt Road

County Clerk:

Submit monthly report for August 2000

Auditor:

Submit A/P vouchers
Submit monthly financial, cash and expenditure reports

Sheriff:

Submit weekly jail information

THOSE IN ATTENDANCE:

Betty Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Erik Bentle	Richard Helzerman
Harold Long	Les Shively	Michael Feldbusch
Jerry Bryan	Fievel Elliott	Others Unidentified
Members of Media		

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
November 20, 2000**

The Board of Commissioners of Vanderburgh County met in session this 20th day of November at 5:32 p.m. in Room 307 of the Civic Center Complex with President Betty Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Vanderburgh County Board of Commissioners meeting to order, please. I'm going to forego the introductions, since most of you have been here before. The first item on the agenda is that I would like you to join me in the Pledge of Allegiance.

Approval of Minutes

President Jerrel: The first action item on the agenda is the approval of the minutes of the November 13th meeting.

Commissioner Mourdock: I'll move approval of the minutes as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Certification of Executive Session

President Jerrel: The next item is the certification of the Executive Session.

Commissioner Mourdock: I would move certification of the summary minutes of tonight's Executive Session that began at 5:00 p.m. and ended at 5:30 p.m. It dealt with legal issues for the county.

Commissioner Tuley: Second.

President Jerrel: Sounds like popcorn.

Jerry Bryan - City/County Purchasing - Various

President Jerrel: The next item on the agenda is purchasing. Jerry Bryan? Sounds just like popcorn in a microwave.

Jerry Bryan: Good evening, I'm Jerry Bryan, Purchasing Director for the City/County of Evansville. First item on the agenda is the opening of the annual bid for Timber Bridges. I have one bid—do you want me to start over?

Commissioner Mourdock: I'm not going to do anything.

Jerry Bryan: The secretary says yes. I'm Jerry Bryan, City/County Purchasing

Director. I have three items on the agenda. First one is the opening of the annual bid for Timber Bridges, APA018-2001. I have one packet to be opened.

Commissioner Mourdock: I'll move the opening of the bids as recommended.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Second item on the agenda is to award the Liquid Asphalt to J.H. Rudolph and Company. This is an annual bid. J.H. Rudolph was the successful bidder. We also bid E & B Paving, Koester Contracting, Pavement Coatings, Gohmann Asphalt, and Huff Ceiling. Forty-eight thousand five hundred dollars is a \$2,000 increase over last year, but I don't think that's too bad in view of the petroleum prices.

Commissioner Mourdock: I'll move approval of the award as recommended.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: The last item I have on the agenda is to award the Transportation Services for Vanderburgh County for the Office of Family and Children to River City Yellow Cab Company for the year 2001. What this is, there are court appointed people who must be drug tested and they have to have transportation. There are court appointed people who must receive counseling and psychological work and they need transportation. Then they have court appointed visitation between children and parents involved in divorce. That's John Schroeder and his people over there at Family and Children Services. Depending on how many people they have, that award will be between \$37,000 and \$50,000. I gave you the value, so far, that John has this year. Any questions?

Commissioner Mourdock: I'll move the award of Transportation Services as recommended.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Thank you.

President Jerrel: Do you have a bid opening also?

Commissioner Mourdock: We already directed it.

President Jerrel: Okay.

Sandie Aaron - Assignment & Assumption Agreement with Aramark/SMG
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President Jerrel: The next item on the agenda is Item D and that's Aramark/SMG

and, Joe, would you like to review that? Sandie is here.

Joe Harrison, Jr.: I believe Sandie Aaron is here. What's in front of you is an assignment and assumption agreement whereby the County would consent to The Centre management contract. The assignment of that contract from Aramark, which is now the holder of that contract, to SMG. SMG is a partner with Aramark and Aramark, on June 2, 2000, purchased the stock of Ogden Entertainment. Since that time, Aramark and SMG have essentially been operating the venue contracts that Ogden held throughout the country. Sandie Aaron is here to speak to the assignment. The County's contract runs, I think, until January 31, 2003. It's my understanding that the City of Evansville, a week or two ago, consented to the same, or similar, assignment regarding their agreement with Ogden for Roberts Stadium, Victory Theatre and Mesker.

Sandie Aaron: Right.

Joe Harrison, Jr.: And, again, they would be abiding by the terms and conditions of the contract that is currently in place. Sandie Aaron is going to remain as the Executive Director of the properties here in Evansville including The Centre. If you have any comments relative to this issue.

Sandie Aaron: SMG is...actually, 50 percent of SMG is owned by Aramark as simply their venue management arm. The other 50 percent is owned by the Hyatt Corporation. SMG has basically been servicing the account since they took over, so it's really just a name change more than anything.

President Jerrel: Are there any questions?

Commissioner Mourdock: I'll just say what I understand to be the case, Joe, and correct me if I'm wrong, but with our original agreement with Ogden, it presupposed some possible sale under a normal successorship clause and, pretty well, that's what we are doing here is pursuant to that successorship clause anyway, since it was a stock transaction. Is that accurate?

Joe Harrison, Jr.: Well, it was a stock purchase although they are permitting SMG, who again is their 50/50 partner, to essentially manage the facility. Aramark could be the sole manager of the facility which our contract contemplated, but they are wanting to delegate or assign that duty to SMG. SMG is their partner, 50/50.

Sandie Aaron: SMG basically specializes in venue management. For Aramark, it's a new venture for them. Food service and uniforms and a variety of other things are their speciality so they feel they can service us better by going to SMG.

Joe Harrison, Jr.: Can you tell the board some of the venues that SMG operates throughout the United States and the World?

Sandie Aaron: They have 109 right now within the United States. Sixty of those were acquired by Ogden, or from Ogden. They really have, between Ogden and another venture they had earlier in the year, the bulk of their venues now are from Ogden and Leisure Management. They do have a strong presence in convention centers and that has been one of their strengths in the past. They are really reorganizing themselves because they are, all of a sudden, so big. The parks board on the city side did assign the city's contract last Wednesday.

President Jerrel: Is there a motion?

Commissioner Mourdock: I will move approval of the Assignment and Assumption Agreement, I'm sorry, yeah, Assignment and Assumption Agreement as recommended to us by the county attorney.

Commissioner Tuley: Second.

President Jerrel: So ordered. Is the original copy in the signature file?

Joe Harrison, Jr.: There are three original copies. If you'd sign all three, we need to provide Sandie with two of them, if possible, or at least one.

Suzanne Crouch - Award Title Search Contract to Mills
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President Jerrel: Okay, the next item on the agenda is the auditor.

Suzanne Crouch: Yes, upon review of the title searches from last week, we would recommend acceptance of Mills Title Company which was the lower cost and did not have any restrictions upon their bid. We ask for your approval and awarding of such.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Steve Craig - Burdette Park Campground Guidelines
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President Jerrel: I'm going to go down, because we do have an issue here this evening. We had asked that Burdette Park come, or someone from the Burdette Park Advisory Board could attend. The camp site discussion is now on the table, so if you all want to come up. Is there someone from your board here?

Steve Craig: Yes.

President Jerrel: Okay, fine. Would you want, right, okay, yes. Alright, I don't care, Steve, how do you want to begin this? Do you want to tell us what happened after last week's meeting?

Steve Craig: Steve Craig, Manager of Burdette Park. The Burdette Park Advisory Board met on Wednesday, November 15, 2000. They discussed the issue concerning length of stay at the campground. They agreed that we should not allow anyone to live at the campground and had the following recommendations to submit:

- The Board recommends that campers be allowed to stay 60 days. At that time, they must leave the campground for at least two weeks. They must take the camper and everything belonging to them and vacate completely for at least two weeks before they can return to our campground. This would become effective June 1, 2001. Anyone that has been there for 60 days or longer must vacate for at least two weeks.

We have two members here from the Advisory Board. If anyone would like to talk to them, we had a quite lengthy discussion with our Advisory Board and this was the solution that they came up with.

President Jerrel: Since they are the Advisory Board, maybe it would be nice if they'd introduce themselves and tell us how they feel about this.

Rob Kerney: My name is Rob Kerney, Member of the Burdette Park Advisory Board. I was the one that made the motion. We believe that the campground at Burdette Park is not a full time venue for RV's and other things. Upon checking with other state and local and other public park campgrounds, I found out that most of them have a two week limit and then they evacuate the campgrounds. Sometimes they can move to another place. However, we do know that we have some people that come into town for two months at a time to visit with family that stay there. We felt that we would like to be a little bit more fair and allow them 60 days to stay in the park while they are visiting family in the area.

Diane Collins: Hello, I'm Diane Collins, Member of Burdette Park Board. That basically sums up our position. We wanted to be flexible to allow people who lived in the area and come back, as we know they do, to visit family to have sufficient time, but we wanted to make it very clear that this is public property and it is not public housing.

President Jerrel: Okay, and at this time we do have someone that is at the park. If you wanted to...did you meet with that board?

Harold Long: No, I did not.

President Jerrel: Have you all not met? This will be a good time for everybody to get to know each other.

Harold Long: My name is Harold Long, and we know what it's all about. I honestly did not want to come in front of you to make my situation the focus of this topic. Until know, I've managed to put the 1996 government fiasco behind me, but it is part of the reason me and my family are staying at Burdette. In this meeting, I started out apologizing for wearing out my welcome, but by your own guidelines, I have not. At the start of this, the news media was called in. By who, I do not know. It seems we were made to be drifters or squatters, but the media forgot to mention that we pay a good sum of money for a little pad of concrete, a little electric and water. It seems to me that the media was called in, in an effort to make it look like that. I have been questioned by a number of people in the way I raise my family—

Commissioner Mourdock: Excuse me, Mr. Long, may I add a comment to that?

Harold Long: I would like to finish.

Commissioner Mourdock: You'll get to finish. I just want to make the comment that you're suggesting that we called in the media, and I want you to know that we did not do that. We never do that. The media can certainly respond to whatever is on our agenda, but we don't direct them and we don't call them in. So, I just want to make that part of the record.

Harold Long: Excuse me, I did not accuse nobody. That's what my speech says. For the past two meetings I've heard, excuse me, I've been questioned by a number

of people about the way I live and raise my family. I thank you all for that. For the past two meetings I've heard a low budget philosophy and we the taxpayers. As a taxpayer I'm frustrated at the fact that you are willing to let taxpayer's money or invest your money in an RV lot that is empty 85 percent of the time, without a steady return when opportunity arises. I would like to think during these hard times for taxpayers, no matter how much you pay in taxes, they would like to have some type of return or money being spent wisely. From a business aspect, I would not understand your reason behind your thinking because any return would be better than none that's already in the negative factor. In the last meeting, Steve made the comment that while he was in Gatlinburg he made some inquiries and found out that other parks have a two week limit. I've done some inquiries and found different. Are we trying to compare our little park with an attendance report of possibly 300 people a year to an area that receives eight million people in a season? I believe that is the reason behind their limit. As the government's philosophy goes, I would think that you're here to help taxpayers, promote some type of revenue, and welcome people who might one day fall on hard times. Yes, I am a taxpayer. I've paid taxes for 25 years of my 40 year life living in Evansville. People have come up to me and cannot figure out what the big deal is and cannot figure why we are dealing with this. And my answer is who's complaining? Through these encounters I have heard no negative response to people staying at the park, and that's the average person. I did not ask for this, people came up and told me this. What I have heard is, shouldn't there be better things for the government to worry about? And you wonder why some people do not vote. Thank you.

President Jerrel: Now, wait just a minute. The two board members who are here, did you have any questions that you wanted to ask since this is primarily the gentleman who, just for your background, had property down on Old Henderson Road that was flooded out and he's been staying there. I don't know if, is your recommendation that this goes into effect next June or what?

Diane Collins: Yes, in June to give people sufficient time to make other arrangements.

Rob Kerney: It was in your minutes from last week's meeting to let them stay until June because of the child in school. We didn't want to uproot her in the middle of the school year. Basically, we were running off the recommendations, not really a true recommendation, but some of the suggestions from last week's Commissioners' meeting.

Harold Long: My reply to that is the fact that still from the aspect of business and the aspect of some revenue, it makes no sense in (inaudible) the opportunity to fund some money back to the people or public. It makes no sense because of people's opinions. I have not seen any reply from negative from the public that that park is being bothersome to anybody. No reply. We have created a revenue of \$10,000 by three people staying there a year. Is that not revenue that was helpful to the park? Or are we still taking taxpayer's money to fund the park? These are questions that don't make sense.

Rob Kerney: I would like to respond to that, ma'am.

President Jerrel: Fine, come up.

Rob Kerney: I was going to say that we wanted to make sure that this gentleman

recognizes that this is not a personal attack on him. When we make our decisions, we do not base it off of a single family or a few families. We have to base it off of the entire community, and while we have to admit they have been very good tenants, we can't say that the next people that come in will. So we had to base our decision off of that and not because of the one situation. We try to look at the big picture and we have no personal grievance against this gentleman and we hate the fact that we've done this and put him in this hardship, but we had to look at the big picture and not just one individual.

President Jerrel: I have a question of the board. Did you talk about three months and two weeks off because of the summer season, if people came here to visit families?

Rob Kerney: I'm sorry, I'm not sure I understand your question, ma'am.

President Jerrel: I've just gotten a few calls, it's not been an avalanche, but people that come to stay while their children are on summer break.

Rob Kerney: The 60 days is kind of a compromise between the suggestion of last week's meeting and members of the board. This is only our recommendation and we all know that you have the final say, so that was just our recommendation.

President Jerrel: But you did talk about 90 days?

Rob Kerney: We talked about six months, we talked about two months there then gone a month and come back for two months. We've looked at different options and we felt that this was the fairest of all of them.

President Jerrel: Do you all have questions?

Commissioner Tuley: I think Mr. Kerney summed it up. I mean, we are looking at it from the standpoint, although I'm sure that he doesn't agree with us, thinking that we are picking on this particular individual, but –

Harold Long: Excuse me, are you talking about me?

Commissioner Tuley: Yes, sir.

Harold Long: I have not accused anyone of picking on me. I'm looking at it from the standpoint of (inaudible). You don't have to look at it from my point of view. I have places I can make it. I do not need help. I do not need (inaudible). I do not need anything else. What I'm asking you to look at the taxpayer point of view. Ten to twelve thousand dollars in revenue going back into the taxpayer's budget makes sense. Turning it away does not make sense. That is my point as a taxpayer. Nothing to do with me and my family. I will go on, but as a taxpayer, how does this make sense when the park is 85 percent unfull most of the time? Even the hookups are not full most of the time. You have ten campers that rent there most of the time when they have an opportunity. It is not full 85 percent of the time, so you would have to be spending some tax money on maintenance so why not create a revenue that you are getting to bring back to the taxpayer's budget? That is (inaudible). Excuse me, that's all I have to say. I have better things to do.

Gary Hohman: In response to your question regarding the time element. Since this entire discussion has come about, the only comment that I have received personally,

has been from those in the construction field who have, in the past, come to Evansville with the Toyota expansion and other areas that their jobs may require more than the 30 or 60 day time limit. This was one question that they were concerned about.

Commissioner Mourdock: If I may comment on that, and I appreciate the fact and I'm sure that there are people that do that, even with that being the case though, is that the purpose of Burdette Park? We have a park that's meant to be a park. It's meant to be, in my estimation, it's meant to be a place where people can go and spend some time and enjoy themselves. I guess, if I were in the construction field where I needed temporary housing, I'd look at it as a great convenience, but that still doesn't necessarily mean that's its purpose.

Gary Hohman: Right. I was just eluding to the time, questions that I've received regarding the amount of time that an individual should or should not reside in the campground.

Commissioner Mourdock: Okay.

President Jerrel: Do you concur, Pat?

Commissioner Tuley: Absolutely. I think we are here to serve the community and all the taxpayers of Vanderburgh County and not the ones who come in here for six months or a year time to work construction jobs to have a convenient place for them to live. Quite honestly, other than what income tax they pay, don't pay taxes to support that park. I think what we do have to do, and what we are trying to do, and what the board is trying to do, is to look at the big picture. What is the original idea behind having a county park. I'm sorry for that gentleman, but it is not to provide permanent residence for anybody to live in the park.

President Jerrel: Okay, is there a motion?

Commissioner Mourdock: I would move that the Board of Commissioners accept the recommendation of the Burdette Park Advisory Board that we limit stays at Burdette Park in the camping area for no more than 60 days with the provision that if people leave for two weeks, they could then come back. By definition, leaving the park does not mean leaving trailers unoccupied. It means removing all possessions from the park for the period of two weeks.

Commissioner Tuley: If I may add one thing to your motion. I'd ask you to add one thing. For the record we will make it effective June 1.

Commissioner Mourdock: Yes, thank you. Effective June 1, 2001.

Commissioner Tuley: I'll second the motion.

President Jerrel: So ordered. We do appreciate Ms. Collins and Mr. Kerney for coming tonight.

Commissioner Mourdock: Very much.

Commissioner Tuley: Sure do.

Commissioner Mourdock: Diane and I have spoken on the phone several times but never got to meet. So it's nice to meet you, Diane, and Mr. Kerney as well.

Commissioner Tuley: Thanks for your time as well.

President Jerrel: Yes, thank you. Steve, do you just want to complete your report while you're here. You are always last and this time you're first.

Steve Craig: It's Christmas the week before Thanksgiving. Basically, all I had was my work report and this. We had already went over some of the stuff we had last week with the revenue at the campground and what the revenue at the park had been. Other than that, I just have my work report.

President Jerrel: We got a nice report from the Visitors and Convention Bureau about the grant they are going to match.

Steve Craig: They are? They haven't even contacted me.

President Jerrel: Well, that was in their minutes. I read the minutes and I saw where they had agreed to do that. Is there a motion to accept that report?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered. Thank you very much for coming.

Any Group or Individual Wishing to Address the Board

President Jerrel: Okay, we'll go back to the agenda. At this time any group or individual that wishes to appear. Mr. Helzerman, I saw you come in, do you have some material you could give us tonight? We would rather not read it, so if you'll just give it to us, we will mail it to the judges. We did that last week.

Richard Helzerman: This really needs some comment. There's a very serious problem that I've uncovered, but if you don't want to talk about it today, I'll come back next time. Perhaps you can see it. If you can just look at three things and I'll be on my way. The first is the page that says 11/6 on it. That shows Larry Wilson being in jail for 37 days for armed robbery with his next court appearance on 11/8 at 1:00 a.m. Now that 1:00 a.m. is false. They don't schedule courts at 1:00 a.m. If you'll look at the next page, it shows Larry Wilson with 40 days. This is 11/9, three days later. It shows two entries for Larry Wilson. It shows him as a failure to appear on 11/8 at 8:30 a.m. and his armed robbery. He is shown as failing to appear, but he was sitting in jail there. He could not appear. He called me that day he was suppose to appear and he told me that he talked to the guards and told the guards that he had to go to court. The guards would not take him to court. The guard said that if the court wants you, they will send for us and get you there. Then this is the court record from Courtview where he was shown to be not appearing. A bench warrant was issued for his arrest and the case was cleared. It was ordered withdrawn. Now 11/17, today, or this is the last report that I got, it shows Larry Wilson and they've cleared that arrest thing, but they don't have any date for him. He has two court dates that are scheduled but the system doesn't show it. What I want you to look at...what I'm trying to say is there's a problem in the system, as you

know, the two systems aren't talking to each other—the Courtview and the jail system. One reason the judges say they don't want to lower the bonds is because these people have failure to appear. If you go through that report, there's case after case after case of failure to appear when the person was sitting in jail, but the jail didn't know about it. The things I also want to...also on this page, if you look at it, it's got Larry Wilson down for two days. He's been in jail over 40 days but somehow in the switching around of this case, he's down as being in the jail for two days. This report is the basis of a lot of statistics and all the studies that PMSI did and here the guys gone from 40 days on 11/9 to 2 days on 11/17. The point is that you have a serious problem with your system.

President Jerrel: You need to talk to Erik. We don't do the report, the Chief Deputy does the report. This is an informational instrument, but we'll be glad to send that. Just like you've sent it to us. We get it every week. He's got a date, December 11 is his next date to appear.

Richard Helzerman: No, it's November 27th.

President Jerrel: It says December 11th here.

Richard Helzerman: I'd like to thank you for sending last week to the court because—

President Jerrel: Yeah, we did.

Richard Helzerman: The judge did accept a pre-trial conditional release for Larry Wilson and he is free. He's out of your jail, and you have one less in there. You could have a lot less in there, but anyway, the principle of a pre-trial conditional release based upon telephone...the person staying home and calling when he leaves to go to work and calling when he gets back, at least one of the judges has accepted it. Now, he's been through three judges. He got a new judge the 1st of November because of the rotation. This judge accepted it where the other two rejected it.

President Jerrel: Do you want us to send this information? The judges get these reports, but you want us to send it?

Richard Helzerman: Certainly, I would like you to send it.

President Jerrel: We'll do it. Thank you. Give that to Tony.

Commissioner Tuley: Anyone else?

President Jerrel: Is there anyone?

John Stoll, County Engineer Written Report

President Jerrel: Moving on to the county engineer and that is a report. He isn't here this evening.

Commissioner Tuley: He's got several items though.

Commissioner Mourdock: I would move that we accept the county engineer's report. Let me do that first and then I'll come back to my other item.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: The second item is that John had sent me a letter regarding Mr. Batteiger out on the west side of town. He was recommending, let me correct that. John Stoll was in the e-mail recommending that the county act to put in a pipe under Peerless Road and a couple manholes to go with it as a possible resolution to Mr. Batteiger's problem. In reading this over and having spoken to John about it, I think that is a reasonable solution and I would suggest that we direct the county engineer to go ahead and work towards this end to have these couple manholes installed and have some pipe placed.

Commissioner Tuley: And that's a motion?

Commissioner Mourdock: That is a motion.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: Second item is there is a Mr. Meyers on Peerless that John and I have spoken of as well regarding possible acquisition of additional right-of-way out there to help with some grading. I would just suggest that maybe we can, as a board, direct John to go ahead and begin some discussions there to see if the acquisition of additional right-of-way would solve Mr. Batteiger's, I'm sorry, Mr. Meyer's problem.

President Jerrel: So you're not making a recommendation, just telling him—

Commissioner Mourdock: Begin the discussions with Mr. Meyer.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: That's the only thing I had for John's report.

President Jerrel: Is there a motion to accept the report as it's been submitted to us?

Commissioner Tuley: I know his general report, I assume, is what you're talking about. Do we need to go through each of these items, one, two, three, four, or —

President Jerrel: We are going to submit it for the record. Do you want to read it into the record or just submit it for the record?

Commissioner Tuley: That's what I'm asking. As far as I'm concerned, if it's in writing, we can submit it to the record and just vote for approval of his recommendations. If that's what you are trying to do, I'll second your motion.

Commissioner Mourdock: Let me say it a little differently. John had provided us a letter dated November 17th with eight different action items that he was coming to us, or would have otherwise been coming to us for this evening for approval. Specifically those regarding Stonecrest Subdivision, Seminary Road Culvert #538,

Boonville-New Harmony Road Bridge, Broadway Avenue Bridge, Repair and Repaving of Various Roads from a change order that's come in, an administrative settlement letter for Burkhardt Road parcel 6, an administrative settlement letter for Burkhardt parcel 19, and notice to bidders for the McCutchan Road Bridge. I would move that we accept John's report with the recommendations as stated in this letter of November 17th.

Commissioner Tuley: I will second.

President Jerrel: So ordered. I'll put my copy, Jane, in here just in case there isn't one so it will go into the record as it is.

Erik Bentle - County Highway

President Jerrel: Okay, county highway department.

Erik Bentle: Erik Bentle, County Highway. You have my progress reports from last week and my work schedule for this week. The other thing I have is a...these are three price quotes that I've got for two new plows for our snow trucks. We've got two out there that are late 60 model plows and they need some major work done to them, but I don't feel that it's worth putting money into them. The cheapest price quote I've got right now is from Tri-State Utility Sales.

President Jerrel: Do you have the money in your account?

Erik Bentle: Yes.

President Jerrel: We might get some of that soon.

Erik Bentle: I'm afraid me might, yes.

Commissioner Mourdock: I would note that between the three bids, the price of cutting edges is certainly competitive, \$134, \$139, and \$136.75.

Erik Bentle: The big difference in the quotes basically is the last two are requiring \$375 to remove the old hitches off the front of the trucks, but the first one is not and is still the lowest quote.

Commissioner Mourdock: Are you saying with that the first quote here, the low quote, does not require the replacement?

Erik Bentle: No, they will remove it without charging extra.

Commissioner Tuley: It's included.

Commissioner Mourdock: Okay.

President Jerrel: So your recommendation is the low bid?

Erik Bentle: Yes.

Commissioner Mourdock: Let me just clarify one more time. I see what it says. It says the price includes removal of existing hitch assembly. Price includes hoses and fittings to front of truck for power angling. Is the fitting referred to there reinstalling the hitch? I just want to make sure we have apples to apples.

Erik Bentle: No, no. The hitch is separate from the fittings all together. The new quick release hitches with the fittings on there.

Commissioner Mourdock: The one up above two lines above the actual price? That's the hitch assembly and putting it on there?

Erik Bentle: Yes, it includes the hitch assembly and includes hoses and quick release hitch fittings.

Commissioner Mourdock: I don't want to come back and find out that we bought it but didn't get it installed.

Erik Bentle: They will do all the installation and maintenance.

Commissioner Mourdock: I'll move approval of the Tri-State Utility Sales and Service agreement for the pricing for the new snow plow mechanism.

Commissioner Tuley: That pricing is \$8,550.00 and I'll second.

President Jerrel: So ordered. Have you—have the boiler people been out yet?

Erik Bentle: Not yet, no.

President Jerrel: Think you better call them?

Tony Greubel: Yeah. We got their purchase order and everything. I'll call them up and see when they are going to start.

Erik Bentle: They said it was going to be about two weeks to finish the job so hopefully they'll get on it before it turns off too cold.

President Jerrel: Any other questions? Is there a motion to accept the reports?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered. Thank you.

Joe Harrison, Jr. - County Attorney
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President Jerrel: County Attorney.

Joe Harrison, Jr.: The first item I have is the bid that was submitted for the Timber Bridge bid, APA018-2001. The only bid that was submitted was from American Timber Bridge and Culvert, Inc. That bid amount is \$289,058.75. I would ask that you take this bid under advisement and review it for it's responsiveness.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: The other item I have is I would like permission to advertise two Human Relations ordinances that I'd like the commissioners to consider. The first reading would be December 11th and the second reading would be December 18th. I'll get copies of these ordinances to you. I've been working with Floyd Edwards regarding these two amended ordinances. I would ask for permission to advertise them prior to the first and second readings.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Tony Greubel - County Buildings
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President Jerrel: Superintendent of County Buildings?

Tony Greubel: I don't have anything to report tonight.

President Jerrel: You do have your Soil and Water and Ozone report. Is there a motion to accept all of the reports?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: The next is the consent items and under the auditor's annual report add in the accounts payable vouchers. With that, is there a motion to accept these?

Commissioner Mourdock: With that addition, I move acceptance of the consent items as filed.

Commissioner Tuley: Second.

President Jerrel: So ordered. ¹

¹See page 20 for a complete listing of consent items.

Old Business

President Jerrel: Under old business? Did you have any kind of report, Brad, that you wanted to make regarding what's going on with the grant for the community corrections?

Brad Ellsworth: To be short, we'll know more, Steve Woodall, Rick Schnautz and myself spent Wednesday, Thursday, and Friday at the IACCAC, or some combination of those initials, up in Indianapolis with Mike Brown from DOC and everybody else. Steve got himself on three or four different committees being a short timer, but he'll be the Southwest District Representative for the IACCAC. We've jumped in with both feet even with him as a newcomer. The meeting is set, the actual instructional meeting for the grant, is set for December 13th in Indianapolis. We'll be traveling up there. Basically, right now what we are doing is compiling information, trying to get true and correct numbers. The grant will be obviously new and accurate. We are also kicking around, I've had conversations with Jule Von Arx from PMSI or she actually has her own consulting firm also separate from PMSI. I've had a little trouble reaching her in the last few days, but we had that conversation about using her services to assist us on the grant writing. We've talked about both separately, I think it's called Correctional Concepts, and using just that, her services or see if she would rather go through PMSI. So it really wouldn't make big difference in cost, but using user fees to solicit her help on that. Going to this first one we spent three days with Mike Brown. We nicely warned him that we were coming back. We told him of all the changes we've made and all of our job titles were new and different, and that we were going to look for a substantial increase. I couldn't tell you exactly right now and we didn't want to let him onto everything we were going to do until this instructional meeting on the 13th. I should know more then about what they are going to tell us so that we can reply to them.

President Jerrel: Vaneta faxed this today.

Brad Ellsworth: Is that the letter from Brown?

President Jerrel: To her.

Brad Ellsworth: Yeah.

President Jerrel: You got a copy of that?

Brad Ellsworth: Yes.

President Jerrel: And you also got a copy of...I guess this is what I really...be sure that when you ask...the actual money we get now, I think, is four hundred and something thousand, but that includes Judge Trockman's money. The funding, I don't think, is going to follow new job titles. The funding is going to have to be for, in fact it states here and I will give you this in case you don't have it—

Brad Ellsworth: No, I didn't get that, Bettye.

President Jerrel: Priority for funding consideration will be given to and it lists...it has to be programs. They have probably about 12 or 15 programs that they will give consideration. That's likely the way we are going to get any new money for Vanderburgh County. They are very clear about the local Community Corrections

Advisory Board. Take this and—

Brad Ellsworth: That was not attached to my copy.

President Jerrel: The whole bottom of the page and the second page lists the variety of things that they are going to give priority to. If we are going to have anybody get any additional money down here, it's going to have to relate to those programs.

Brad Ellsworth: Just right off the bat I see this second bullet point was about levels, supervision (inaudible). One of the things that we've been talking about with Mike Brown was using Vanderburgh County and the Sheriff's Training Center on Kansas Road as a regional training site for community corrections and DOC. We took him out there and showed him the facility and they've agreed. In fact, the very first training we are going to do is this LSI, and they've told us that they will give us \$15.00 per LSI instrument per inmate that we use. That would be a substantial increase right there, and we've already agreed to do that and the training is coming up in December.

President Jerrel: That would be great.

Brad Ellsworth: That's going to be big there. Like I said, I'll have to go down the rest of them, but—

President Jerrel: I think, I don't know who is doing your programming out there now?

Brad Ellsworth: It's a combination of everybody. In the new TO, Dale Williams would be the Program Director and Services Director.

President Jerrel: But he's searching for new programs?

Brad Ellsworth: Absolutely. We've kind of got him doing both right now. As we went to the case managers what was happening was Mr. Howerton and Mr. Dale Williams and Debbie Mowbray were kind of sharing the court details of going to court on the inmates as opposed to the individual case managers and counselors. What we are switching over to is that the case managers themselves are going to be going to court on the clients, clientele, directly their caseload. We are weaning Dale off of going to court and weaning the case managers into that so they can testify more accurately as to the progress of the participant. We are picking his brain over his knowledge of years of service making the transitional switch to him being the program supervisor. There's several things going on.

Commissioner Mourdock: Is the Community Corrections Board meeting still set for the 30th?

Brad Ellsworth: The 29th, I think.

Commissioner Mourdock: I would ask, Brad, if you could, and I know that I was out of town on business at the last one of those meetings. I had sent you a letter regarding that. I don't know that the letter got any discussion at that meeting, but if nothing else, if we could add that to the agenda I think it would be a logical follow-up to what the rest of these types of discussions would be.

Brad Ellsworth: Absolutely. Actually, a lot of the things you addressed in the letter,

we did discuss. One of the things we're doing now is having each supervisor, as opposed to the directors, going through the laundry list of how many of this and how many of that. Each supervisor of the five main areas are getting up and telling what's going on in their area and the improvements they've made. That gives them ownership. They know if they have to get up in front of the board and tell what's going on that they are striving to improve it. That works really well. I know I promised this last time, but the file that Eric and I are compiling is about that thick and we are going to try and put in into some kind of legible form for you to understand for kind of a year end report...actually, it's going on two year period now or the 18 months. I think that will address a lot of the issues in your letter almost down the line.

Commissioner Mourdock: Yeah. It seems to me that there are many things that can dovetail together here. One of them being that type of reporting. The other being the keeping of statistics and how that's done. The third thing being the grant application for the year 2002 could logically be the result of all the rest of that work. In other words, you're not pulling things out to make them fit, it just logically all rolls together.

Brad Ellsworth: Sure.

President Jerrel: The difficult thing to think through will be what funding can be used to reduce the local taxpayer's funding. If we just get more money and don't do anything about reducing the cost, that's not the goal. I don't know the language that Vaneta has, but I think Brian Hassler is going to co-sign that with her. That would be important for you to be on top of because if she would happen to be able to get that formula changed, you'd have to be prepared to probably repeal...beginning July 1 you could repeal that money back to the general fund and prepare the 2002 budget based upon additional income. That would be the ideal.

Brad Ellsworth: That's what I'm banking on happening.

President Jerrel: That would be the ideal way for it to work. I guess, and I do appreciate you coming tonight. I think you need to get a little nervous when it's that close and nothing has been developed. At least, I don't think the Advisory Board has received anything yet, have they?

Brad Ellsworth: No, they have not. Like I said, we are kind of waiting for this December 13th class. They've pretty much said...it was going to be two days and they reduced it to one so we don't know what that's about. They cut it down to one day. They didn't act like that over the last three days when we were meeting with Brown that that was out of the question. Since we renamed these they might be able to finance those salaries. I should be able to tell you more between December 13th and January 1. Just for Joe's sake, cause I know he's kind of hammered me on this on the new phase one and old phase one building, the ceiling tiles are in. What held us up horribly on that was we changed and went to a new ceiling tile in there, a drop ceiling, and then after we had the framing hung in, there was some question whether it was fire coded or not. Although that's how it was sold to us by Danco that it was all approved. We had to wait for state to come in and call the company and get a written statement that it was fire coded. That's all dropped in now. We are going to have them drop smoke detectors and paint the floor and we should have that open as soon as they paint the floor and build the bunks. It's going to be the nicest area

of the complex.

President Jerrel: The capacity is?

Brad Ellsworth: The new phase one. We are looking some areas to use as kind of that last phase, the carrot to dangle out to get to that area because it's going to be very nice. Hopefully, when we get that up, you all can tour it. If there's something to be proud of over there, that's going to be it.

Commissioner Mourdock: What's going to be the capacity of that area?

Brad Ellsworth: Not more than 49 people. If we go, we were looking at 25 originally. If we would go up anything over 49, the state and the jail would have to come in and have new regulations for us so we are going to stay under 49 for that.

President Jerrel: So the cost for the 49 would be all local?

Brad Ellsworth: Yes.

President Jerrel: That's where you need to get very creative.

Brad Ellsworth: Right.

President Jerrel: They have a lot of money because they've been having hearings all month. That needs to be included creatively some way because you're looking at a lot of additional costs for the local taxpayers.

Brad Ellsworth: Right. That will be built in. I'm not worried, I worry about it, but I'm optimistic about what's going to happen. If it doesn't go our way, what I know we're all interested in, like you said, reducing the local input. I'm going to be kicking and screaming right there beside you and maybe recommend that, like we always said, ship them all back and let them have them.

President Jerrel: Okay, well thank you for coming. We hope you're feeling better.

Brad Ellsworth: Between the flu and now this eye injury, I don't know, I just better stay home. I appreciate this because that's going to help me out and I had not received it yet.

President Jerrel: Any other old business to come before this group?

Commissioner Tuley: Nope.

Jane Laib: I have one item. I'm sorry. Going back to John Stoll, he had handed in two, well actually several, warranty deeds and temporary easements for the Burkhardt Road widening. It doesn't require signatures. It's just a matter of record for parcels 11 and 12.

President Jerrel: And they will be in the packet to sign?

President Jerrel: There's no signature needed. It's just a matter of record to accept it.

Commissioner Mourdock: I'll move that we accept formally the several warranty deeds presented by the county engineer tonight in his report.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: One other bit of old business, very briefly. Steve Perry got back to me this past week regarding possibly using something at the Rescue Mission to help with youth detention. He said he'd like to come before us one night before the end of the year with whatever their board is going to recommend or present. I suspect we will see him shortly.

New Business

President Jerrel: Any other business? Motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Meeting was adjourned at 6:25 p.m.

CONSENT ITEMS:

Employment Changes:

Election Office	Knight Assessor	Coroner
Circuit Court	Prosecutor	Recorder
Health	Legal Aid	

Travel Requests:

Soil & Water	Health
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Auditor:

Submit Annual Inventory List
Submit A/P Vouchers

County Clerk:

Submit Monthly Report for September 2000

Sheriff:

Submit Weekly Jail Information and Reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
Rob Kerney	Erik Bentle	Brad Ellsworth
Richard Helzerman	Jerry Bryan	Sandie Aaron
Diane Collins	Harold Long	
Others Unidentified	Members of Media	

APPROVAL:

VANDEBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

**Vanderburgh County
Board of Commissioners
November 27, 2000**

The Board of Commissioners of Vanderburgh County met in session this 27th day of November at 5:40 p.m. in Room 307 of the Civic Center Complex with President Betty Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Vanderburgh County Board of Commissioners meeting to order. I don't see any strange faces, so I'm going to proceed with the Pledge of Allegiance. I'd like to ask for you to join me in the Pledge of Allegiance.

Approval of Minutes

President Jerrel: The first action item on the agenda is the approval of the minutes of the November 20th meeting.

Commissioner Mourdock: I'll move approval of the minutes of November 20th as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Certification of Executive Session

President Jerrel: The next item on the agenda is the certification of the Executive Session.

Commissioner Mourdock: I would move approval of our summary minutes for this evening's Executive Session that began at 4:45 p.m. and ended at 5:30 p.m., that session dealt with county personnel matters and was attended by the three commissioners and the county attorney.

Commissioner Tuley: Second.

Commissioner Mourdock: And the county auditor.

President Jerrel: So ordered.

Jerry Bryan, City/County Purchasing - Award APA018-2001

President Jerrel: Purchasing?

Jerry Bryan: Good evening, commissioners. I'm Jerry Bryan, City/County Purchasing Director. I have one item on the agenda tonight. I'd like to award the Timber Materials which is annual bid APA018-2001. This is to American Timber Bridge and Culvert. This vendor was the only one to submit the pricing. They did not raise the price that much from last year. I think it was about \$2,000. I've had no

complaints on this vendor, and I recommend that they be awarded the bridge contract for next year.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: I have one other item. Joe, I've got all the signatures from the vendors on the four contracts and I'd like to submit those to the secretary and have those signed by the commissioners, please. That's on the Towing and the Abandoned and Resale of the Vehicles when we get the program going.

Joe Harrison, Jr.: You may want to make a motion to that effect, to approve those.

Commissioner Mourdock: I'll move approval as recommended.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Thank you.

Joe Harrison, Jr.: Those were awarded several months, I mean, several weeks ago, I guess.

Jerry Bryan: Yes.

President Jerrel: Is that all?

Jerry Bryan: Yes, ma'am. Thank you.

Rose Zigenfus, EUTS - Approval of Agreement with INDOT (I-69)
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President Jerrel: The next item is Rose.

Rose Zigenfus: I'm Rose Zigenfus and I'm here tonight because I have an agreement that needs to be executed between the Vanderburgh County Commissioners and the Indiana Department of Transportation. It represents your commitment of \$100,000 to match the \$400,000 NCPD grant that we received some time ago. The study that this money will go towards is the corridor location and routing for I-69 as well as the river crossing. That should be complete in about 18 months so I ask for your approval. Are there any questions?

President Jerrel: No, but I'm going to ask before there's a motion, Becky, do you mind after whatever the motion is making another copy because we only have the one copy. We'll give this one to you or have Jane give it to you after it's signed, but we need a copy for the encumbrance of the money.

Commissioner Mourdock: I would just question the county attorney to make sure he's looked over the agreement and everything looks to be in order?

Joe Harrison, Jr.: Yes, I've looked at it and everything looks fine. Ms. Zigenfus might want to comment further if there's anything else. I guess what will happen is the state will sign this document. The Attorney General's office, I think, has to approve it, so it will probably be another month or two before we get a signed copy back. That's usually how it works.

Rose Zigenfus: That's correct.

President Jerrel: Actually, do you want to tell them very quickly, just for the record, the purpose of the grant and what the environmental study will tell us?

Rose Zigenfus: The purpose of the grant was to evaluate the alternatives, possible alternatives, routing of I-69. As you know, it was always intended for I-69 to come to Interstate 64 at 57 and I-164 and from that point there wasn't really a path that had been chosen for that. We had in our plan the 2015 plan and 2020 plan showed I-164 as a potential corridor and crossing somewhere around the Green River Road area, but there was never any real in-depth study to determine what the impacts would be from I-69. Now that it's going from Canada to Mexico, the need was established to look at it in-depth and look at the social economic and environmental impacts along the corridor through Vanderburgh County or Posey County or Warrick County depending on the preferred alternative. At the time we applied for the grant, we had received \$400,000 and the county committed \$100,000. INDOT provided \$650,000 and the Kentucky Transportation Cabinet also was able to come up with \$650,000 for a grand total for this contract, this study, of 1.8 million dollars. They have signed an agreement, INDOT has signed an agreement with HNTB and Bernardin Lochmueller to conduct the study. It should be underway momentarily because, I believe, the contract is still in the Attorney General's office. It should take 18 months to get it completed.

President Jerrel: And they are looking at both east side, west side, and all around?

Rose Zigenfus: All around.

President Jerrel: Okay.

Commissioner Mourdock: I strongly feel that we need to keep every option open as far as what we can do with I-69, so I would move approval of the agreement between Vanderburgh County and INDOT regarding the I-69 environmental impact.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Rose Zigenfus: I might say, I think it's really prudent of the Vanderburgh County Commissioners and especially Bettye Lou because she was the one who encouraged us to submit the grant application. I, quite frankly, didn't think we had a chance, but this proved otherwise so I was pleased.

President Jerrel: You did a good job on it.

Rose Zigenfus: Thank you.

Any Group or Individual Wishing to Address the Board

President Jerrel: Next item on the agenda. Is there anyone here that wishes to address the board? Yes, sir?

Henry Rust: My name is Henry Rust. I live in Darmstadt near the 4-H Center. I'm not sure if this is the right place or not, so correct me if I need to do something different. Last week there was a restriction placed on Burdette Park for parking for camping of 60 days, I believe. There is a couple of campers in the campground at the 4-H Center who has been there in excess of two months going on three months. I would like to ask that the same restriction be asked of the 4-H Center.

Commissioner Mourdock: Good argument, wrong place.

Henry Rust: They are in the county and that's why I wasn't sure.

President Jerrel: They have a board, and that board has to set those policies.

Henry Rust: Okay, that's not a restriction that the county can place?

President Jerrel: We have a board at Burdette Park, an Advisory Board. They made that recommendation to us and we approved it. Is that correct?

Commissioner Tuley: I don't think we have any jurisdiction.

Joe Harrison, Jr.: It's a county park as opposed to a county ordinance that they...

Henry Rust: Is the Center owned by the county?

Commissioner Mourdock: No. No, it's not. The 4-H Center is owned by the 4-H folks. I don't know under what title they own it, but it has nothing...it says Vanderburgh County but that doesn't, shouldn't, imply that the county properly owns that facility because it does not.

Commissioner Tuley: In fact, I don't think we even support it financially in any way, do we?

Joe Harrison, Jr.: No.

Commissioner Tuley: I didn't think so.

Commissioner Mourdock: Only indirectly through like the Soil and Water Conservation District. They are always involved with things at the 4-H Center, but that's the only way we are connected.

Henry Rust: I knew the 60 day limit came up here and that's why I thought I would approach here.

President Jerrel: If you would want to give me your name...do you have access to the internet? You could, or I could just give you my copy of the minutes from last week.

Henry Rust: I can obtain those.

President Jerrel: Then you could refer to those.

Commissioner Tuley: Do you have a hard copy of last week's?

President Jerrel: Don't we?

Commissioner Tuley: Not anymore unless you ask for them specifically.

Henry Rust: May I ask one more question?

Commissioner Tuley: Sure.

Henry Rust: The Scott Fire Department, is that county controlled?

President Jerrel: County Trustee.

Henry Rust: County Trustee?

Joe Harrison, Jr.: Scott Township.

Commissioner Mourdock: It's under the township.

Henry Rust: Is it proper for those, for the ladder truck to be used to put up Christmas lights at the 4-H Center?

President Jerrel: They have a board.

Henry Rust: If that's a private company or private organization, then why should we use public fire trucks to do that?

President Jerrel: Bob Harris is the Trustee Assessor, and he has a three member board.

Joe Harrison, Jr.: Then there is a separate volunteer fire department. It's separate from his board.

Henry Rust: I'll start with Bob Harris then. Okay. I appreciate the time.

Commissioner Mourdock: Two good questions.

President Jerrel: Anyone else?

John Stoll - County Engineer

President Jerrel: County engineer.

John Stoll: First I've got the signal plans for the provisions to the signal at Virginia

and Burkhardt and for the new traffic signal at Columbia and Burkhardt. These signal modifications and new signal will be installed as part of the new Sam's Wholesale Club that's gonna go out at Virginia and Burkhardt. The Virginia and Burkhardt plans are okay. They have been reviewed by Dave Savage to verify that they are compatible with the signal system for Evansville. Everything is okay on that. Basically all they had to do on that one was move one pole to accommodate a northbound right turn lane. I take that back, move two poles because they are also adding in a westbound right turn lane as well. So they had to move both poles on the east side of the intersection. That was all that's going to be done at Virginia and Burkhardt. At Columbia and Burkhardt, it's an entirely new signal. Dave Savage provided a list of ten items that he said were minor. He said the plans could be improved subject to those ten items being changed. Dave has passed that on to Sam's consultants and they will be taken care of. So subject to Dave Savage's list there, it's recommended that these signal plans be approved.

Commissioner Tuley: They were going to participate in this, right?

John Stoll: They are paying all the costs. There's no county money involved. This was the one back when the rezoning—

Commissioner Tuley: That's what I thought. That's what Joe and I were just discussing.

John Stoll: The signal warrants were met with Sam's plus the development of any out lots. So it was better to put it in now rather than wait until later and deal with the letter of credit issue that was discussed at the rezoning hearing. That's why they went ahead and prepared the signal plans and they are paying for all the costs of the signals plus the turn lanes that will be added.

Commissioner Tuley: What's the total number of stop lights now that we are responsible for, if we do this one? Four?

John Stoll: No, more than that now. About a dozen.

Commissioner Tuley: Oh, about a dozen?

John Stoll: It's escalated quite a bit in the last couple of years with more to come. We'll have signals out at Burkhardt and Lynch, Old Boonville Highway and Burkhardt, and there will be a signal at the intersection of the west ramps for I-164 at Lynch. So there's three more just on those two projects.

Commissioner Mourdock: I'll move approval of the plans as submitted.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next item I've got is a change order on the Burdette Park O'Day Discovery Lodge site grading project. The cost increases on this are a result of several items. The increase is for \$16,946.05. The main increase is for lime stabilization. This is on the main access road that will run along throughout the entire site. The lime stabilization is \$3.00 a square yard, and we've got an estimated quantity of 3,850 square yards for a cost increase of \$11,550. We also

had some over runs and under runs on some other items. The under run was primarily associated with us deleting the sanitary sewer pump that was proposed to be put in initially. Since the building is not going to be constructed immediately, we didn't want the pump sitting out there not getting used and then turn around and loose all the warranty time with the pump that won't be operational at all. The pump needed to be added into the building contract at a later date. So deleting that was a deduction of \$13,775. Then we also made some adjustments to the slopes to try and lessen the amount of trees that had to be removed out there at the site which in turn, steepened some slopes which necessitated additional erosion control mats and seeding. The additional erosion control matting was to the tune of \$6,000. We also had additional pipe we added at the southeast corner of the new lake. That added about \$1,000. All totaled, the net increase is \$16,945.05. I've talked this over with Steve Craig and he said the funding does exist to do this work in the project.

Commissioner Mourdock: What's that as a percentage of what the original project was, roughly?

President Jerrel: Of the total project or this one?

Commissioner Mourdock: About two percent?

John Stoll: The original contract amount was \$430,000. We'll still have some additional credits too that are coming back. We've changed some of the things down around Nurrenburn Road. There's a couple of pipes that were supposed to be grouted full which won't be done now. Even though we have this \$16,000 increase, there's going to be some other deductions at a later date. We just don't have those all resolved as far as a dollar figure yet.

Commissioner Mourdock: So we are about four percent right now. I'll move approval of the change order as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The last item I've got is in regards to Peerless and Huckleberry. The proposal that was submitted by Mr. Batteiger's engineer sounds reasonable given the fact that the existing 12 inch pipe under Peerless Road has deteriorated and needs replaced. What he was proposing was to put this pipe at a different location. Here's the existing pipe and what they wanted was a new inlet box to be added here and here. We would run a new pipe from this existing box down to the new one then run a new pipe under Peerless. We'd have to put in another box down here to tie in with this driveway culvert and then drain it more in line straight with the ditch there on the north side of Huckleberry.

Commissioner Tuley: Huckleberry.

John Stoll: The way I would recommend it would be that the county's involvement would stop basically at this inlet box here. Mr. Batteiger has proposed that at this ditch be piped and that to me is above and beyond what the county needs to be doing. That's for his benefit, not the county's. If we were going to do the project, I would recommend that we proceed with this run of pipe, this new box, this run of pipe under Peerless and this box. We may need a stub or two of pipe off the west side of this and call it quits from there. If Mr. Batteiger wants the pipe put in then he

needs to take off from here.

Commissioner Tuley: John, if memory serves me correctly, please let me know if it doesn't, if the water comes down here, does it not shoot off this way at some point?

John Stoll: This pipe is too small.

President Jerrel: That's where the pipe was too small.

John Stoll: The statements that Mr. Batteiger made was that this water crossed as a result of leaves blocking this inlet and backing up through here. The time that I saw water crossing, leaves had nothing to do with it. This water was flowing freely on the west side of his driveway.

Commissioner Tuley: This way.

John Stoll: Then going into the pipe underneath Peerless and then down through the backyards over here.

Commissioner Tuley: Okay, so this is actually where it exits?

John Stoll: Right. This is where it actually crosses but because the pipe is too small—

President Jerrel: Is he going to do anything about this pipe?

John Stoll: That's what he needs to commit to is upgrading this pipe, and if he wants that pipe, then he needs to commit to that as well.

Commissioner Mourdock: Something else. He's going to commit to that pipe. First of all, are we on county right-of-way here?

John Stoll: Yes.

Commissioner Mourdock: So we would have to give him temporary easement of some type to put a pipe in on our permanent right-of-way.

John Stoll: Right, we would basically have him submit a plan for approval.

Commissioner Mourdock: If he's going to do that, then this pipe has to size with this pipe. So before we would accept his plan for this pipe, it would have to size with this pipe which means he would also have to replace this pipe.

President Jerrel: This pipe down here—oh, okay.

Commissioner Mourdock: Under his driveway. If he doesn't do that—

John Stoll: Then all bets are off.

Joe Harrison, Jr.: No deal.

Commissioner Tuley: Then the question that I have, even if all that is worked, we aren't going to have a detriment effect down here are we? It's the same amount of

water is what you're saying?

John Stoll: The only problem we may have is this 12 inch pipe. Other than leaves blocking that inlet, I've not seen that to be a problem. Potentially, at a later date, we might have to come back and replace that pipe because these pipes upstream will probably be 15's or 18's. I'd hate to jump right in and replace that until it's demonstrated to be a problem. Unlike this pipe which is in bad shape right now, this pipe didn't appear to be in bad shape.

President Jerrel: This will be 15 or 18? You don't know yet?

John Stoll: We can probably get by with a 12 on the east side down to this box. We may need 15 from there on or 18.

Commissioner Mourdock: Given the time of year, this probably won't get finalized until after the first of the year.

John Stoll: Correct.

Commissioner Mourdock: But, I'm okay with this part, and I'm telling you this and you can pass it on and talk to others who would otherwise be voting on this at the time. I'm okay with this part. I'm okay with giving them the temporary easement to do the pipe, but before we do this, I would certainly want to see this sized for the right pipe. I mean, I don't want to say, yeah, go ahead and do it and then when we're not there, he sticks this into the small pipe. That's got to be done first in my opinion.

John Stoll: If he doesn't upgrade that, he's only hurting himself.

Commissioner Mourdock: That's right. We'll still...if he doesn't do that, we're still committing to do this which will solve some problems, but—

John Stoll: It gets rid of our rusted out pipe here, but it does nothing for the remainder of his drainage problem. I don't know that this is going to be the solution to his problem either. I've never personally witnessed—

Commissioner Mourdock: But even though it may not solve his problem, we're still committing to fix our own problem which we need to do anyway.

John Stoll: Right. That one pipe is bad. There's no question about that. In looking at it, I've never been out there in a heavy enough rain to see when his front yard gets flooded. I don't know if the utility pole at the northeast corner of his lot is helping contribute and kick the water west. I mean, that's just something that Valerie and I have speculated on, but we've never seen the problems like his pictures show. So I'm not sure what circumstances lead to that, but at least this would get rid of our rusted out pipe.

Commissioner Mourdock: You do not really need a motion from us tonight on that do you?

John Stoll: Just to proceed on the basis of what we would do.

Commissioner Tuley: For him doing his part.

Commissioner Mourdock: I'll go ahead and make that as a motion then.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: John, did you review our minutes from last week? Were you here last week?

John Stoll: No.

Commissioner Mourdock: We had a brief discussion, I believe, about Mr. Meyers property so, if you would, check those out too.

John Stoll: Okay.

Commissioner Mourdock: If you have any questions, give me a call.

President Jerrel: Okay.

Erik Bentle - County Highway

President Jerrel: County highway department.

Erik Bentle: Erik Bentle, County Highway. You have my progress report from last week and my work schedule for this week. That's basically all I have.

President Jerrel: Hear anything from the boiler people?

Erik Bentle: No, not yet. We've got the room all cleared out and ready to go so as soon as they get a hold of us, we're ready to get the work done.

President Jerrel: Anybody have a question?

Commissioner Mourdock: Easy night.

Joe Harrison, Jr. - County Attorney

President Jerrel: Next item on the agenda is the county attorney.

Joe Harrison, Jr.: I don't have anything this evening.

Becky Pike - County Buildings

President Jerrel: Superintendent of county buildings.

Becky Pike: I don't have anything.

Gary Hohman - Burdette Park

President Jerrel: Burdette Park.

Gary Hohman: Gary Hohman, Assistant Manger of Burdette Park. The only thing that I have before you tonight is our abbreviated work schedule which was due to the holidays. If there's any questions regarding those, I'll answer any questions that you might have.

President Jerrel: Gary, would you mind giving this to Mr. Long, our resident?

Commissioner Tuley: Is that the questions that you received?

President Jerrel: Yes. He had called about Bayou Creek and Becky checked to find out what the...and Joe gave the DMD information.

Commissioner Tuley: Had nothing to do with our—

President Jerrel: Yeah, I think he's looking for a place.

Gary Hohman: Any other questions?

President Jerrel: No, thank you. Is there a motion to accept the rest of the reports?

Commissioner Mourdock: I'll move we accept all the reports including Soil and Water Conservation District and the Ozone officer's report. I would also make a comment just real quickly. Ms. Breetzke is doing a nice job with her reports on soil and water. She's off to a good start.

President Jerrel: Very good.

Commissioner Mourdock: I think we need a second, Pat.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: How about the consent items? Are there any questions?

Commissioner Tuley: Yeah, I want to separate the one personnel issue that we talked about into a separate -- from that and then we will just do a roll call on that.

President Jerrel: Okay.

Commissioner Mourdock: Let me start it this way then. I'll move approval of the consent items as filed minus the one personnel issue that Commissioner Tuley is referring to.

Commissioner Tuley: And I'll second that.

President Jerrel: So ordered. ¹

¹See page 14 for a complete listing of consent items.

Jane Laib: I'm sorry. There were two A/P vouchers that were handed to me late this afternoon. So we'll need to add those to the record.

Joe Harrison, Jr.: Why don't you make a separate motion for that.

Commissioner Mourdock: Let me just move that we add the, I'm looking for a reference number here, I'll move that we add invoice number 0544239-00 and 0544239-01. I guess that's right, just those two. I'd move that we add those two invoices to the consent items.

Commissioner Tuley: I'll second.

President Jerrel: So ordered.

Commissioner Mourdock: Then on the personnel issue that Commissioner Tuley referred to, I would move approval, I guess, for the purposes of a roll call vote on that issue.

Commissioner Tuley: For purposes of a roll call vote, I'll second.

President Jerrel: This is a change in employment from a superintendent position to a foreman's position for Erik Bentle. Commissioner Tuley?

Commissioner Tuley: I'm going to vote no, but it has more to do with we've let that slot sit open for over a year and didn't see the need, apparently, to push to get it filled and now we're going to fill it, and that's the reason I'm voting no.

Commissioner Mourdock: I'll vote yes.

President Jerrel: And I'll vote yes. Motion carried. Is there any other questions? Sheriff, do you have any issues?

Eric Williams: I submitted our reports. Our conversations today cleared up a lot of that.

President Jerrel: Okay, good. We did have a meeting on some personnel issues with the Council.

Old Business

President Jerrel: Under old business, is there any old business to come before the board?

Commissioner Mourdock: None here.

Commissioner Tuley: No.

New Business

President Jerrel: Any new business?

Commissioner Mourdock: None here.

Commissioner Tuley: None here.

President Jerrel: Is there a motion to adjourn?

Commissioner Mourdock: I have one just under scheduled meetings. Just to confirm that the first meeting of 2001 will be on Tuesday, January 2nd and we're prepared to advertise that.

Jane Laib: Yes.

President Jerrel: Is there a motion to adjourn?

Commissioner Mourdock: So moved.

Commissioner Tuley: That's already been taken care of? The January 2nd meeting is taken care of and everything?

Commissioner Mourdock: Yes.

Commissioner Tuley: I'll second the adjournment.

President Jerrel: So ordered.

The meeting was adjourned at 6:08 p.m.

CONSENT ITEMS:

Employment Changes:

County Highway	Sheriff	Prosecutor
Health/WIC	Clerk	Erik Bentle

Travel Requests:

Center Assessor	Voter's Registration
County Assessor	Commissioners
Health	

Auditor:

Declare Surplus

Treasurer:

Submit Monthly Report for October

Health:

Approval to go before Council to Transfer Funds

Weights & Measures:

Submit Monthly Report

Sheriff:

Submit Weekly Reports and Jail Information

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Becky Pike	Eric Williams	Gary Hohman
John Stoll	Erik Bentle	Rose Zigenfus
Jerry Bryan	Henry Rust	
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
December 4, 2000**

The Board of Commissioners of Vanderburgh County met in session this 4th day of December at 5:34 p.m. in Room 307 of the Civic Center Complex with Vice President Richard Mourdock presiding.

Introductions and Pledge of Allegiance

Vice President Mourdock: Okay, good evening. We will call the meeting of Monday, December 4, 2000, Vanderburgh County Commissioners to order. As I mentioned previously, Bettye Lou Jerrel is out of town and will not be joining us today. I think everyone here pretty well knows our cast and players. Just to reiterate, if you do have a comment to make, please come to the microphone and state your name and address for the record. Please join me in the Pledge of Allegiance.

Approval of Minutes

Vice President Mourdock: Action items. First thing we have this evening, Pat, is our minutes from the November 27th meeting.

Commissioner Tuley: And I'll move for approval of the minutes submitted by the auditor.

Vice President Mourdock: And I will say second and so ordered.

Cancellation of Executive Session Noted

Vice President Mourdock: For the record, even though it's posted here, we did not have an Executive Session this evening. We did not meet so there will be no certification of minutes.

Open Bids for Boonville-New Harmony/Schlensker Ditch Sanitary Sewer

Vice President Mourdock: We have some bids this evening. First one is for Boonville-New Harmony Road. Have those been presented for opening?

Commissioner Tuley: I'll move for the opening of the bids VC00-11-02 Boonville-New Harmony Road/Schlensker Ditch Sanitary Sewer.

Vice President Mourdock: And I will second.

Jerry Bryan, City/County Purchasing - Various

Vice President Mourdock: Purchasing. Jerry, you have several items.

Jerry Bryan: Thank you. I'm Jerry Bryan, City/County Purchasing Agent. I have before you tonight two items on the agenda. First is the approval to extend the bid APA048-99 Pagers and Phones. The current vendor, Arch Paging, has an office right over here. They have served us very well. I've had no complaints about their

service. They would like to roll over the prices which would be the same for the second year in a row. This will save us quite a bit of money. If we would stop, for example, if we were to stop using them and start over, we would not get the current pricing that we currently enjoy. I recommend to the commissioners that we roll these prices over for another year.

Vice President Mourdock: Okay. I did have one question. On your text here it says that you've received no written complaints on their service, is that to imply that there were any verbal complaints or something?

Jerry Bryan: No. Before Sam Lahanis left, he was in a stretch of township on the west side where we couldn't get the signal down to him, but every other problem that we've had with Arch Paging, they've been able to jump right on the thing. We have in our handbook, Mr. Mourdock, a sheet for written complaints for the purchasing department. I've got so many bids that they wanted to have a standard form. I did not receive any written, but I should have said that I've received no verbal either.

Vice President Mourdock: Okay, all right.

Commissioner Tuley: If there's no other questions then I'll move for approval of the contract extension identified as APA248-99 for Pagers and Phones with Arch Paging as recommended for January 1, 2001 through December 31, 2001 based on the same pricing we had in '99. It looks like the total cost to the city is \$6,862.80 and for the county it's \$3,570.

Vice President Mourdock: I will say second and so ordered.

Jerry Bryan: Thank you. Second and last item that I have is Browning-Ferris Industries has offered to roll over their prices for another year. I currently go before four boards to get these approvals. The Board of Public Works approved it this morning. I go before the parks, safety, and Vanderburgh County Commissioners. The reason I have these X's on here as they do not have some of the current facilities in the current parks department. For example, they had Mesker Zoo under Board of Public Works which that's not where it belongs, so I've corrected the last two pages with the correct departments as to where they go. For example, Fendrich Golf Course goes under parks, safety would be the fire department, etc. I will fax this over to the vendor so that they have the correct facilities within the correct departments.

Vice President Mourdock: As I looked through it over the weekend the pricing is still the same from the second sheet.

Jerry Bryan: Yes, sir. Prices are still the same.

Commissioner Tuley: Then I will move for the extension of the contract identified as APA033-2001 between Vanderburgh County Commissioners and BFI for Trash Pickup in the amount of \$11,236.92 as recommended.

Vice President Mourdock: And I will second and say so ordered. Just to clarify something on that last page. It's referring to it as last year. I don't know if that technically needs to be 00 for the record or is that in fact still—

Jerry Bryan: Where are we talking?

Vice President Mourdock: The heading on the first of the two pages that you revised.

Jerry Bryan: Instead of BCC it's VCC?

Vice President Mourdock: No, no. Where it's APA033-99, it should be 2000.

Jerry Bryan: Right. I should make that 2001. Thank you very much for that correction.

Vice President Mourdock: Just going back up the agenda for the moment, if I was not heard, the...Pat made the motion to open the bids for Boonville-New Harmony and I thought I said second and so ordered, but if I didn't, I have now.

SCT - Authorization to Activate City/County Web Site

Vice President Mourdock: Next thing on the agenda is SCT, Bill?

Bill Cottun: Good afternoon. I'm Bill Cottun, Account Executive with Systems Computer Technology. We manage the city/county government computer network. The commission has requested to authorize the activation of the city/county web site. Several months ago the city and county entered into an agreement with SCT to develop and maintain a central web site for the city/county. We would like for the migration linking and development of city/county web sites. If an existing web site is hosted with an internet service provider and the city/county office does not wish to move it at this time, maybe they have a contract with that provider, we can link ...that's just putting an address that you can click on and that will take you directly to that web site. The site is not moved. It is not hosted and is not managed by SCT. On a migrated web site, that's an existing web site that an office may have previously developed, we will physically move to the city/county web server. The county treasurer has asked us to migrate her existing web site to our web service. We will host that web site but we will not manage the content of that particular site.

Vice President Mourdock: Does that mean that you are working with some other ISP now that you're going to take that over and migrate it to your server?

Bill Cottun: Yes, sir. Currently she is with Network WCS, and if I may say so, Network WCS has been working with us very closely to make these migrations go smoothly. I've been very pleased with dealing with those folks.

Vice President Mourdock: Will those migrations occur when the contracts otherwise expire?

Bill Cottun: As the contracts expire and also working with Network WCS, they have agreed that if a county office or city office wants to migrate today, they will assist us in that migration. They have been really great to work with. We also will develop a new web site if an agency does not have an existing web site. One office in particular is the county commissioners. We've been working with Tony for several weeks now to develop a web site for the commissioners. It is being developed under a template that is applied so the format and colors are the same. We will manage the content of those developed web sites to the degree that the individual office wants us to manage those. We also have several departments that we have had initial discussions with about their internet services, but they haven't made a determination whether they want a web presence yet or not. The second page is a

list of several of the city/county agencies that we've spoken with. Some have existing web sites which we are either linking or migrating. Some we are in the process of developing. Some we still have to determine what those departments want to do. The county URL or web address to get into the initial portal page is going to be www.vanderburghgov.org. That's going to take you to an initial portal page. Tony's seen it many times. Once we turn the server on, anyone out on the internet can enter that. We also reserved a few other URL's, particularly the www.vanderburghgov.net and www.vanderburghgov.org and www.vanderburghgov.com. Any one of those will take you to the Vanderburgh portal and same way on the city side. What we are requesting now is the authorization to turn the site on. The Board of Public Works gave us that permission earlier today and the Data Board approved that on Wednesday, last Wednesday.

Vice President Mourdock: Excuse me, the last thing on your list is that you've got some naming conventions for some e-mail addresses for both the county and the city. Will all of those go into effect at the throwing of the switch to bring this site up?

Bill Cottun: The answer to your question is no, they will not instantly be changed. We have a lot of e-mail addresses that are currently hosted by Evansville On-Line. I know they are an www.evansville.net address. We will begin migrating those and within the next 30 days we will have all 100 that are currently listed migrated over to either www.evansvillegov.org or www.vanderburghgov.org e-mail address as is appropriate. In working with Network WCS, what they will do is provide a pointer which is going to send the notice back to the person trying to access an old [evansville.net](http://www.evansville.net) address that this address or this e-mail address has been changed. I'll then send an e-mail back to the user telling them what the e-mail address should be changed to. We are not going to have people that are all of a sudden going to start losing their e-mail because they were at [evansville.net](http://www.evansville.net) and migrated.

Vice President Mourdock: Will there be a routing period so that if I send something countycommission@evansville.net for 90 days of something that it will still automatically come through to [evansvillegov.org](http://www.evansvillegov.org)?

Bill Cottun: Actually, we are hoping to do that. For 30 days we have to keep the e-mail account names open at Evansville On-Line and we are paying a charge for those as long as they are open. We would like to do it for 30 days. In your instance, if you have some stuff that you know you want to keep going for 90 days, we will certainly make that accommodation.

Commissioner Tuley: Bill, as you were talking, the only thing that Joe and I were looking at is there are a couple of things that are definitely city listed under county and I didn't know...the animal shelter, EPA, Mesker Amp and Victory.

Bill Cottun: Some of those we were made aware of. This is really just a working sheet. It doesn't lock anybody to one side or another. Also, we have several joint departments. I think there are about 15 and those will actually have an Evansville and a Vanderburgh URL, so if you don't know it's a county office but you think it's a city office, you'll still be able to get to it.

Commissioner Tuley: We have Roberts Stadium down there too.

Vice President Mourdock: Victory Theater, animal shelter, EPA.

Bill Cottun: This is not meant to be an entire list of every city/county office, just folks

that we have directly discussed with or had indications like Tony's office, he mentioned several times that maybe you ought to talk to somebody. We would list those as we were going through those conversations.

Vice President Mourdock: So we're back to the question then, I guess, are we ready to go ahead and activate the city/county web site?

Bill Cottun: We can turn that on tomorrow, if that's the case.

Commissioner Tuley: I will so move at this time.

Vice President Mourdock: Second and so ordered. So when the lights go dim at 10:20 we'll know that...

APC Approval of Agreement with HAZUS Intern
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Vice President Mourdock: The next item on our list then, we have an agreement from Area Plan. I don't see anyone here from Area Plan to talk about this, Pat.

Commissioner Tuley: I haven't talked to anybody about it.

Vice President Mourdock: As I understand it, what they are looking to do is—in fact, is John Stoll here? John, have you seen this at all? The proposed intern contract for Barbara Cunningham's office? They are hiring a consultant, basically, for a few months to “input data on county roads from the county accepted road list into an Excel database including but not limited to road names, segment location and length, functional classification, right-of-way width, year accepted, subdivision (if any), etc. The format for this database will be provided by Area Plan.”

John Stoll: I hadn't seen the agreement, but I knew that's what they were going to do because part of the input to that program to come up with a dollar figure on a disaster is they need to have road replacement costs in there. In order to do that, they had to input all the city and county roads into the database. The city's had, I believe, someone in the city engineer's office working on that right now. They had hired an intern that was doing it and APC was going to hire somebody to take care of the county roads. All of their data input on that program is trying to get a dollar figure on loss estimation if an earthquake hits.

Vice President Mourdock: Would this be a benefit to the county engineer's office?

John Stoll: Yeah. Then we don't have to do it.

Vice President Mourdock: You just said the magic words. I noticed that the total expenditure is not to exceed \$1,000.

Commissioner Tuley: Right.

Vice President Mourdock: I also noticed that the agreement shall expire of on 4/13/00.

Joe Harrison, Jr.: 2001?

Vice President Mourdock: It says 2000 but I'm sure that's what it means. In fact, it's

already signed.

Commissioner Tuley: Okay, then I'll move approval of the agreement for the intern as outlined and discussed.

Vice President Mourdock: I will second and so order.

Any Group or Individual Wishing to Address the Board

Vice President Mourdock: Any group or individual wishing to address the board? I saw Steve Perry back there. Steve, you are welcome to come to the microphone.

Steve Perry: Thank you. I'm Steve Perry and I'm with the Evansville Rescue Mission Youth Care Center. I came before the board a couple of times prior to the elections and I just want to come back tonight to reaffirm the commitment we have to take care of juvenile offenders of Vanderburgh County. We want to take care of male and female juvenile offenders. We want to take care of those that are inebriated or on drugs. We want to take care of those who are a danger to themselves or to other individuals. We want to do it on a short term basis. We want to do it on a long term basis. We want to do everything we possibly can to keep these young people in the county and to rehabilitate their lives and to make a difference in this community. We pledge our support and our commitment. I have the unanimous approval of our board. We make this offer and we'll make it again; we are willing to build a new facility if that's what it takes to get the job done. In the meantime, as we take care of male juvenile offenders, we are fully DOC compliant. We have a staff of caring individuals who do all they can do to help change a person's life and become interested in their success educationally and also socially and academically and even spiritually for that matter. We welcome this challenge. We figure that we are in a new era here and this opens the doors to a lot of possibilities of doing some very good things for the teenagers who live in Evansville and the surrounding area. We'd love to partner with you. We've been operating the Youth Care Center now for 18 years. For the last five years, we've been operating a detention center that's a secured detention center to go along with that. Five years ago we partnered together with the County Commissioners to begin our secure detention program. I think it's been a real success and given more support and more consideration in keeping the young people involved in the facility a little longer, and having a wrap around coordinator who can bring in families to talk with young people and share with them one on one what they need to do to get back home, and how the mothers and fathers are expected to handle this circumstance in a certain way, and how these young people are to deal with their losses and maximize the strengths that they have. We get them together at the Youth Care Center before they go back to their respective houses and say, "Now look, here's the game plan." If we can have just a little bit more time, we could see a tremendous difference. We already know that our facility really lowers the rate of recidivism as compared to sending a young person to boy's school. If you send a young person to boy's school, 80-90 percent of the time he's going to go back to boy's school and he's going to end up in adult prison. We have, we feel, a really top notch staff who empathizes, who takes interest in these young people and really care, and who take them through a genuine mentoring process. We're excited about this possibility. We're not excited about our financial losses. We're about \$100,000 in the hole again this year with this program.

Vice President Mourdock: On that issue of the finances, Steve, as you know I sent you a letter and I think, Pat, you saw a copy of the letter that had gone out maybe

a month ago. Is your board still looking towards having some form of proposal to us in January?

Steve Perry: Yes.

Vice President Mourdock: I would make the suggestion here, and I don't know that you've done this yet, but with the coming change in the board, I know Ms. Fanello and David Mosby have had some meetings with the sheriff. Just schedules being schedules, if you could meet with the two of them, if they're agreeable to do that before the first of the year. They can sit down with you at the same time and talk about that. After the first of the year, they can't.

Steve Perry: That would be a pleasure.

Vice President Mourdock: I don't know, Ms. Fanello, if you've seen the facility over there or not, but if not, it's something that the Rescue Mission and everything you've done has been a big part of what we've worked with. I look forward to hearing what your board thinks you might be able to provide us over the longer term.

Steve Perry: If the county can put three and a half million dollars somewhere else besides in a detention component of a new jail, you might buy some new voting booths and some new computerize equipment and that sort of thing to keep everybody happy.

Vice President Mourdock: Were you watching Shively and Shoulders last night listening to the county clerk talk about our voting equipment?

Steve Perry: I heard the county clerk talk about that before and it's been several years ago. We were in need of modification, and that might add a few dollars in the coffer. I say this because we raised money privately to build the Youth Care Center before back in 1988 and '89 and opened it in early 1990. If we can do it once, we can do it again. We have some good support. We have people who recognize the contributions that some great people have made to the Youth Care Center starting with Roger Mason and continuing on with the good people that we have, Brian Cook and Bob Withers and others that are still with us. We thank you for the time you've given us here.

Vice President Mourdock: We look forward to having you come back with whomever you deem appropriate; with other board members or with some more formalized plan or even proposal. Certainly I'm only one vote here, but I think it's past time that we do have more of an effort for some local youth detention. Just shipping kids out doesn't seem to me to be the answer.

Steve Perry: I hope we can work out something on a contractual basis rather than a per diem rate because the per diem rate just limits the abilities to take care of a particular need. Keep in mind too that our fiscal year ends at the end of December. We'd like to have a little commitment on your side of the fence as well. We'll let you know where we stand and we're willing to take enormous steps here. It's not easy to meet a challenge of a capital campaign, but we're willing to do that. However, we'd like you to kind of meet us half way, okay? We appreciate it. Thanks a lot.

Vice President Mourdock: Okay, thank you. Anyone else wishing to address the

board this evening?

John Stoll - County Engineer

Vice President Mourdock: Seeing none, we'll move to the department head reports.
John Stoll.

John Stoll: First thing I have a request for acceptance of the streets in Section 1 and 1A of Woodgate Subdivision. This is 2,110 feet of Miranda Drive, 305 of Branch Drive, 226 feet of Baltic Drive, 609 of Woodall Drive, 562 feet of Titan Drive, 1067 of Longview Drive, 295 feet of Midway Drive, and 140 feet of Strawberry Hill Road. The streets have been inspected and they were built in general accordance with the plan, so it's recommended that they be accepted for maintenance.

Commissioner Tuley: That was Woodgate Sub, Section 1 and 1A?

John Stoll: Yes.

Commissioner Tuley: I'll move approval of the acceptance as recommended by the county engineer.

Vice President Mourdock: Second and so ordered.

John Stoll: Next, I'd like to request that you grant the county attorney permission to proceed with condemnation of parcel #29 on Burkhardt Road. This is the property owned by Gerhardt. The negotiations have hit an impasse and the consultant sent us down a file to proceed with condemnation.

Commissioner Tuley: So moved.

Vice President Mourdock: Second and so ordered.

John Stoll: The only other item is that I wanted to point out that we've got deeds for the United Methodist Youth Home, Judith Lorlein, Crown Mark Properties and Flying J Family LP on the consent agenda so we've got four more parcels that have been acquired. There's no signature lines or anything—

Vice President Mourdock: Just acceptance?

John Stoll: Yes. That's all I have.

Erik Bentle - County Highway

Vice President Mourdock: Erik.

Erik Bentle: Erik Bentle, County Highway. You have my progress report from last week and my work schedule for this week. Other than that, that's all I've got.

Vice President Mourdock: Do you have any slippery, icy road reports?

Erik Bentle: Quite a few. We spent about eight or nine hours out Saturday.

Commissioner Tuley: I was gone so I didn't get a chance to see it. I was in Chicago and it wasn't near as bad in Chicago as it was here.

Erik Bentle: We got out about 12:20 Saturday night and spent most of the night and most of Sunday morning out.

Vice President Mourdock: Hopefully it won't last long.

Erik Bentle: Let's hope, but we're ready.

Vice President Mourdock: Very good. Thank you, Erik.

Joe Harrison, Jr. - County Attorney
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Vice President Mourdock: County Attorney? Joe, are you still looking at bids?

Joe Harrison, Jr.: No, I've got the bids that were submitted regarding the Boonville-New Harmony Road/Schlensker Ditch Sanitary Sewer project VC00-11-02. There were six bids submitted to the commissioners. They are as follows:

Industrial Contractors	\$384,072.00
Bowen Engineering Corporation	\$108,236.00
A & M United, Inc.	\$94,375.00
Phoenix Construction Company	\$97,500.00
B.M.B., Inc.	\$52,626.50
Deig Bros. Lumber & Construction Co.	\$59,890.00

Joe Harrison, Jr.: I'd ask you to take these six bids under advisement and review them for their responsiveness.

Vice President Mourdock: They bid the same project there?

Commissioner Tuley: That's what I thought.

Joe Harrison, Jr.: I think so.

Commissioner Tuley: I'll move that we take them under advisement as recommended.

Vice President Mourdock: I will second and so order.

Joe Harrison, Jr.: The other item I had relates to a request by the county surveyor's office to have a meeting in December. Last week at the Drainage Board meeting we canceled the Drainage Board meeting for that month because the fourth Monday of the month is Christmas. The commissioners nor the Drainage Board are going to be meeting on the 26th which is a Tuesday so the Drainage Board looked to see if they needed to have a meeting in December and found out that they do need to have a meeting. It's not going to be a special meeting; it will be a regular meeting

but there's only going to be a couple items on the agenda according to the Chief Deputy Surveyor, Bill Jeffers. They are asking that this board schedule a meeting for Monday, December 18th immediately following the commissioners' meeting and then at 6:30 would be the rezoning meeting of this board. They are seeking permission to advertise so Jane can get that in the paper in the next day or two.

Vice President Mourdock: Since this is not a special meeting, we do not need to read into the record those items that would otherwise be addressed?

Joe Harrison, Jr.: It will not be a special meeting because he said there's a possibility that there may be a couple additional items come up like claims, and if you have a special meeting it has to be limited to those specific items.

Commissioner Tuley: Just a regular meeting.

Joe Harrison, Jr.: Just a regular meeting, but it's going to be a very short regular meeting.

Commissioner Tuley: So this is a typo?

Joe Harrison, Jr.: Yes, in fact there's already an ad prepared and it's sitting in front of Jane and we have it ready to go. It will just be a regular Drainage Board meeting. It's just going to be—

Commissioner Tuley: A different day.

Joe Harrison, Jr.: A different day and a shorter meeting.

Commissioner Tuley: I'll move approval of the advertising as outlined.

Vice President Mourdock: I will say second and so ordered.

Joe Harrison, Jr.: That's all I got.

Tony Greubel - Superintendent of County Buildings
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Vice President Mourdock: Superintendent of County Buildings.

Tony Greubel: I just submitted a late pink slip from the recorder's office.

Vice President Mourdock: Is there a motion to add that slip to the consent items?

Commissioner Tuley: So moved.

Vice President Mourdock: Second and so ordered. That's it? Okay.

Steve Craig - Burdette Park

Vice President Mourdock: Burdette Park, Steve.

Steve Craig: Steve Craig, Manager of Burdette Park. One thing that I've got is an update on the O'Day Discovery Lodge, which there's not much. The weather prevented them from getting started on the lime stabilization of the road which is their next step up there. It got pretty gooey the last week with the rain and then the snow this weekend. That's where we are on that. Other than the minutes from our Advisory Board meeting and my worksheets, that's all I have.

Commissioner Tuley: Have you had any feedback from the campgrounds?

Steve Craig: I've been staying away from there.

Commissioner Tuley: I got some.

Steve Craig: All the feedback I had was good. People agreed with the decision. After they understood what was going on and then I didn't have anyone that was negative to it.

Vice President Mourdock: Did you get some from the other direction?

Commissioner Tuley: Most that I got was positive. I just happened to run into the one individual affected and he—

Vice President Mourdock: Again?

Commissioner Tuley: No, he wasn't here. It was at the grocery store. He was a little cool...the freezer was probably warmer.

Steve Craig: I have nothing other than my reports and that.

Vice President Mourdock: We also have reports in our file from the Soil and Water District and ozone officer so is there a motion to accept all the department head reports?

Commissioner Tuley: I so move acceptance.

Vice President Mourdock: Second and so ordered.

Steve Craig: Thank you.

Vice President Mourdock: Thank you, Steve.

Consent Items

Vice President Mourdock: We added the one consent item into the packet and I believe that's all we needed to add for consents, so is there a motion to accept the consent items?

Commissioner Tuley: Yeah. I have a real simple question. Becky, I know was an intern—

Tony Greubel: Extra help.

Commissioner Tuley: Extra help, okay. Who were the rest of these people?

Tony Greubel: They were county clerk's employees who were doing the bail and bond over at the jail.

Commissioner Tuley: I'll move approval of the consent items as submitted.

Vice President Mourdock: And I will second and so order.¹

Old Business

Vice President Mourdock: Any old business to come before us this evening?

Commissioner Tuley: I don't have any.

Vice President Mourdock: I have one. Joe, I noticed in the circulation packet and it's on your desk or in you file, Pat, the copy from Falk with the Indiana Civil Liberties Union for the extension of time. Was there anything pertinent to that that this board needed to act on or was that just informational?

Joe Harrison, Jr.: No, the Indiana Civil Liberties Union has agreed to extend, and sent us a letter. We didn't have to sign off or anything, the original cap agreement between myself and the ICLU Attorney, Ken Falk. I think it's through February 15th. So the cap number again in the jail is 329, I believe is the number - 329. Today's number as we sit here is 297 as of 5:15, I guess. So that's where we are with that number. It's been quite a bit lower the last several months.

Commissioner Tuley: There was some discussion about the Community Corrections Advisory—not Advisory Board, but the application process. You guys have that meeting the 13th?

Eric Williams: They had the Advisory Board meeting last Thursday.

Vice President Mourdock: Right. We had an Advisory Board meeting last Thursday and talked about that issue. There's actually been a sub-committee formed of Sheriff Ellsworth, myself, Ed Bassemier and Lark Buckman to act as kind of a financial committee to work with that group to see if we can't round some money up through the whole process. I heard several people say that is was one of the better Advisory Board meetings that we had because we had a lot of good discussion the other night. Everything from that issue and funding to actual policies and how we are administering some things. I felt very good about it.

New Business

Vice President Mourdock: Any new business for us this evening?

Commissioner Tuley: Bill, explain the memo that went out with the paychecks about, what did I do with it, something about there's going to be a three week gap in pay or something? I know I have a copy of it here. It went out in the last paycheck, I think.

¹See page 14 for a complete listing of consent items

There will be a three week pay on 12/15, no from 12/10 to 12/29. When is that paycheck going to be issued?

Bill Fluty: I believe that's the—I don't have a calendar in front of me but I thinks it's going to be—the check will go out the 21st and that will pay you until the end of the year. It will be a three week pay of 120 hours.

Commissioner Tuley: It will be 120 hours and then the first pay then in the new year will be the 12th.

Bill Fluty: That's correct.

Commissioner Tuley: So I get a three week pay and a three week gap?

Bill Fluty: They are actually getting paid to the 29th so you're getting 40 hours ahead and you're at a two week gap is how it works.

Commissioner Tuley: Have you gotten much feedback from anybody?

Bill Fluty: I haven't heard too much on that.

Commissioner Tuley: Okay.

Bill Fluty: We've done it, I think, in some years depending on how it falls. It has happened that way in past years. I don't think it's happened lately, but it has happened in the past.

Commissioner Tuley: I'm just concerned about some of those folks. I realize that they are getting an extra week of pay, but they have to make it last an extra week longer too.

Bill Fluty: That's exactly right.

Vice President Mourdock: It would not seem to be a big problem but I know at times it can be. Okay, I noticed this gentleman here and want to make sure he didn't have anything to bring before us?

Unidentified: Just visiting.

Vice President Mourdock: Okay. Any other items that need to be discussed?

Commissioner Tuley: I'll move for adjournment.

Vice President Mourdock: So moved and so ordered. Second and so ordered. That sounded better.

The meeting was adjourned at 6:10 p.m.

CONSENT ITEMS:

Employment Changes:

Sheriff

Prosecutor

Commissioners

Assessor Health	Burdette Park Recorder*	Auditor Circuit Court
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*Added consent item

Travel Requests: Pigeon Assessor	Health	Clerk
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Auditor:
Submit Monthly Financial, Cash and Expenditure Reports
Submit Accounts Payable Vouchers

Sheriff:
Submit Weekly Jail Information and Reports

THOSE IN ATTENDANCE:

Richard E. Mourdock	Patrick Tuley	William Fluty
Joe Harrison, Jr.	Jane Laib	Tony Greubel
Steve Craig	Eric Williams	Bill Cottun
John Stoll	Erik Bentle	Jerry Bryan
Steve Perry	Others Unidentified	Members of Media

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Richard E. Mourdock, Vice President

Patrick Tuley, Member

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
December 11, 2000**

The Board of Commissioners of Vanderburgh County met in session this 11th day of December at 5:31 p.m. in Room 307 of the Civic Center Complex with President Betty Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Vanderburgh County Board of Commissioners meeting to order. At this time, I would like to introduce the people before you this evening. On my far right, Tony Greubel, Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; on my far left is Jane Laib, our Recording Secretary. She takes all the minutes, everything is spoken into the microphone and then transcribed by her verbatim for our meeting next week. Next to her is Suzanne Crouch the County Auditor; Commissioner Richard Mourdock; and I'm Commissioner Betty Lou Jerrel. At this time, I'd like you to join me in the Pledge of Allegiance.

Approval of Minutes

President Jerrel: The first item on the agenda is the approval of the minutes and we can't do that because I wasn't here and Pat isn't here tonight.

McCutchan Road Bridge VC00-11-03 - Open Bids

President Jerrel: The next item is the opening of bids for the McCutchan Road Bridge project.

Commissioner Mourdock: And I will move that we do open the bids for VC00-11-03.

President Jerrel: And I will second and say so ordered.

Purchasing - CE2000-07 Computers & Software

President Jerrel: The next item on the agenda is purchasing's permission to advertise and bid for computer and software. Did you hear anything from Jerry?

Tony Greubel: Jerry had a doctor's appointment. He asked if we could just recommend this as instructed on the request.

President Jerrel: Okay.

Commissioner Mourdock: I'll move then that we advertise and bid as requested by city/county purchasing for computers and software CE2000-07.

President Jerrel: And the advertisement dates are okay, Jane? The 14th and 21st? I'll second and say so ordered.

Human Relations Ordinance - Public Hearing

President Jerrel: The next item on the agenda is a public hearing, a first reading, for the Human Relations Ordinance. You have that?

Joe Harrison, Jr.: Yeah, there are two ordinances for consideration. This is the first reading. It is a public hearing. The second reading will be the next Monday the 18th. The first ordinance for consideration is the amendment to the county ordinance concerning the City/County Human Relations Commission. This is essentially the...indicates the processes and the make-up of the Human Relations Commission Board. The City of Evansville, the City Council, passed a similar ordinance, I believe I have a copy of it here, was passed in April of '98. So it's been awhile and now the county needs to also dovetail that particular...no, I'll take that back. The city's was passed, I believe, last year. We need to dovetail their ordinance. As you may recall, earlier this year we entered into an agreement with the city where the make-up of the board...the number of commission members was reduced. This ordinance covers that resolution that we entered into as kind of an interlocal agreement. We needed to put that in ordinance form as well. This addresses that particular issue as far as the make-up of the Commission Board. Just for your information, from January 1 to December 31 of 2001 there will be 13 members on the board, on the Commission Board. Then beginning on January 1, 2002, there will be 11 members on the board. The appointing members from the county will continue to remain as it is - two county commissioner appointments and one county council appointment. That will be the same even beginning January 1, 2002. Again, this is a first reading and I would ask that you consider this amendment to the county ordinance at this time.

President Jerrel: You want two motions though?

Joe Harrison, Jr.: Yeah, this will be the first. We'll consider that one first.

Commissioner Mourdock: Since it is a first reading, is there anyone here to speak on the first reading of this? Seeing none, I will move on first reading, approval of the document that we have which is entitled, "First Reading of Human Relations Ordinance and Notice of Public hearing by the Board of Commissioners of Vanderburgh County." The amendment to the county ordinance concerning City/County Human Relations Commission.

President Jerrel: And I will second and say so ordered.

Fair Housing Ordinance - Public Hearing

Commissioner Mourdock: Also with this being a public hearing for the first reading for the County Fair Housing Ordinance, is anyone here to speak to that? Seeing no one, I would move approval on first reading of the County Fair Housing Ordinance as submitted by the county attorney.

President Jerrel: And I'll second and say so ordered. Do you want to take these copies back?

Joe Harrison, Jr.: Also, with respect to that, that particular ordinance was passed by

the city, a similar ordinance, in April of '98, that designation of the commissioners and pass it next week will allow them to enter into certain contracts with HUD which they've been wanting to do. This will enable them to do that. Thank you.

**Boonville-New Harmony Road/Schlensker Ditch Sanitary Sewer
Award VC00-11-02**

President Jerrel: The next item on the agenda is the county engineer.

John Stoll: Right. That contract is for the sanitary sewer that will run from Schlensker Ditch lift station back to Boonville-New Harmony Road. BMB was low bidder on the project, so it's recommended that they be awarded the contract.

Commissioner Mourdock: And I'll move approval of the awarding of the contract VC00-11-02 for the Boonville-New Harmony/Schlensker Ditch Sanitary Sewer project to BMB.

President Jerrel: And I'll second and say so ordered.

Commissioner Mourdock: Before we leave that one, John, when that came up last week there was a huge difference in bids. I should have asked the question before the motion, but they were comfortable with what their bid was? As I recall, there was something as high as \$160,000 to \$180,000 and they bid at \$55,000?

John Stoll: \$384,000 was the high bid. I talked to the contractor and he was confident that he could do it for that price.

President Jerrel: That's the beauty of bidding.

John Stoll: My guess is that the high bidder figured driving sheet piling the entire length of the project, and talking to this contractor, he thinks he can get by installing with trench boxes so he can do it substantially cheaper. That's just me guessing what the high bidder might have done.

President Jerrel: Do you just want to wait a minute. If there's no one here, you're next?

Any Group or Individual Wishing to Address the Board

President Jerrel: Is there anyone at this time in the audience wishing to speak to the commission? Okay, seeing none we'll move on to department head reports.

John Stoll - County Engineer

President Jerrel: County engineer.

John Stoll: First, I've got a change order on the Burkhardt/Morgan project. This change order is for the amount of \$2,814.70 of which 20% will be our cost. The reason for the change order is that the original plans didn't call for removal of the existing signal poles out at Morgan and Burkhardt, and those had to be removed because the entire signal was being replaced. Also, we needed some additional detour signs on the project. It's recommended that this be approved.

Commissioner Mourdock: So moved.

President Jerrel: Second and so ordered.

John Stoll: Second, I'd like to request approval for the county attorney to proceed with condemnation of parcel number 22, the Durchholz Family Trust. This is on the Burkhardt Road project.

Commissioner Mourdock: I was hoping that we'd be able to negotiate something there, but I feared we would not be able to.

Joe Harrison, Jr.: This is the second one.

Commissioner Mourdock: Aah okay.

Joe Harrison, Jr.: The other one is still out there. In fact, we filed on the other one and we have mediation scheduled on the 20th of December.

Commissioner Mourdock: Okay. I would then move that we go forward with the condemnation as requested by the county engineer.

President Jerrel: On parcel two?

John Stoll: Twenty-two.

Commissioner Mourdock: Twenty-two.

President Jerrel: And I'll second and say so ordered.

John Stoll: That should be the final condemnation based on what Bernardin Lochmueller's telling me. There are a couple more unsecured parcels, but they've got verbal agreements with the owners to buy those properties. That will give us a total of seven condemnations but everything else looks pretty good. Also, I wanted to let you know that we've contacted contractors for price quotes for two projects. One is for VC00-12-01, the First Avenue Bridge #611 Debris Removal. The other is for VC00-12-02, the Elmridge Drive Culvert. Both of those are for—we will receive the quotes next Monday.

Commissioner Mourdock: What was the second one, John?

John Stoll: The Elmridge Drive. The pipe out next to the Taylor house where we will put the extra piece of pipe and build the manhole. The first one of First Avenue, that's the box culvert structure out near Fazoli's that routinely accumulates a big pile of debris. It's stacked up again. It's probably even worse after today.

President Jerrel: I bet it is.

John Stoll: I'll bring those in for price quotes next Monday. That's all I have.

Commissioner Mourdock: I have a question for you, John. We received, and I think, Bettye Lou, you've probably seen this too,

President Jerrel: I'm just, yeah.

Commissioner Mourdock: from John. The possibility of a box culvert out on Burkhardt might be 1.05 feet too low?

John Stoll: The way the surveyor came up with it—the contractor's surveyor—he came back with .84 feet.

Commissioner Mourdock: Okay. Point eight four is still a lot.

John Stoll: The way we are proceeding with it is that he needs to hire a consultant to do a drainage evaluation to determine whether or not the design flow can be accommodated based on the grade that the box was laid at. If not, then some sort of correction will have to be done whether it's relaying the box or installing additional pipes to offset the flow that is lost because it's laid at an improper grade. I'm not sure which direction it will go yet, but those were a couple of options that we were looking for.

President Jerrel: Did you ever hear back from the company? I read where you sent them that information and asked them if they were willing to pay the amount of money for the consulting firm.

John Stoll: I met with the contractor, the representative of the contractor, last Wednesday. His name is Bart Mueller. I let him know that based on the gravity flow calculations that the box didn't take what it was designed for. I told him, at that point, he needed to hire the consultant. He's never come back and officially told me they've hired anybody. Likewise, I haven't seen any signed contracts or anything as of yet.

Commissioner Mourdock: Where does the error lie?

John Stoll: Pardon?

Commissioner Mourdock: Who sinned? Why do we have this problem? Who did the survey that resulted in this thing, apparently, being placed too low?

John Stoll: The contractor had his own surveyor hired. They laid it out so whether or not it was staked improperly or the contractor just laid it on an improper grade or what happened, I'm still not sure.

Commissioner Mourdock: Okay, so the recommendation that you make in your letter then regarding the hiring of the consultant, that is not the consultant that otherwise did the work?

John Stoll: Right. This is...since Vanderburgh County, American Consulting, NFH, Inc. and INDOT all have an interest in this, what we told the contractor was to go back to United Consulting, since they had done the original drainage calculations and they could potentially see a little savings because they wouldn't have to go re-create the wheel by re-creating all the original drainage calculations. That's why we were having the contractor work with United. As of last Thursday there was not a signed agreement between United and the contractor, but that was the direction we were going in to see what kind of flows it would handle based in its current condition.

Commissioner Mourdock: So United...whatever is going to be done, they are going to end up being the party that will suggest the remedy and then again this board has to approve whether or not that remedy is acceptable?

John Stoll: Right. Once I get some results, then I can come back and let you know what flows it can handle and whether or not any correction is needed and what those options might be.

President Jerrel: Thank you.

County Highway

President Jerrel: The highway department is preparing for tonight. I hope nothing happens.

Commissioner Mourdock: What's the forecast? I still haven't heard.

President Jerrel: They're expecting the temperature to drop and with all the water on the roads and within the streets...I heard Mike Duckworth saying that they were doing the same thing on the city side.

Commissioner Mourdock: We do have the county highway report here before us so I'll move that we go ahead and enter the county highway department report into the record.

President Jerrel: And I'll say second and so ordered.

Joe Harrison, Jr. - County Attorney
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President Jerrel: County attorney.

Joe Harrison, Jr.: I have a couple items. First would be the bids that were submitted on McCutchan Road Bridge project VC00-11-03. They are as follows:

Bidder	Bid
Gohmann Asphalt & Construction Inc.	\$179,462.50
CCC of Evansville, Inc.	\$86,676.87
Phoenix Construction Company	\$101,459.50
Deig Bros. Lumber & Construction	\$132,954.30
A & M United, Inc.	\$74,955.00

Joe Harrison, Jr.: I'd ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Mourdock: So moved.

President Jerrel: I'll second and say so ordered.

Joe Harrison, Jr.: The next item I have is a quitclaim deed, that I believe is in the consent file, from the county to Jeffrey and Melyssa Ludwig. It's regarding a 100 foot strip of property on Nurrenburn Road across from Burdette Park that was previously conveyed to the county back in 1936. This strip had a condition in the deed which said so long as the county maintains the strip of property it can remain the county's property but if, by chance, the county discontinues maintenance and use of the property, it reverts back to the predecessors in interest to the property. One of the predecessors down, it's kind of a longer strip, but one of the predecessors has been maintaining the property for years. I've had a number of conversations with Steve over the years and as long as he's been at Burdette, for over 20 years, the county has not used that strip or that area. If you don't mind coming up to the mike, at least we could get that on the record.

Commissioner Mourdock: Is this the same property, Joe, that the fellow was bringing suit against the county representing himself? I mean, when I came on the board this was out there.

Joe Harrison, Jr.: No, this is another little strip. In fact, it's just a small strip.

President Jerrel: I don't remember where it is, but that's the name.

Joe Harrison, Jr.: Technically it has, not formally, but it has reverted back to them. In order to clean up title, we need to follow through and have it recorded.

Commissioner Mourdock: It's reverted through non-use.

Joe Harrison, Jr.: Yes, through non-use. Steve's been out there for years.

Steve Craig: The history on it was, when we looked it up, it was the property across from Burdette at the top of the hill was purchased by the county so vendors couldn't set up booths and sell stuff to people going to Burdette Park. That's why they bought this small strip on the opposite side of Nurrenburn Road for. They had used it for parking over the years but from what we were told, that's why it was purchased back in the 30's. Like Joe said, it's not been used. It's more or less the shoulder of the road and the edge of the road. When the people bought the property and built a house on it, they found out that even though they thought they owned up to Nurrenbern, that the small section on the road was owned by the county.

Joe Harrison, Jr.: I've got a quitclaim deed in the file that I would ask that you sign. I'd ask for a motion to execute the deed.

Commissioner Mourdock: That's an interesting one. I can't imagine in this day and age, if someone came to us and basically...or I can't imagine the county going forward to buy a strip of land to keep people from going into business which is what it sounds like was done back then. That is amazing.

Joe Harrison, Jr.: I would also ask that you declare for the record that piece of property surplus.

Commissioner Mourdock: I will move that piece of property be declared surplus and then also move that we act to sign the quitclaim deed as requested by the county attorney.

President Jerrel: And I'll second and say so ordered.

Joe Harrison, Jr.: The next item I have in the consent file is the county group health renewal contracts for 2001 submitted to us by Torian, Hofmann, and Dillow regarding the three county plans: Anthem Blue Cross & Blue Shield, Anthem Blue Preferred Primary, and Welborn Health Plans. Again, these are the renewal contracts submitted to us by Torian, Hofmann, and Dillow. They need to be executed so they can be forwarded on to the three providers - plan providers.

Commissioner Mourdock: I'll move approval.

President Jerrel: I'll second and say so ordered.

Joe Harrison, Jr.: That's all I have.

Tony Greubel - County Buildings
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President Jerrel: Okay, superintendent of county buildings.

Tony Greubel: Just three brief things. I submitted three late pink slips. They're in front of you today. The second activity, I want to acknowledge that the Emergency Management Agency kept the commission office well informed during the seismic activity last week and the updates on that. Finally, work has or is just about ready to begin on installing the new boiler at the county highway garage. So the vendor has gotten a hold of Erik and Dave out there.

President Jerrel: It's none too soon.

Tony Greubel: That's right.

President Jerrel: Thank you. Did you have anything?

Commissioner Mourdock: No, I didn't have anything.

Steve Craig - Burdette Park

President Jerrel: Burdette Park. I'm sorry, Steve, we could have kept you up there.

Steve Craig: The one thing I've got is that I met with Blankenberger Brothers this morning and we kind of surveyed the O'Day Discovery Lodge progress and they determined that they probably won't do anymore work until probably early spring. As we stood up there this morning, the lime stabilization became out of the question. He said that other than to mess with it, they will come back and fix whatever erosion problems, if we have any. They are very minor right now but he said they will be back to finish those and do the parking lots and driveway as soon as weather permits which he estimated would probably be in late February or early March if the weather is conducive to it. Other than that and my work sheets, that's all I have for this evening.

President Jerrel: We want to keep on everybody about the money for the project.

Steve Craig: We sent letters out to everyone that were in their district and got some good letters back from them. People that have not participated in the past have shown some interest in it. It looks good. We just don't know how many people sent letters out. There's a lot of people asking for the money.

President Jerrel: Is there a motion to accept?

Commissioner Mourdock: I'll move acceptance of the Burdette Park report and also move acceptance of the Soil and Water Conservation District, and the ozone officer's report as submitted to us this evening.

President Jerrel: I'll second and say so ordered.

Consent Items

President Jerrel: Are there any questions about any of the consent items?

Commissioner Mourdock: No, but I would move that the three late ones that Tony mentioned earlier be added to the consent items.

President Jerrel: And I'll second and say so ordered. Is there a motion to approve all of them?

Commissioner Mourdock: I'll move approval of consent items as filed with that one addition.

President Jerrel: And I'll second and say so ordered.¹

Old Business

President Jerrel: Is there any old business to come before the board?

Commissioner Mourdock: I have a bit of old business with some of our jail information. And I'll ask Erik Williams to see if he can clarify this one for me. I gave him fore warning of the question - a little bit.

Eric Williams: You didn't tell me what the question was going to be. You just gave me the answer.

Commissioner Mourdock: I'll try not to make this extended, but I learned yesterday that in 1996 Congress passed a law regarding people who are living in this country who are not citizens. Once they are arrested for any number of crimes, they can be deported. That is even to the fact that if they, let's say, committed a crime in 1986, let's not even call it a crime, if they were arrested for DWI in 1986 and have been a stellar citizen up to that point. Then in 1996 this came in to effect. If today they go in and apply for citizenship, once it's determined that they were arrested for DWI fourteen years ago, they can be forced out of the county which is amazing to me. In addition to that, there is something like 4000 people across the country right now who are in the situation where they've been asked to leave the county, but their country from which they

¹See page 12 for a complete listing of consent items.

came, will not take them back. So these people are sitting in jails across the county with no way of getting out of jail, with no termination date as to when they may be released from jail. With that fresh in my mind, I picked up your report that you give us and low and behold, we have someone in our jail who's been there 491 days. It simply says "Immigration and Naturalization Service." Is he one of those people who is otherwise to be deported? Do you know?

Eric Williams: Let me see what his name is. He's a marshall's hold. He's been up here the majority of time because he's a marshall's hold. He's testifying in federal cases.

Commissioner Mourdock: But if it's marshall, why is it saying—

Eric Williams: That could be a clerical error because it shouldn't say that unless they have recently placed a hold on him now because of his dealings in this.

Commissioner Mourdock: Would you check on it because I was—

Eric Williams: We do track birthplace or county or origin for those very reasons. In case we are inquired upon. Very infrequently though do we have contact with the Department of Naturalization or INS. The nearest office that they have anybody that we can really deal with is in Indianapolis. As far as that gentleman there, the majority of his time, I'm familiar with him, he's been a U.S. Marshall's hold because he's testifying in some cases against other people that we are currently holding. That may either be a clerical error or a recent addition to the hold that maybe INS has now become aware of him and are going to pursue him also. I will clarify that for you for the next meeting. I'll let you know something.

Commissioner Mourdock: The INS person that was interviewed during the course of this story made the comment that all of the 4000 people that they are aware of are now being referred to as "lifers". Isn't it amazing?

President Jerrel: They don't have anywhere to go.

President Jerrel: They don't have anywhere to go and their crime may be...not that DWI is insignificant, I don't mean it that way—

Eric Williams: In the bigger picture.

Commissioner Mourdock: Yeah, in the bigger picture, they are sitting in jail and by INS's own words, they may be the rest of their lives because they can't find a place for them to go and there's no basis under the '96 act to release them. If we have anybody in our jail under those terms, I'd like to be aware of it.

Eric Williams: I'd be curious to know of the 4000 how many are in county level institutions?

Commissioner Mourdock: All of them.

Eric Williams: I can't imagine a county even sitting still for that without having a court order them turned loose. I mean, I feel pretty comfortable that our courts would just say, "Turn them loose."

Commissioner Mourdock: That's what the INS person said that they were all held in county facilities across the county.

Eric Williams: I've not been aware...our courts are pretty attuned to that. I will follow up on that one and let you know.

President Jerrel: Do we have any non-citizens in our jail?

Eric Williams: Right now not that I'm aware of. We periodically have them go through the system. They make it through the entire system. It becomes a problem when we're having problems communicating with them, problems getting action in the courts, or other reasons then we start getting INS involved. That's so infrequently.

Commissioner Mourdock: Just to make the point, the countries that no longer take them back are everything from a middle eastern country that doesn't want them back to Cuba that put people up here during the Mariel boat lift. There's China, Taiwan, Vietnam. Some of them have been here since the end of the Vietnam War and now they are being ordered back to a country that, basically, doesn't exist.

Eric Williams: Non-American citizens are a very small percentage of people booked through our facility at this time. I guess that's subject to change as our population changes.

President Jerrel: Thank you.

Commissioner Mourdock: That was the only bit of old business that I have.

New Business

President Jerrel: Any new business? Hearing none, is there a motion to adjourn?

Commissioner Mourdock: Do we need to schedule a special meeting on behalf of solid waste for that 21st date or do we need to do anything differently?

President Jerrel: They had advertised it.

Commissioner Mourdock: They have already advertised it?

President Jerrel: I asked Joe to poll all the members, since we didn't have a quorum and make sure that it was appropriate. I asked him to just put the whole agenda back on there because we had a pretty good crowd at the meeting. Motion to adjourn?

Commissioner Mourdock: So moved.

President Jerrel: So ordered and thank you all very much.

Meeting was adjourned at 5:59 p.m.

CONSENT ITEMS:

Employment Changes:

Health	Circuit Court	County Council
County Highway	Prosecutor	Knight Assessor
Auditor	Treasurer	County Buildings
Sheriff	Clerk	Recorder
Community Corrections	*Recorder	*County Council
*Community Corrections		

*Pink slips turned in late and added to consent items

Travel Requests:

Health

Auditor:

- Submit accounts payable vouchers
- Submit satisfaction of Barrett Law Assessment
- Submit monthly financial, cash and expenditure reports

Sheriff:

Submit Weekly Jail Information and Reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Joe Harrison, Jr.
Suzanne Crouch	Jane Laib	Eric Williams
Tony Greubel	Steve Craig	John Stoll
Others Unidentified	Members of Media	

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Betty Lou Jerrel, President

Richard E. Mourdock, Vice President

Recorded and Transcribed by Jane Laib

**Vanderburgh County
Board of Commissioners
December 18, 2000**

The Board of Commissioners of Vanderburgh County met in session this 18th day of December at 5:36 p.m. in Room 307 of the Civic Center Complex with President Bettye Lou Jerrel presiding.

Introductions and Pledge of Allegiance

President Jerrel: I would like to call the Vanderburgh County Board of Commissioners meeting to order. At this time, I would like to introduce those before you. On the far right is Tony Greubel, our Superintendent of County Buildings; Joe Harrison, Jr., County Attorney; Commissioner Pat Tuley; far left Jane Laib, our Recording Secretary; Suzanne Crouch, County Auditor; Commissioner Richard Mourdock; and my name is Bettye Lou Jerrel. I'd like for you to join me in the Pledge of Allegiance.

Approval of Minutes

President Jerrel: The first order of business is the approval of the minutes from the December 11th meeting.

Commissioner Mourdock: And we should have two sets to approve tonight and so we're –

President Jerrel: Right, the...let's see, that would have been the 4th and the 11th.

Commissioner Mourdock: I'll start with the minutes of December 4th and I'll move the approval of the minutes for December 4th as submitted.

Commissioner Tuley: I'll say second because that's the one meeting I was at.

Commissioner Mourdock: And I will so order.

President Jerrel: And then the 11th.

Commissioner Mourdock: And then secondly, I will move approval of the minutes of the December 11th meeting as submitted.

President Jerrel: And I'll second and say so ordered.

Open quotes - VC00-12-01 First Ave. Bridge debris removal VC00-12-02 Elmridge Drive culvert
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President Jerrel: At this time, Jerry, we do have some bids in. Is there a motion to go ahead and open the quotes?

Commissioner Mourdock: I'll move that we open the bids for the First Avenue Bridge debris and the Elmridge Drive culvert.

Commissioner Tuley: Second.

President Jerrel: So ordered. And you want to go on to Purchasing now?

Tony Greubel: (Inaudible)

President Jerrel: Oh, I'm sorry. I'm sort of anxious to get this meeting over with because it's so nasty out and I just jumped right over it. We have a guest. We have our mayor and I'd like to defer the rest of the program until he says what he wants to say.

Mayor Russell Lloyd, Jr.

Russell Lloyd, Jr.: Thank you. Mayor Russ Lloyd, Jr. I want to take this opportunity to declare a proclamation in the city of Evansville.

Whereas Bettye Lou Jerrel has served the citizens of Evansville and Vanderburgh County in elected office as a Vanderburgh County Councilmember and a Vanderburgh County Commissioner continuously since 1990.

Whereas Bettye Lou Jerrel had a successful career with the Evansville-Vanderburgh School Corporation as a science teacher and administrator.

Whereas Bettye Lou Jerrel is known as a no-nonsense administrator with an eye for detail that saved taxpayer funds on the Azteca Milling tax abatement, managed the completion of the Lynch Road extension, initiated a North Highway 41 corridor development plan and assisted in financing the convention center when bond issue monies had run out.

Whereas Bettye Lou Jerrel has served with distinction on numerous state boards and committees.

Whereas Bettye Lou Jerrel has been a long-time activist in republican party politics starting as the first female head of the Vanderburgh County Republican Central Committee as well as a long-time precinct committee woman.

Whereas Bettye Lou Jerrel has served as a volunteer on numerous non-profit organizations and boards such as the Indiana University Medical School Advisory Board, the Indiana Public Defender Commission, the Indiana State Board of Education and the American Cancer Society.

Whereas Bettye Lou Jerrel has served as an outstanding public servant for many years and all our citizens wish her well in her future endeavors?

Be it known that I, Russell G. Lloyd, Jr, Mayor of the city of Evansville, do hereby proclaim December 18th, 2000 as Bettye Lou Jerrel Day here in the city of Evansville, Indiana.

And I have as a token of our appreciation, a key to the city of Evansville.

President Jerrel: You know, I don't think I've ever had one of those.

Russell Lloyd, Jr.: We researched that and we found that to be the case, so –

President Jerrel: Well, I really appreciate it, but you've got me on that one. I really do appreciate it, Russ. Thank you very much.

Russell Lloyd, Jr.: I'd like to mention, I know that Pat is coming to the end of his career, too. We appreciate everything you've done, all the hard work.

Commissioner Tuley: Thank you.

Jerry Bryan - Purchasing Department
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President Jerrel: Okay, moving on, Purchasing.

Jerry Bryan: I'm Jerry Bryan, City/County Purchasing Director. In your bid packages you'll see the summary of bids for computer and copy paper, APA022-2001. We recommend this computer and copy paper bid go to Resource Services because of the following reasons: the low bidder is SKH, but he is unable to raise his price – he is able to raise his prices at any time, at any percentage, which we found unacceptable. The second lowest bidder is Resource Services which has a guaranteed price for the first 90 days and has a maximum 4% increase. This award was approved by the BPW this afternoon and I would ask that you approve Resource Services as our awardee for computer and copy paper for next year.

Commissioner Mourdock: Just to clarify, so they were not the lowest bidder, they were not the second lowest, but they were the third bidder, and as third, they were judged –

Jerry Bryan: The summary on the back, Mr. Mourdock, has \$79,000 for Resource Services and \$75,000 for SKH. So they were the second bidder as far as a low bid. But in our (inaudible) of our bid packages, it says any bid that is subject to open and unlimited escalator cost may be rejected, so we are highly suspect of a company that can give us any kind of an increase whenever they feel like it.

President Jerrel: Are there any questions? Is there a motion?

Commissioner Mourdock: I'll move approval of the request to award the computer copy paper bid APA022-2001 as requested by the Purchasing Director.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Jerry Bryan: Thank you.

Amendment to Human Relations Ordinance - Final Reading County Fair Housing Ordinance - Final Reading

President Jerrel: The next item on the agenda is the final reading for the Human Relations Ordinance and we had the first reading last week. Do you want to step up to the mike? Is there any...We didn't have anyone here last week.

Joe Harrison, Jr.: No one was here last week to speak one way or another either for or against and I am assuming that you're here in support of both ordinances. The first ordinance for consideration...let me see if I have my info here in front of me. I'm sorry, I am trying to sift through some of it. This would be the amendment to the Human Relations Ordinance, which is the – essentially, the ordinance which clarifies

the board membership and the powers of the commission and puts us into really coordination with the city on the ordinance that they already adopted. And this cleans up some of the language in there and the second ordinance is the county Fair Housing Ordinance. But there was a first reading last week and it passed and this is the final reading. And would you like to make any other comments on the first one?

Floyd Edwards: Simply on the first one, what that will allow our commissioners to do is to hear the cases brought before them at the hearing in the county – the previous ordinance did not allow them to hear the cases. It did allow us to investigate but now we can get a resolution from our commissioners. So this will clean that up so that they might be able to hear cases in the – from the county side. The ordinance is long overdue and I think they did something that would be positive for our community. But the other thing is that, you know, we're not doing anything different. You're not doing anything different than what is already on the books for the federal and for the state. It just brings us into compliance in the local area so that we might be able to include those investigations locally instead of sending them out of the city to be investigated.

President Jerrel: Okay, and the second one...Joe?

Joe Harrison, Jr.: The second one is the county Fair Housing Ordinance and I know by adopting this, the city adopted this particular ordinance as well a year or two ago and it allows you to receive some federal grant money.

Floyd Edwards: (Inaudible) a place to be able to say that yes, we do have (inaudible) housing in the area and that there are procedures in place for eradication of any discrimination that we may find.

Joe Harrison, Jr.: And I would ask that you have two separate votes on the two ordinances and have a roll call vote.

President Jerrel: Is there anyone else in the audience that would like to speak to either of these ordinances?

Commissioner Mourdock: And seeing none, I'll move approval on final reading of the Fair Housing Ordinance and the summary of that was read into the record last week. So I move the approval as submitted last week.

Commissioner Tuley: Second.

President Jerrel: And I'll call for a roll call vote. Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes.

Joe Harrison, Jr.: And then on the amendment to the Human Relations Ordinance.

Commissioner Mourdock: Right, the second ordinance, I would move – on final reading – the approval of the Human Relation Ordinance as summarized in our comments last week and again, seeing no one here, this being a public meeting, I would move approval of that on final reading.

Commissioner Tuley: Second.

President Jerrel: And I'll call for a roll call vote. Commissioner Tuley?

Commissioner Tuley: Yes.

President Jerrel: Commissioner Mourdock?

Commissioner Mourdock: Yes.

President Jerrel: And I vote yes. Thank you very much.

Floyd Edwards: Thank you. Best wishes.

<p>Operation City Beautiful Endorsement of grant request</p>

President Jerrel: Okay, the next item on the agenda is the Operation City Beautiful and you have a representative here and if you'd tell us what you'd like for us to do.

Ken Colbert: Hi, my name is Ken Colbert and I am also on the board of Operation City Beautiful. There has been a request by the Executive Committee to pursue some grant opportunities, which I have done so. This is actually a beautification project at the interchange of I-64 and Highway 41, which is in Gibson County. The grant is actually being presented to them and what I am asking for tonight is endorsement from the Vanderburgh County Commission that you believe this is a good idea. I have taken the liberty of actually providing each of you a copy of this tentative grant as well.

President Jerrel: Is part of it the reason that we need to run through our – is it some of this is in Vanderburgh County, but most of the beautification is in Gibson County?

Ken Colbert: That is correct. At least 85% is in Gibson County, about 15% is in Vanderburgh.

Commissioner Mourdock: And Ken, is it on state highway property?

Ken Colbert: It's a combination of state and federal involved with that.

Commissioner Mourdock: Okay.

Ken Colbert: We actually, I had taken one step further and contacted Rose Zigenfus as well to find out if it was actually in EUTS's territory and it is not so they have, therefore, requested that we send the grant directory up to INDOT.

Commissioner Mourdock: Okay, and let me just read into the record one other sentence. This is from your cover letter. The grant is requesting \$250,000 to develop the area, a 20% match or 50% – I'm sorry, a 20% match or \$50,000 of cash

for in kind matches required; however, no public funds will be requested from any governmental agency, only private donations from the business sector will be secured as the match.

Ken Colbert: That's correct.

President Jerrel: Is there a motion to approve or endorse this grant application?

Commissioner Mourdock: With the last sentence being paramount, that we're not putting any money in this, but simply issuing a letter of support, I will move approval as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Ken Colbert: Thank you. I do have a sample letter for your consideration. The last page. Thank you.

President Jerrel: You're going to send it, or –

Ken Colbert: It's actually attached.

President Jerrel: Okay, we'll see to it that it goes – on the packet that you just gave us?

Ken Colbert: Yes, the very last one. It's very brief.

President Jerrel: Let me make sure that...yeah, and we'll put it in our signature file.

Commissioner Mourdock: Do you have the original of the letter, Ken?

Ken Colbert: Yes, I do need that to actually send with the application once the letter is endorsed.

Commissioner Mourdock: But we have copies here. We'll sign it tonight if you have the original here.

Ken Colbert: I do not. I figured you might want to put it on your stationary.

President Jerrel: Oh, okay and then we'll run it through the meeting. Okay, that's fine.

Ken Colbert: Thank you very much.

<p style="text-align: center;">GIS Committee Agreement with the Library Board and Water & Sewer</p>

President Jerrel: Alright, the next item on the agenda is the GIS program.

Roger Lehman: Roger Lehman, Chairman of the GIS Technical Subcommittee, presenting a proposed inter-local agreement between the city water and sewer utility, County Commissioners and the public library. As you are aware, we have

negotiated with the public library to provide the Internet access point for our GIS program. And Article II indicates there will be no cost to the sewer and water utility or the Board of Commissioners and all costs associated with cording or providing the line to the library will also be borne by the library. So there is actually no cost to the city or county in this project. The library feels it's part of their arena to provide this type of information to the public, so we would come from the committee requesting approval. The library board signed it, I believe, Friday. We'll go to the sewer and water utility, I believe, tomorrow and we would like to have this complete. We're going to be coming mid-January with an updated report for the whole project and we'll be glad to – but I'll be glad to answer any questions now you might have relative to this or any part of GIS.

President Jerrel: Are there any questions from the Commissioners regarding this?

Commissioner Mourdock: I would move approval of signing the geographic information.

President Jerrel: Maybe we ought to let the next Commissioners do this.

Commissioner Tuley: Okay.

President Jerrel: I thought that would be appropriate because they are going to come in and explain. We were going to just defer this and let the next Commissioner meeting have – they can review it and have an opportunity to ask questions.

Commissioner Mourdock: That's right.

Roger Lehman: We have provided a copy to them also.

President Jerrel: So if that would be the motion?

Commissioner Mourdock: Yeah, that's a good way to do it. I'll move then that this action be officially deferred until after the first of the year at which time there will be a formal presentation by Roger and the group and then the Commissioners at that time can act accordingly.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Roger Lehman: Thank you very much.

Bill Cottun - SCT

President Jerrel: The next item, Bill Cottun.

Bill Cottun: Good afternoon, I am Bill Cottun. I am the county executive assistant in computer technology and I'd like to come before this board today to thank each one of you for the last three years of working with SCT and also in giving me guidance in how to address county specific projects and also projects that are city/county. Without the direction from this Commission, my job would have been impossible here. As you realize and as you well know, quite often, dealing with the county is analogous to herding cats with many of the departments that have elected officials

who have very good programs that they want implemented in the most rapid manner possible. Quite often, these projects would call on our resources and we needed assistance in prioritizing those resources. And along with the Data Board, this Commission has been invaluable to our relationship with the city/county. I would particularly like to thank Miss Bettye Lou Jerrel for the three years that she has worked with me almost on a weekly basis. She has spent many, many hours helping me understand the needs of the county, guiding me, being a mentor to me and I can never express my appreciation enough. What I do ask is that this Commission pass on to the Commission to follow and with the Commissioner-elect in the room, that we continue to need guidance from this body. Without your guidance we will not be able to function fully to the needs of our county client. And I request that at your earliest convenience, please have us to meet with you again with the newly constituted board and give us additional direction how you would like us to go in the next year. Without you, it will be very difficult. With you, we can do anything. And I want to thank you very, very much for all that you've done for me these last three years.

Ron Keeping - Vanderburgh Industrial Park
--

President Jerrel: Ron Keeping.

Ron Keeping: Ron Keeping appearing for the Evansville Industrial Foundation. This is to provide you with an update on the progress at our joint project, the Vanderburgh Industrial Park. I'd like to report to you that we have six or seven industries that have located out there. I'd like to, I can't. But my next six month update, hopefully, I can. Although you all may already be aware of the progress out there, the county has upheld it's part of the bargain superbly. The roads and sewers and water system are in. The dirt work began in earnest in August. Koester got after it in a big way. This picture was taken in October which shows all the dirt work in the south side of the property done. We were blessed with dry weather through November and with about 12 hours to spare we were able to deal with some unusually wet conditions up there and put all the lots into shape, frankly, to weather the wet weather we've had. As sales wise, FC Tucker, of course, is working to sell the property for the Industrial Foundation. We have a website, we've gotten some publicity. That's a picture of the Industrial Park there in the front of a state magazine and we have two clients or one firm sale and one sale pending. This is a picture of the elevation of the Pro Lift facility that's going to be built by (inaudible – comments made away from microphone) at the entrance of the park. A second building, a 60,000 square foot spec building will, we are in negotiations with a developer to put that on lot seven. And this is our sign. One of the biggest industrial park signs I've ever seen and it's a nice sign. One point that needs to be made about the spec building that's been going on for a couple of months now, and we are attempting to enforce design guidelines to try to raise, to keep this park at a standard, frankly, established by the Pro Lift building, which is a very nice building. And it's difficult to balance the needs of a spec developer versus the needs of the Industrial Foundation to have a high level building...and wish us well. It's a difficult process, but we hope to achieve some sort of agreement.

President Jerrel: Is that, lot seven is where the spec building is going?

Ron Keeping: Lot seven –

President Jerrel: Can you point to that?

Ron Keeping: It's right here on this map. It's on the photograph (inaudible) – comments made away from the microphone). And I would also like to thank the Commissioners on behalf of the foundation for their support of this. Although activity probably has not been as active as I'd have hoped for the six months since we started moving dirt. I am serious when I say there has been some very recent expressions of interest of a very significant nature so keep your fingers crossed. Thanks very much.

President Jerrel: When they had the ribbon cutting, we didn't really have any coverage to speak of, but we had about 40 to 50 mile an hour winds.

Ron Keeping: Yeah, it was lovely weather.

Commissioner Mourdock: Ron, a quick question for you. You said something about the standard of the building that the Pro Lift people have put up and then you indicated that you were hoping the others that are built there will meet that kind of standard. Do you not have established in the plan some basic covenant to do that?

Ron Keeping: We have design guidelines that frankly, we thought were sufficient but there's always a certain amount of –

Commissioner Mourdock: You need to be able to give some leeway, I understand.

Ron Keeping: And we're having discussion at that point of discretion.

President Jerrel: Thank you very much. The next item on the agenda is the Sheriff.

Jane Laib: I need to do a tape change. We're going to be doing short tapes tonight.

(Tape changed at 5:59 p.m.)

Brad Ellsworth - Submit Grant Request For Video Equipment
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Brad Ellsworth: I did just want to show you quickly one of the last acquisitions at the sheriff's department. We are pretty proud of this and most of the department trained. If you're not familiar, it's an automated electronic defibrillator for four squad cars nightly, at the safe house, at the jail, the training center and the court building which we brought out today and almost had to use or were at least ready to use if we had to.

President Jerrel: I'm beginning to believe there's an epidemic around here.

Brad Ellsworth: I was going to approach Mr. Utley about a safety net around the perimeter of the building after this afternoon's fiasco.

Commissioner Mourdock: What happened?

President Jerrel: This is about the sixth - fifth or sixth?

Brad Ellsworth: It's the second window jumper from the second story that actually–

Commissioner Mourdock: It happened again today?

Brad Ellsworth: This afternoon at 1:45, something like that. It's, of course, kind of scary. If I'm standing right here and there's a deputy right here and I'm thinking about doing this. I think I can get away from just about anybody. He got to the window. As he went through the window, the deputy had him by the collar. His body weight started to pull the deputy through the window with him. At that point, the deputy decided that he'd release.

President Jerrel: Let go.

Brad Ellsworth: I commend him for that. The deputies downstairs then went out the door and gave chase over to the School Corporation building and apprehended him in that yard. We haven't heard his exact nature of his injuries. We know cuts - we saw a lot of those. Possibly a broken ankle. Maybe two broken arms. We just don't know yet. He wasn't facing that serious of charges here in Vanderburgh. He had some Spencer - fairly serious about the same drug charges. As long as we are reacting to someone who's planning, it's hard unless the Building Authority wants to put bars on windows. But I guess we are here about a grant. Another day in the life.

President Jerrel: Have all of you had a chance to look at the grant? The grant itself will not be for individuals because we learned the hard way that's not a good idea because the grants go away and then you have to keep the individuals back on the general fund. This does need approval and he needs to get it completed.

Brad Ellsworth: It's \$33,000 and we have a ten percent match which we will do out of commissary. Right now our plan is cameras for the cars and also we are kicking around the emergency management agency and the airport have talked about an interest in a bomb sniffing dog for the area. We are kicking around the logistics of that which may come out of this grant also. We haven't confirmed that yet but that's a possibility. We will take the remainder out of commissary.

Commissioner Mourdock: I won't ask if we subsequently lose the grant, do we have to keep the dog?

President Jerrel: That's a little different.

Commissioner Mourdock: Spoken like a dog lover.

Brad Ellsworth: Depends on how much they eat.

Commissioner Mourdock: I'll move approval then of the grant request as submitted by the Sheriff for the video equipment for several of the patrol vehicles.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Brad Ellsworth: Thank you very much.

President Jerrel: What does that look like when you take it out of there? Can I see it?

Brad Ellsworth: Once you pop this lid, it will actually activate and start talking. I then rip the packet open, place the electrodes here and here, and it will say that until I do it. When it gets there, in the right place, measuring the heartbeat, it will tell me when the numbers say clear and hit this button until it gets ready and thinks you need it. It's basically foolproof. It will not deliver a shock unless the rhythm of the heart is such a nature that it needs it. I would say it's foolproof and they've saved countless lives. I think it's a worthwhile investment for our department and easy to learn.

Steve Craig: Can we have a demonstration?

Brad Ellsworth: Come up here, Steve.

Steve Craig: I thought that's why you brought Eric.

President Jerrel: I think he's on his third day of no sleep, so he may need a shock.

Commissioner Mourdock: I think he meant the other Eric...Eric Williams.

Any Group or Individual Wishing to Address the Board

President Jerrel: Okay. At this time is there anyone who wishes to address the board?

Certification of Executive Session

Commissioner Mourdock: Before we leave those items, we skipped earlier our summary for our Executive Session so I would move approval of the summary minutes of tonight's Executive Session that began at 5:05 p.m. and ended at 5:30 p.m. It dealt with real estate issues and possible pending litigation.

President Jerrel: And we do have to go back to item B.

Commissioner Tuley: Just wanted to indicate that I got here about 5:15 p.m. to join you so I'll second the motion.

President Jerrel: We need to go back to open quotes.

Commissioner Tuley: For the several bids?

Joe Harrison, Jr.: Didn't you give me permission?

Commissioner Tuley: Yeah, we did.

Joe Harrison, Jr.: Yeah, you did.

President Jerrel: We did.

Commissioner Tuley: He will read them as part of his report, won't you?

Joe Harrison, Jr.: Unless you want me to read them?

President Jerrel: Doesn't make any difference. Let's just wait for your report.

John Stoll - County Engineer

John Stoll: First item I've got is a recommendation to accept 324 feet of St. Joe Industrial Park Drive in St. Joe Industrial Park Subdivision. It was completed in general accordance with the approved plans.

Commissioner Mourdock: I'll move approval of those streets as recommended.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Second, I've got a change order on contract number VC00-11-01 the Seminary Road Culvert Removal and Replacement. This is for a net decrease of \$139.17. The items involved are overruns in stone and bedding for the pipe. The reason for that is when the old structure was removed, two old abutments from two previous structures were found so we had to place additional backfill in there so those quantities overran. Because of the weather, they won't be able to get any asphalt down so we are going to switch it to concrete pavement and we are eliminating all the asphalt pavement and replacing in an eight inch concrete pavement. Deleting the asphalt took about \$7,900 -- \$6,900 off the price and then we turned around and added in \$4,900 for concrete pavement. It's recommended that this be approved.

Commissioner Mourdock: So we end up a net minus? I'll move approval of the change order.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Next, in regard to the Timber Bridge contract number VC-00-11-03, I'd like to recommend that the project be awarded to CCC of Evansville for the amount of \$86,676.87. They were the second lowest bidder on the project rather than low bidder on the project. The low bidder on the project submitted a Form 96 that listed no prior U.S. bridge experience. I've got a copy of that here. With no prior bridge experience, we felt that in reviewing the bids, we should recommend going with a contractor with bridge experience.

Commissioner Mourdock: Joe, any comments?

President Jerrel: Did you have a comment, sir?

Ramadan Abd Elsaleu: My name is Ramadan Abd Elsaleu from A & M United. Yes, we didn't have bridge experience, but we have contracting, you know what I mean, experience. We do engineering and construction and bridge. We didn't lie and say, you know we did this one, but we have experience and we do the same in Henderson and different states. We hire, you know what I mean, Don Nalley. He's done several jobs that he built. He's going to work for them and be the superintendent of that job. I didn't see why we didn't get the job? If we were low bidder and we have the full respond, you know what I mean, to protect our company and protect the city?

Joe Harrison, Jr.: Sir, I'm the attorney for the county. I just want to ask you one question. Is it true that your company has never done any bridge work here in the United States?

Ramadan Abd Elsaleu: No.

Joe Harrison, Jr.: It's not true?

Ramadan Abd Elsaleu: No, I said we never built any bridge in the United States, is true. No, this is true. We do contract and engineer the infrastructure, you know what I mean, building and renovation. The bridge, no, we didn't have any.

Joe Harrison, Jr.: Thank you.

President Jerrel: Is there a motion?

Commissioner Mourdock: I've known Ramadan for awhile. This is a difficult one, Ramadan, but we pay here for the county to have our technical experts in place, both engineering wise and attorney wise, and we do have the spec in there, John, I presume when the bid package was put out that specifically called for past experience in this specific area? Is that correct?

John Stoll: I'd have to look through the specs to see how it was worded. I know the specs were worded to say that the contractor had to do 60 percent of the work with his own forces.

Commissioner Mourdock: That's a question as well.

John Stoll: Right, since speaking with Ramadan, as of last week he was going to hire Mr. Nalley but hadn't as of that date so he didn't have the personnel to do the 60 percent at that time. As far as the specific provision in the contract about bridge experience, I'd have to look through that to see how that was worded.

President Jerrel: Would you come up and give your name?

Dan Nalley: My name is Don Nalley and I've been hired by A & M United to supervise this bridge, if awarded. I've built several of these projects just like this one. As a matter of fact, some 20 years ago I built two of them right here in this county out on the west side by Boehne Hospital. I think it was Red Bank Road. I'm not sure. The last one I did was a triple span for Warrick County about two years ago. I have the expertise to do this, I believe. Thank you.

Commissioner Mourdock: Did I understand you to say, Mr. Nalley, you're going to be hired if the project is awarded?

Don Nalley: Yes.

Commissioner Mourdock: So you are not working there currently?

Don Nalley: Not yet, no.

Commissioner Mourdock: Okay, thank you. As I understand what we need to do by way of the specs that were put out, John did you have something?

President Jerrel: Do you have a recommendation?

John Stoll: I was going to recommend that it be awarded to CCC for \$86,676.87.

Commissioner Mourdock: Sometimes this job isn't fun. I'll move the recommendation as recommended by the county engineer.

Commissioner Tuley: You're comfortable with that recommendation?

Joe Harrison, Jr.: The commissioners ask for and I'm sure the specs asked for prior experience and so it's in your discretion to consider prior bridge experience. The answer was that the company that was the apparent low bidder does not have any prior bridge experience and that's a fact that you need to consider.

Commissioner Tuley: I'll second your motion.

President Jerrel: And I'll say so ordered.

John Stoll: The next item I've got is the temporary easements for the Elmridge Drive Culvert work. They've been signed by both property owners - Mr. Daniels, the Taylors and I've just got them here for the commissioners to accept and then we will proceed with recording the documents. The temporary easement just allows the county to go out there and do the work on the two properties and the easement document specifically states that once it's complete, then the county won't maintain it further. We'll go in, extend the pipe, build the manhole structure, and get the pipe in line with the ditch, and then at that point it reverts back to them. It will be sitting on their property. So I recommend that these be accepted and we can proceed with recording.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: The last item after Joe reads the results of the bids, we need to award the First Avenue project and the Elmridge project.

Commissioner Mourdock: Do we need to do that tonight or are you going to take them under consideration?

John Stoll: I took a look at the totals already and they are okay so I would just as soon award them tonight.

Commissioner Mourdock: I just want to clarify though, especially after the vote we just had or the motion, you're confident that in that quick look at them this evening that both the bidders, or however many bidders there were, are all capable and qualified?

John Stoll: Right.

Joe Harrison, Jr.: Let me just read them. There were two bids. First is VC00-12-01, it's the First Avenue Bridge Debris Removal. That's bridge number 611. There

were four bids submitted and are as follows:

CCC of Evansville	\$3,400.00
Southwest Engineering, Inc.	\$16,500.00
Koberstein Trucking, Inc.	\$3,150.00
Deig Bros. Lumber & Construction	\$3,165.00

Joe Harrison, Jr.: I would ask that you take these bids under advisement and review them for their responsiveness.

Commissioner Mourdock: I will so move.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: Koberstein was the low bidder. They've done this project before. I believe the last time was a couple of years ago. It was a lump sum bid so there's no math errors or anything like that to deal with so, on that basis I would recommend that it be awarded to Koberstein Trucking.

Commissioner Mourdock: Did I hear you say, "If there are no problems like math errors"?

John Stoll: No, there are no problems. It was just a single lump sum item.

Commissioner Mourdock: In that case, I'll move the award as requested by the county engineer.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: The next batch of bids is VC00-12-02, it's Elmridge Drive Culvert installation and box construction. The two bids are as follows:

CCC of Evansville	\$5,400.68
Deig Bros. Lumber & Construction	\$6,295.00

Joe Harrison, Jr.: I'd ask that you review these bids for their responsiveness. Take these bids under advisement and review them for their responsiveness, I'm sorry.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: On that one, I would recommend that it be awarded to CCC of Evansville. There was a math error on that one, the correct amount is \$5,400.89. I believe they

bid .68 cents. So it's a 20 cent error in that one. I recommend that they be awarded that project.

Commissioner Mourdock: If we don't see any change orders, I will move approval as requested.

Commissioner Tuley: Second.

President Jerrel: So ordered.

John Stoll: That's all I had.

Commissioner Mourdock: John, I sent something your way. I had gotten a letter from a Michael Deig regarding a couple spots where we have poor shoulder problems or there is a crown in the road that he feels might be leading to some other problems, so would you please get with Erik and let me know? I would also like to see a response in writing to that.

John Stoll: As soon as it gets clear enough that we can see the road. I'm not familiar with the two areas that he cited so I'm not sure what the problem might be, but we can take a look at it.

President Jerrel: Thanks.

Erik Bentle - County Highway

President Jerrel: County Highway department.

Erik Bentle: Erik Bentle, County Highway. You have my progress report from last week and my schedule for this week which is subject to change.

Commissioner Tuley: I imagine.

Commissioner Mourdock: How's the salt supply holding out?

Erik Bentle: We went through about 900 tons in the last two days. We are getting replenished today and tomorrow and we should be back with a full barn.

President Jerrel: We really haven't been getting a lot of calls so you must be—

Commissioner Tuley: Doing something right.

Erik Bentle: We put a lot of hours in. They put 59 hours in out of the last 72 so we've been out there quite a bit. Been going home, getting about three hours sleep and coming back in.

President Jerrel: Just make sure they get enough rest.

Erik Bentle: They are going home tonight. They left at 6:00 p.m. and will be back in at midnight.

Commissioner Tuley: What's the forecast for tonight?

Erik Bentle: I've heard flurries on and off tonight, but I heard from Steve that St. Louis just got four more inches heading this way.

President Jerrel: There is supposed to be heavy snow the last three days of the week.

Erik Bentle: So we are likely to be camped out at the garage for awhile.

Commissioner Mourdock: Changing subjects slightly—we had gotten a call, at least I did. I believe Bettye Lou did. I don't know if Pat did from Mr. Maasberg regarding-

President Jerrel: Tony, get that book so I can show Pat that.

Commissioner Mourdock: Oh, he's back there. Mr. Maasberg, I've tried to call you back enough times that I know your phone number 963-5044 by heart. I've been trying to get you. I'm sorry we didn't make contact. Do you want to talk about the issue?

President Jerrel: Yes, very quickly. Do you want to come up, Mr. Maasberg, so Erik can hear you? I made pictures but they are on my desk. He's talking about (inaudible). You're talking about—

Eldon Maasberg: I got a map here that I put together. First of all, my name is Eldon Maasberg. I live at 14747 Lutterbach Road. I was down here today and I got this map. Up here would be Baseline Road, down here is Boonville-New Harmony and I live right here. This here are the buildings where I live. As you can see, I figure this is an eighth of a mile for a 20 acre width. This is what you've got now. You got the road coming into my grain bins, but we need it to go out this way so we can back in the grain bins. Right here is the old Maasberg Ditch which got moved down along Maasberg Road. What's taken place is, as you can see from these pictures, a couple years ago we dropped a semi down there. I would like this spot somehow widened here so we can come out of this grain bin with that semi, plus over here at Baseline Road, when they were blacktopping this road, I begged them guys to widen the corner down here so we could get out.

Erik Bentle: We did widen the two ends of Armstrong down here.

Eldon Maasberg: Yeah, not wide enough to—

Erik Bentle: We could only go two foot each way because we get into easement problems.

Eldon Maasberg: John put the culvert in. We're across it. We're dragging mud out of these holes down here.

Erik Bentle: You've got utility easements right here that they wouldn't let us get in to.

Eldon Maasberg: We need rock. We're dragging semi's through the hole now.

Erik Bentle: We actually widened it two foot each side, didn't we? I know it doesn't look like it but—

Eldon Maasberg: It don't look like it. I mean, go look at those tracks.

Erik Bentle: The utility company wouldn't let us get back into that easement anymore. They got those telephone poles sitting right there.

Eldon Maasberg: There ain't no telephone poles there. Not on that side. You're talking about on the other side of Baseline Road. The pictures you're looking at is right here at my house.

President Jerrel: Is this the part that—

Eldon Maasberg: I want to extend this part right in to here. John put new —

Erik Bentle: John put culverts in.

Eldon Maasberg: — last year, about two years ago, ain't it?

John Stoll: I don't even remember it.

Eldon Maasberg: When they were blacktopping here, I tried my best to tell them to widen that so we can make the corners. About Tuesday or Wednesday, when we had that ice storm, we about slid the semi off in this corner now.

Erik Bentle: It's narrow. It is.

Eldon Maasberg: You try to get in with a semi that's approximately 60 feet long.

Commissioner Mourdock: Mr. Maasberg, back on this other side here, does the road go all the way through there now where it's dotted?

Eldon Maasberg: No, they cut it off and that's another subject.

Commissioner Mourdock: There's several questions here that we need to resolve. We won't be able to resolve here tonight but one is how much right-of-way does the county have up here where Erik is making the point that he feels we may be somewhat restricted. If we are going to do anything up there at all, we need to find out what the right-of-way situation is or the easement situation is up there. Before we can take any action, we need to have that confirmed.

Eldon Maasberg: A total of 792 feet.

Erik Bentle: From the corner?

Eldon Maasberg: From here is what that booklet says.

President Jerrel: (Inaudible.)

Erik Bentle: I was talking about the width is 33 so that's 16 ½ —

Commissioner Mourdock: If it's an eighth of a mile, it ought to be 660 feet back there. You're saying to add some number to that.

Eldon Maasberg: Yeah. I mean the road (inaudible). It used to go all the way through. Sometime or another they changed it and came in here like that. Plus, on this end, they go all the way up to this guy's house. Right up to the mailbox by his

house. This summer they built a new house over here and moved this road like it was here. Did any of you guys approve of that or did they just do it?

Commissioner Mourdock: I'm going to guess the latter.

Joe Harrison, Jr.: Moved the road?

Eldon Maasberg: Somebody did. If I'm figuring right, there's 237 feet from here up to here.

Commissioner Mourdock: Again, understanding what your request is, and let me repeat it back to be sure I do understand it, from where the road ends currently at basically the 600 or 700 foot mark, you're looking to have that road extended somewhat so you can have a turn around?

Eldon Maasberg: I want it up here so we can back into the grain bin. I'm wanting some gravel in here. Plus, I don't know when is the last time you brought me gravel. It's been so long.

John Stoll: Do you own both sides of that road?

Eldon Maasberg: No, Combs owns this side and I own this side.

John Stoll: There's probably insufficient right-of-way to do what you're talking about.

Eldon Maasberg: Like I said earlier, from about here to here is what they used to call Maasberg Ditch until they moved it to the other end of the farm. So that's why it's so deep. You see the semi? You could have walked across the top of it.

President Jerrel: (Inaudible.)

Commissioner Mourdock: Does the property line extend along the imaginary center line of where that road would be?

Eldon Maasberg: Here?

Commissioner Mourdock: Yes.

Eldon Maasberg: My line goes all the way to here and so does Combs.

Commissioner Mourdock: That is the property line?

Eldon Maasberg: Right here. Basically, where I put that is what used to be the road.

Commissioner Mourdock: Obviously, we won't resolve this tonight which means the two of you won't be here for the final resolution, but John and Erik—

Eldon Maasberg: I'm needing gravel and I'd like to see...I tried to get a hold of him several times and they always put me off because this time of year I go down there and talk to one of his guys up front there and they say we can't right now. It's vacation time. It's Christmas time. So I had put it off and January comes and they never do call me.

John Stoll: We've talked to you about it before.

Eldon Maasberg: When you come out and I want that culvert put in up here, I walked by and said, "I'd like to put 24 inch pipe in there and just close that up."

John Stoll: When was the last time that road existed?

Eldon Maasberg: What do you mean existed?

John Stoll: It doesn't exist down here. When is the last time it existed as a road? When was there a road through there?

Eldon Maasberg: This part here, he just first did start discing up about two or three years ago. It was a dirt road up until then. Even this part here up to right there is still a dirt road. It has not been marked.

Commissioner Mourdock: Can you get back to us at the first meeting with the right-of-way width and all that good stuff?

Eldon Maasberg: I'd like something done to widen this thing here any way that you can. Will you give me permission to put some pipe in the bottom so we can come out of those grain bins and not have another truck lost again?

President Jerrel: When did that happen?

Eldon Maasberg: Two years ago.

President Jerrel: Anyway, Eldon and I had a long conversation and I told him that he needed to come on down here. He wanted to come last week, and we didn't have—

Eldon Maasberg: Each one of those circles represents roughly 75,000 bushels of grain storage. For easy figuring, figure 1,000. That's 75 loads and you figure 800 or 900 legal loads. You're looking at close to 80 to 100 loads coming out of there, plus that many had to go back into. I mean, it ain't just one trip. We are going in with a lot of trips and getting very little gravel for this area. Like I said, we definitely need gravel down here because I bet we have a hole wallowed that deep already there.

Erik Bentle: Right as it cuts now you have ditches right there on both sides, right?

Eldon Maasberg: Not in that area, it ain't.

Erik Bentle: Armstrong?

Eldon Maasberg: We're talking about the east side where Armstrong comes out and you're about that short from putting blacktop in that corner. We're cutting across there with our trailers and just wallowing it right out.

Commissioner Mourdock: Time out, Erik. We are supposed to have a zoning meeting at 6:30 and we are going long. I understand what Mr. Maasberg wants. John, if you guys would check the right-of-way and see what we've got to work with and then give us a recommendation the first meeting of the year. We can take a look at it then.

Jane Laib: I need to do a tape change.

Commissioner Mourdock: I did try. You're the last person in Vanderburgh County, I think, without an answering machine.

Eldon Maasberg: I'm surprised that one of the kids or their mother didn't answer. They did see your...since you had an unlisted number, I didn't want to make a pest of myself calling you.

Commissioner Mourdock: That's alright. I made a number of calls.

Erik Bentle: That's all I have.

Commissioner Tuley: Mark's not on vacation when you're changing status is he?

Erik Bentle: Yes.

Commissioner Tuley: I don't want to be without somebody out there in charge.

Erik Bentle: The last thing I have is that I want to say it's been a pleasure working with each and every one of you for the past two years.

President Jerrel: You did a good job, Erik.

Commissioner Mourdock: You do a good job, Erik.

Jane Laib: Tape change.

(Tape changed at 6:31 p.m.)

Joe Harrison, Jr. - County Attorney
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President Jerrel: County Attorney.

Joe Harrison, Jr.: I just have a couple of items. First I have a release that I'd like for the Commissioners to consider. It's a release of a judgement lien upon real estate located at 816 Oakley Street. This relates to a – it's a request by Phil Siegel who is doing some title work search and discovered that a lien is still reflected on that piece of property following a tax sale several years ago. The property was sold and the lien was extinguished at the tax sale but for some reason it's still showing up. The judgement is still of record against Marion Biggerstaff. The judgement will still be there and the judgement would then also still attach to any property that Mr. Biggerstaff still owns. But it just so happens he does not own this piece of property and it was sold at tax sale several years ago. And I've talked to Pat's wife, Z, the Chief Deputy, and she confirmed the same to me regarding this particular piece of property and I would ask that you execute this release of judgement lien upon that particular piece of real estate, 816 Oakley Street. This will enable it to be sold. Apparently there's (inaudible) property on tax rolls.

Commissioner Mourdock: So moved.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Joe Harrison, Jr.: Also, there was a memorandum that was given to the Commissioners by the County Council today regarding payroll and there was an issue that came up with respect to the need for county union employees to be paid bi-weekly pursuant to the union contract and it's my understanding that the Auditor has received a copy of this and I think she's aware of that situation and it's my understanding that you will see to it that the union employees are paid pursuant to the union contracts?

Suzanne Crouch: Yes, we will issue an 80 hour paycheck, 80 hour workweek paycheck on December 21 and then a 40 hour paycheck on December 28th and then they will stay within that two week period.

Joe Harrison, Jr.: And then their next paycheck will be –

Suzanne Crouch: Will be January 12th, two weeks from then. Correct.

Commissioner Mourdock: Do we need to do any action on that? I wouldn't think so. It sounds like –

Commissioner Tuley: I don't think so.

Joe Harrison, Jr.: I don't think so just as long as that's going to be your position. And lastly, I just want to mention on a personal note...I just want to thank the Commissioners for the opportunity to serve as County Attorney the last four years. It's been a lot of fun, I've really enjoyed the experience and certainly Bettye Lou and myself, I've had an opportunity to serve a quarter of my life, believe it or not, in government service and County Attorney and then as County Council Attorney. So I've really enjoyed it and thank you for the opportunity. Really enjoyed also representing the department heads and all the elected officials and it's been a lot of fun but life goes on. So thank you very much and it's been a pleasure.

President Jerrel: Just on behalf of the officeholders that are out here, the department heads that are out here or anyone else that's out here, Joe and I make a good team because both of us worry everybody to death about every detail and it just means that things get done and they generally get done and the T's are probably crossed two or three times and the I's dotted. But you've been a great person to work with and I know I speak for Pat and I speak for them because I know they feel the same way. You're very, very thorough.

Commissioner Mourdock: I'd say nice things about you now, Joe, but I'd be afraid you wouldn't stick around through the Drainage Board meeting.

Suzanne Crouch: As the Auditor, I haven't had the extent of the length of service, I do want to say that this Commission has set the bar by which future work will be judged and the bar is very high. It's been a pleasure.

President Jerrel: Thank you.

Commissioner Tuley: I just want to say something to Joe. I have truly enjoyed sitting down here because you talk about somebody that wants the T's crossed and the I's dotted, he's always whispering in my ear questions, we need to ask this question and stuff and I really appreciated the work you've done for us the four years that I've been sitting here and you've been sitting there.

Joe Harrison, Jr.: Thank you very much. It's been a lot of fun.

Tony Greubel - County Buildings
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President Jerrel: Okay, Superintendent of County Buildings.

Tony Greubel: I don't have anything additional to report but I'd like to say like Joe, I've been honored to work with the three of you over the last four years and the knowledge that each of you has imparted on me and the experience that I have gained is immense and I will leave my position better educated, a better citizen because of it. So I thank you very much.

Commissioner Mourdock: Good job, Tony.

President Jerrel: Thank you, Tony.

Commissioner Tuley: Thank you.

Steve Craig - Burdette Park

President Jerrel: Okay, Burdette Park.

Steve Craig: Steve Craig, Manager of Burdette. I have my worksheets and then I would like, on a personal note, to thank the Commissioners for their help and their guidance that they've gave me over the last four years and wishing Pat and Bettye Lou, whatever endeavors they care to take that they do well at them and I would like to thank you all for the special surprises or the pleasant surprises that we've had over the four years and I enjoyed working with you.

Commissioner Tuley: Thank you, Steve.

President Jerrel: Thank you, Steve. And don't forget to have us out when the lodge opens.

Steve Craig: Will do. You'll be invited.

President Jerrel: Thank you very much.

Steve Craig: Merry Christmas and a Happy New Year.

President Jerrel: Thank you and the very same to you, too.

Approval of office reports

Commissioner Mourdock: I'll move approval of the other office reports we have in which include the Ozone Officer and Soil & Water Conservation District.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Consent Items

President Jerrel: Under the consent items we have three late appointments, one for the Centre, one for the Prosecutor, and the Chief Deputy for the Recorder.

Commissioner Mourdock: And I'll move approval of including those into the consent file for this evening.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Commissioner Mourdock: And then move approval of the consent items.

Commissioner Tuley: Second.

President Jerrel: So ordered.

Scheduled meetings

President Jerrel: You've got your scheduled meeting list attached. Is there any –

Commissioner Mourdock: Just to make one point on the scheduled meetings, there is a special Solid Waste meeting at 4:00 on Thursday.

Commissioner Tuley: Right.

Old Business

President Jerrel: Is there any Old Business to come before the board?

Suzanne Crouch: Just one issue, on the abandoned vehicles ordinance that is going to be heard by County Council and several months ago when this issue came up, the Auditor's Office agreed to take it on for a six month trial basis. Jane has attended her first auction on Friday and in speaking with the state, they indicated that the amount of revenues that we might receipt in is not as great as we originally had anticipated. If that is true, we'd like to make an overture to the Controller's Office, since they are already doing that, to see if they would be willing to take this on and work out some kind of fee to split. So I just wanted to share that with you and see if that was okay to at least explore that.

Commissioner Mourdock: I'll move that we begin that exploration.

Commissioner Tuley: Second.

President Jerrel: So ordered. Is there any other old business?

Commissioner Mourdock: No, I won't call it old. Go ahead. I've got New Business.

New Business

President Jerrel: New Business.

Commissioner Mourdock: Everyone has been giving their personal comments and personal remarks here and this meeting, the last meeting when all of you are here, the three of us, obviously, will be here after the first of the year, but all four of you, I want to say it's been a pleasure working with you. Any time anyone puts their name on the ballot, I've learned those of us who've done it have an understanding that most of the public never has. But anytime you put your name on the ballot, you put it there because you believe in something and because you want to get things done. And Bettye Lou, I know you have done that, as Russ Lloyd said earlier this evening, for a number of years and I want to give you that as a token not just of my appreciation, but on behalf of the entire county and all the people you served. Pat, you've been doing it for eight years in this office and obviously eight years as Treasurer. For your service...

Commissioner Tuley: Thank you.

Commissioner Mourdock: Obviously, with what comes ahead, there is going to be a lot of challenges, there's going to be a lot of interesting Monday nights I am sure, but I think Suzanne said it very well here a minute ago. This board has worked together extremely well. Very seldom, I won't say never, but very seldom has there been real conflict. When those times have come up, it's been because we were very principled in what we believed and we stated our opinions. We didn't always agree, but I think we've worked together very well and I certainly look forward to that in the future. I expect that to be the case. And again, on behalf of everyone in Vanderburgh County, I think the four of you have served all of us very, very well and your time up here is much appreciated.

President Jerrel: Thank you very much.

Commissioner Tuley: Thank you, Richard.

Joe Harrison, Jr.: Thank you, Richard.

President Jerrel: Isn't this awful. I am not going out making a speech, I am going out making a recommendation. How's that? I do have some laws here, I don't have any written speech prepared, but this new Commission is going to be responsible for redistricting and there are a number of laws here that I think maybe Catherine could take a couple of them and we'll put one in the record. I've been giving it a lot of thought. The last 36 - 37 days have been a real eye-opener to the general public about what can happen when elections aren't thoroughly planned and those I's aren't dotted and those T's aren't crossed. I've just been exploring the idea of what we could do here in Vanderburgh County, and I don't mean to propose a new system or anything, that's for a new body to make those decisions on. But I would like to recommend the new Commission seriously consider using an organization like Leadership Evansville to evaluate the statistical information related to Vanderburgh County precincts and voters. Take a look at the extremely crowded precincts that need to be divided and those that are so small that they could be joined together with the idea of doing realistic Commissioner's districts and following all of the rules that are outlined in the statutes, and avoid the gerrymandering and all the things that come along with when they are strictly done in political backrooms. I would urge

them to utilize the registration office because they really don't have any function after they bring in the statistics. And get an organization like Leadership Evansville on board. I think they might be willing to help with this. I think it would be a great asset and certainly something that isn't being done anywhere else in Indiana and not very many places anywhere else. With that, I hope, and I really do mean this, that the new Commission has a lot of success and continues the progress that we have started and with that, I thank all of you for your assistance. And is there a motion to adjourn?

Commissioner Tuley: I am not going to say a whole lot either. It's just been a real joy for me sitting up here for eight years. There's been some times I wish I wasn't sitting up here, I'll have to admit that. But as a whole I've truly enjoyed this, serving Vanderburgh County now the last 18 years, eight years here, eight years as the Treasurer and two years as Deputy County Auditor. So I've had a great stay here in the court house. I've enjoyed not every single minute but most of them. I've enjoyed working and serving the people of Vanderburgh County and it's been great working with the people represented here tonight and the past boards I worked with and just time to go somewhere else and do something different. And with that I'll say second to your motion.

Commissioner Mourdock: I hadn't made it. Why don't you make the move since it's your final motion?

Commissioner Tuley: Okay, my last opportunity then, I will move that the Board of Commissioners meeting scheduled for December the 18th be adjourned.

Commissioner Mourdock: And I will second.

President Jerrel: So ordered.

(Meeting adjourned at 6:43 p.m.)

CONSENT ITEMS:

Employment Changes:

Clerk	County Council	Commissioners
Superior Court	Prosecutor	Knight Assessor
Highway	Community Corrections	Public Defender
Recorder	The Centre	Burdette Park

Travel Requests:

Health Dept.

Sheriff:

Submit Weekly Jail Information and Reports

THOSE IN ATTENDANCE:

Bettye Lou Jerrel	Richard E. Mourdock	Patrick Tuley
Joe Harrison, Jr.	Suzanne Crouch	Jane Laib
Tony Greubel	Steve Craig	Eric Williams
John Stoll	Erik Bentle	Brad Ellsworth
Jerry Bryan	Ken Colbert	Floyd Edwards
Bill Cottun	Roger Lehman	Ron Keeping
Mayor Russ Lloyd, Jr.	Eldon Maasberg	Ramadan Abd Elsaleu
Don Nalley	Others Unidentified	Members of Media

APPROVAL:

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Not in office at time of approval
Bettye Lou Jerrel, President

Richard E. Mourdock, Vice President

Not in office at time of approval
Patrick Tuley, Member